

**BELARUS AND ITS FUTURE:
DEMOCRACY OR SOVIET STYLE DICTATORSHIP?**

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OF THE
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BELARUS AND ITS FUTURE: DEMOCRACY OR SOVIET STYLE DICTATORSHIP?

WEDNESDAY, MARCH 31, 2004

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON EUROPE,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 1:36 a.m. in Room 2200, Rayburn House Office Building, Hon. Doug Bereuter (Chairman of the Subcommittee) presiding.

Mr. BEREUTER. The Europe Subcommittee will be in order. We will proceed with our hearing on Belarus. I have an opening statement, and we will turn then to Mr. Wexler.

Regrettably, 13 years after the fall of communism, Belarus remains one of the few remaining nations in Europe where the transition to democracy has not only not taken hold but the country continues to cling to a style of government in the mode of the old Soviet regime.

President Lukashenka continues to rule as a dictator, and his government continues to crack down on those individuals and organizations who are trying to help build support for democracy and democratic institutions.

According to the *2003 Human Rights Report*, the human rights situation in Belarus “remained very poor and worsened in some areas.” Those are the words from the report. Although the report notes “improvements in a few areas” compared to last year’s report, the 2003 report says President Alyaksandr Lukashenka “intensified his attack on democratic institutions.”

The report says that the local elections held in 2003 were neither free nor fair. It adds that the judiciary in Belarus is not independent and that Belarusian security services have committed serious human rights abuses. It also notes that Belarusian authorities did not undertake “serious efforts” to account for the disappearances in previous years of several well-known opposition leaders.

Finally, the report states that the government has restricted freedom of speech, press and association and introduced several new decrees that further restrict these basic rights.

This fall, Belarus will hold parliamentary elections. Several of the main political opposition parties have united in a common platform in an attempt to bring democracy and respectability back to the legislature.

Unfortunately, members of the opposition political parties and participants in political demonstrations have been subjected to in-

creased harassment, including surveillance by government agents, arrests and physical abuse.

Recently, Speaker Dennis Hastert and several of us met with the leaders of the opposition, collectively known as the Coalition Five-Plus, to discuss the elections and their vision for a democratic future for Belarus. Regrettably, one of the Coalition leaders, Anatoly Lebedko the United Civic Party was recently arrested and charged with slandering President Lukashenka. This is just another example of the repressive regime's harassment of opposition political figures and casts a pall over the forthcoming elections and probably forecasts the manner in which the debate on Belarus' future will be restricted.

In the past year, the government has intensified its ongoing assault on independent media which has included the closure of several newspapers and the jailing of journalists on libel charges. Our staff recently met with several members of the Belarusian Association of Journalists who discussed how difficult it will be for the remaining independent media in Belarus to effectively report on the upcoming elections, as the government will use all measures of intimidation against those media outlets that provide coverage of all opposition political parties and their candidates. That is their judgment.

The Belarusian government also severely restricts activities of nongovernment organizations, such as the International Republican Institute, forcing some personnel from that organization to provide democracy and elections training in Lithuania instead of inside Belarus.

Finally, the economy in Belarus has not fared well under the current government. High inflation, dependence on collectivization, and the lack of market reform have plagued Belarus' economic productivity.

For all these reasons, it is important that the United States government, including this Congress, continue to emphatically express its strong support for free, fair and transparent elections and more definitive progress toward establishing a functioning democracy in Belarus.

I look forward to the testimony of our witnesses today.

But first I would like to turn to the distinguished Ranking Member, the gentleman from Florida, Mr. Wexler, for his statement.

Mr. WEXLER. Thank you, Mr. Chairman.

I want to first thank you for holding today's hearing, and also I want to join you in welcoming the very distinguished panel that has been assembled.

I cannot think of a more appropriate time to discuss the future of Belarus given the extraordinary developments of this past week in Washington where several former Soviet Bloc nations officially entered NATO. Over the past 15 years, the despair and repression that permeated throughout Soviet Bloc nations following the end of World War II has been replaced by hope, opportunity and the chance for greater Euro-Atlantic integration.

The United States and our European allies deserve great praise and credit for this historic transformation, which could not have occurred without close cooperation and a common vision for a free, united and democratic Europe.

Despite these successes, the Cold War goals of the transatlantic alliance have not been fulfilled. Today, millions of people in Eastern Europe, the Caucasus and in the Central Asian Republics have yet to remove the yoke of their Soviet past and fulfill their aspirations of democracies and greater human rights.

Like the citizens of these new EU and NATO members, 10 million Belarusians who suffered greatly under the thumb of the Soviet Union and under the iron fist of Alyaksandr Lukashenka desperately need and deserve American and European attention and support as they seek greater freedom and prosperity.

Unfortunately, since 1994, Belarus and all of its state institutions have been totally controlled by the illegitimately elected Alyaksandr Lukashenka. The Bush Administration has rightfully called Mr. Lukashenka the last dictator in Europe.

I join the global community in loudly condemning growing human rights violations being committed by Mr. Lukashenka and his rogue regime. Additionally, I join Amnesty International in calling on the United Nations Human Rights Commission to urge Lukashenka and the Belarusian authorities to adhere to the principles of the U.N. Declaration on Human Rights Defenders, and harassment and intimidation of human rights defenders and the practice of detaining people solely for the peaceful exercise of their fundamental rights to freedom and expression and association, and cooperate fully with the human rights mechanisms of the UN.

The year 2004 is critical to Belarus' democratic efforts. Parliamentary elections take place in the fall which will determine the future course of Belarus. I strongly support the courageous effort and resolve of the People's Coalition of Five-Plus. Five-Plus represents Belarus greatest hope. However, they are facing growing dangers including intimidation, harassment and arrest.

America, Europe and especially Russia have an obligation to assist Five-Plus and those Belarusians seeking political and social change. Given Russia's extraordinary influence of Belarus, it is critically important that President Putin and his government use their influence to usher in a new era of Belarusian democracy. Moscow must understand that their course of action either to support or oppose democratic forces in Belarus will be weighed heavily in Washington and should and could effect United States-Russian relations.

Congress can also play a significant role in supporting Belarusian democratic reformers. I strongly support legislation such as the Belarus Democracy Act which Chairman Bereuter spoke about in his opening statement.

This legislation sends an important signal to democratic activists in Belarus that the United States is committed to their cause and that we will stand shoulder-to-shoulder with them in their democratic revolution.

Mr. Chairman, the winds of democracy and freedom have yet to reach nations like Belarus. Despite once unthinkable progress, Euro-Atlantic integration in a united, free and democratic Europe remain out of reach for millions. It is critical that the United States, Europe, Russia and the international community seize this historic opportunity to support Five-Plus and other democratic

forces in Belarus as they tear down the walls of repression isolating their nation.

Thank you, Mr. Chairman.

Mr. BEREUTER. Thank you very much, Mr. Wexler, for your statement and for your very direct views that we seem to share.

We are pleased today to have with us 3 gentlemen as our witnesses.

Gentlemen, we thank you very much for your appearance and for the time you have devoted to preparing your statements. Your entire statements will be made a part of the record. But I would like to introduce all three of you at this point

Dr. Ariel Cohen is a research fellow at the Heritage Foundation. He began work there in 1992 and has developed expertise on Russia, Central and Eastern Europe and the Caucasus, just to name a few. He is a native of Yalta. He received his Ph.D. at the Fletcher School of Law and diplomacy at Tufts University. He served as a consultant to both the Executive Branch and private sector on policies toward Russia, Central and Eastern Europe.

He is a regular commentator on Russia and Eurasian issues, numerous issues related to them on numerous television programs such as CNN, BBC, Voice of America. He is an author, his writings appear in many national newspapers such as his recent article on Belarus which appeared in *The Washington Times*.

Welcome.

Mr. Paul LeGendre currently serves as the Program Officer for the OSCE Parliamentary Assembly. In his position, he provides analytical and organizational assistance to the Working Group on Belarus. He has traveled to Belarus on numerous occasions with the working group.

Prior to joining OSCE Parliamentary Assembly, Mr. LeGendre served as a Europe Program Coordinator for the International League of Human Rights. He holds degrees from Boston College and Columbia University.

Mr. Stephen Nix serves as the Regional Program Director on Eurasia for the International Republican Institute. Prior to joining IRI, Mr. Nix served as a Senior Democracy Specialist at the United States Agency For International Development. Mr. Nix has also served as Legal Council to the International Foundation for Electoral Systems and has written extensively on legal and political reforms in Russia and the Ukraine. He received his law degree from Georgetown University Law Center.

Gentlemen, your entire written statements will be made a part of the record. We would ask that you summarize but I think there is no reason why you should not have a fairly generous amount of time so we can receive the maximum benefit from your views. So we will say about 8 minutes for each of you.

Dr. Cohen you are first on the list. You may proceed as you wish.

**STATEMENT OF ARIEL COHEN, PH.D., RESEARCH FELLOW,
HERITAGE FOUNDATION**

Mr. COHEN. Thank you very much, Mr. Chairman it is a pleasure to appear again before you. I testified on Central Asia the last time.

About 7 weeks ago I went to Riga, Latvia to meet with the leaders of the Belarusian opposition and I am shocked and incensed to hear that Mr. Lebedko, one of the participants in that meeting, one of the most able leaders of the Belarusian opposition, has been arrested. I think there is a shame to Mr. Lukashenka and his regime.

As October 2004 parliamentary elections in Belarus are becoming a priority for democratic forces in the country and for Western friends, this is the time to act.

It is a time to consolidate the opponents of the status quo, which adds to the people and gives them hope. This is a task first and foremost for Belarusian opposition but also for those who understand what is at stake to come to the assistance for the Belarusian people and to fight for the future of Belarus.

At stake is how willing or unwilling the West is to fight for liberty. If we are not ready to defend freedom, what can we say about our attitude and policy toward rogue regimes and the friends of rogue regimes? And what is a better place to start than its own home base, Europe.

Alyaksandr Lukashenka, who was elected President in 1994 and engineered his own reelection in 2001 with major violations of the Belarusian Constitution and international democratic norms, is continuing his policies.

The opposition refused to recognize legitimacy of those elections. In 1996, he dismissed the National Assembly and Constitutional Court and imposed his own constitution, further alienating Belarusians. He has supported every dictator from Kim Jong-il to Yasser Arafat to Saddam Hussein.

In the case of Belarus, it is important to recognize that hardline elements of the Russian government were strongly supporting Mr. Lukashenka as long as he was engaged in pro-Russia policy. However, many in the Russian leadership today have grown exasperated with Lukashenka's antics, and even those with lowered democracy standards may finally recognize that the dictator is becoming a liability for Moscow.

The struggle for freedom in Belarus is greater than Belarus itself. It is about Russia helping, tolerating or opposing democracy this year. It is about setting a good example for Russia and the Ukraine. It is also about preventing the process of rebuilding the Soviet Empire regardless of how nostalgic some people may get in Moscow.

After the collapse of the Soviet Union, Belarus has remained the Jurassic Park of authoritarianism in the heart of a democratizing Europe. However, it is also a huge lab in which retrograde forces of the old Soviet Regime are attempting to develop new models of repression which may apply in Russia and possibly Ukraine.

It is not accidental that the rumors of extending presidential terms in violation of existing constitutions are repeatedly floated and then vehemently denied, which makes them even more credible, in Minsk, Moscow and Kyiv.

It is true that Belarus was one of the most Soviet among all Soviet republics. It is also true that anti-communist and nationalist movement there were among the weakest in the old Soviet Union. However, I do not want to blame the people of Belarus for what happened next.

There are other examples of totalitarian and authoritarian regimes in the former Soviet camp where the pre-reform conditions were appalling. Romania, Bulgaria and Ukraine had all started from a position of severe disadvantage in comparison with the Czech Republic and Estonia.

Nevertheless, their achievements are quite remarkable. Romania and Bulgaria are in NATO and on the way to EU membership. And in Ukraine, the opposition leader Victor Yushchenko consistently remains the most popular presidential candidate.

If Russia's main priority in Belarus, safe and secure gas transit, is secured it certainly should be no problem for Moscow to cooperate with the West to ease Lukashenka out. Belarus becomes a test case of Russia's policy on integration with the West based on shared democratic values. This remains to be seen. Belarus becomes a litmus test for Russia, for its future relationship with the West.

Lukashenka's performance is indeed abysmal, and you know that, Mr. Chairman. Inflation is rampant. There is no meaningful privatization, and agriculture is still collectivized. Seventy percent of the country's economic output of state-owned enterprises piles up in warehouses. No one is willing to buy Belarusian goods.

NGOs are denied registration. The country's human rights track record is so abysmal that the U.S. State Department's *Human Rights Report* uses language reserved for totalitarian states when dealing with Belarus.

So what is there to be done? To facilitate Lukashenka's road from presidency back to the farm, the collective farm of which he was once a chairman or, even better, to Pyongyang to exile, several steps can be taken: One, unification of the sustained cooperation of three main opposition groups in Belarus. Over 200 Belarusian opposition political parties, organizations and NGOs are working at cross-purposes. The Lukashenka regime will play one against the other, rendering them ineffective.

Two, development of a joint strategy, programs and projects, nominating a single viable opposition candidate in each electoral district. The demise of the liberal parties in the Russian December 2003 Duma elections indicates that refusal to cooperate leads to premature political death.

Next, severe public criticism of violation of election procedures, criticized in the past by the Organization for Security and Cooperation in Europe, which should demand that the electoral laws are amended per OSCE's past recommendations and that the OSCE elections observation mission is allowed to deploy in Belarus well ahead of the October 2004 elections.

In my personal view, OSCE should be able to should be ready to declare the elections illegitimate in case of election falsification and other violations.

We should expand domestic and international campaigns to publicly investigate the disappearance of Lukashenka's political opponents. In Riga, we met with the wives of some of these leaders who disappeared. Appointment of an international public tribunal to that end and initiation of criminal procedures in Europe and possibly the United States against those in the President's circle who

ordered and participated in murder of opposition political leaders and journalists.

I am skipping some of the recommendations. They are indeed submitted for the record.

I do believe that Western friends of Belarus should prepare for a turn-out-the-vote campaign, working with Belarusian NGO's, focussed on youth and urban voters who traditionally mistrust Lukashenka.

Both United States and our European allies should reach out to the voters of Belarus through significant and material support of the democratic opposition as well as using tools of public diplomacy, such as international broadcasting from countries around Belarus in the AM band by opposition radio stations, launching opposition TV broadcasting, and expanding people-to-people and educational changes.

Russia is indeed in the picture. So the consultation with Russia regarding the possible change of regime will make Belarus more predictable and will benefit Russia by eliminating the need to subsidize the Belarusian economy through below-market-price natural gas, which provides \$2 billion to the inefficient state sector, and by making the transit route for the Russian gas to Europe more stable.

The business of freedom in Belarus, as you said Mr. Chairman, is far from over. Belarus, just like Ukraine, Moldova, have not fully completed their transition from the Soviet system to democratic capitalism. It is the duty of its neighbors near and far to help complete this process and to reach the safe coast of democracy, security and prosperity.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Cohen follows:]

PREPARED STATEMENT OF ARIEL COHEN, PH.D., RESEARCH FELLOW, HERITAGE FOUNDATION

Mr. Chairman, members of the Committee,

As the 2004 Parliamentary elections in Belarus are becoming a priority for democratic forces in the country and for Western friends of Belarussian democracy, it is the time to act.

It is time to consolidate opponents of the status quo, reach out to the people, and give them hope. This is the task, first and foremost, for the Belarussian opposition, but also for those who understand that at stake is more than just the future of Belarus, important as it is. At stake is how the West is willing—or unwilling—to fight for liberty.

If it is ready to defend freedom, what is a better place to start than its own home base—Europe. At stake is our own future.

At stake in Belarus is how we handle rogue regimes—and friends of rogue regimes. Lukashenka has supported every dictator from Kim Chung Il, to Yasir Arafat, to Saddam Hussein.

In the case of Belarus it is important to recognize that extraneous forces were supporting Mr. Lukashenka and his pro-Russian rhetoric and policy through and through. However, many in the Russian leadership have exasperated with Lukashenka's antics, and even those with lower democracy standards may finally recognize that the dictator is becoming a liability for Moscow.

The struggle for freedom in Belarus is greater than Belraus itself. It is about Russia helping, tolerating, or opposing democracy next year. It is about setting a good example for Russia and Ukraine. And, it is also about preventing the process of rebuilding the Soviet empire—regardless of how nostalgic some people get in Moscow.

After the collapse of the Soviet Union, Belarus has remained a Jurassic park of authoritarianism in the heart of a democratizing Europe. However, it is also a huge lab, in which retrograde forces of the old Soviet regime are attempting to develop new models of repression, which they may apply in Russia, and possibly Ukraine.

It is not accidental that the rumors of extending presidential terms in violation of existing constitutions are repeatedly floated and then vehemently denied—which makes them ever more credible—in Minsk, Moscow and Kyiv.

It is true that Belarus was one of the most Soviet among all Soviet republics. It is true that the anti-communist and nationalist movement there was among the weakest. However, I do not want to blame the people of Belarus for what happened next.

There are other examples of totalitarian and authoritarian regimes in the former Soviet camp, where the pre-reform conditions were appalling. Romania, Bulgaria, and Ukraine, had all started from a point of a severe disadvantage in comparison with the Czech Republic and Estonia. Nevertheless, their achievements are quite remarkable. Romania and Bulgaria are in NATO and on the way to the EU membership, and in Ukraine, the democratic opposition leader Victor Yushchenko consistently remains the most popular presidential candidate.

If Russian main priority in Belarus, safe and secure gas transit, is assured, there certainly should be no problem for Moscow to cooperate with the West to ease Lukashenka out. Can Belarus become a test case of Russian policy of integration with the West based on shared democratic values? In a way, Belarus becomes a litmus test on Russian future relationship with the West.

Performance of Belarus under Lukashenka, judged by objective international criteria, has been a disaster. Inflation is rampant; there's been no meaningful privatization; agriculture is still collectivized. 70 percent of the country's economic output of state-owned enterprises piles up in warehouses, as no one is willing to buy Belarussian goods.

NGOs are denied registration. The country's human rights track record is so abysmal, that the U.S. State Department's Human Rights report uses language reserved to totalitarian states.

The regime has been cracking down on political opposition, independent media, and civil society activists. However, Lukashenka's repressions may be sowing the seeds of his own demise.

However, the recent events in Georgia, some fatigue in Moscow with Lukashenka's escapades, and most importantly, his utter failure to provide Belarussians with a road to a decent future, may indicate that 2004 will be the year in which he could return back to the kolkhoz—or even better, be investigated and tried for abuse of power, for disappearances and possibly murder of his political opponents, and for other crimes. Another solution for Lukashenka would be political asylum in North Korea, Syria, or Cuba, albeit those regimes may not live very long, either.

The historic experience of the Soviet Union shows, that pro-independence forces, from Central Asia to Moldova, learned from the leadership of the Baltic States. Once the communist leadership failed to stop the surge to freedom in Vilnius, Riga and Tallin, others followed in Kyiv and Baku.

As revolutions in Georgia and Serbia has demonstrated, political protests tied to elections—with appropriate preparation through political activities, public education, and international support—may be the magic mix which makes dictators disappear. The freedom bug is contagious indeed.

To facilitate Lukashenka's road from presidency back to the farm, or from Minsk to Pyongyang, the opposition and supporters of Belarussian freedom should take several joint steps. These include:

- *Unification*, or at least sustained cooperation, of the three main group comprising Belarus opposition; if over 200 Belarussian opposition political parties, organizations and NGOs are working at cross purposes, the Lukashenka regime will play one against the other, rendering them bickering and ineffective.
- *Development* of a joint strategy, program, and projects; nominating single viable opposition candidates in each district. The demise of the liberal parties in the Russian December 2003 Duma elections indicates that refusal to cooperate leads to premature political death. Personal and group ambitions should wait till the dictator is no longer there.
- *Severe public criticism* of violation of election procedures, criticized in the past by Organization for Security and Cooperation in Europe (OSCE) which should demand that the electoral laws are amended per OSCE past recommendations and that the OSCE elections observation mission is allowed to deploy in Belarus well ahead of the October 2004 elections.
- *Preparation* for declaring elections illegitimate in case of election falsification and other violations;

- *Expanding* a domestic and international campaign to publicly investigate disappearance of Lukashenka's political opponents; appointment of an international public tribunal to that end; initiation of criminal procedures in Europe and the U.S. against those in the president's circle who ordered and participated in the murder of opposition politicians and journalists.
- *Building* up a democratic opposition youth movement—not leaving the scene to pro-Lukashenka BRYU (brew)—Belarussian Republican Youth Union;
- *Questioning* the idea of a joint army with Russia: Belarussian boys should not be sent as cannon fodder in Chechnya, while Russian soldiers should not be posted on the Polish/NATO border. This is a prescription for more, not less, instability in Europe. The consequences of such Russian/NATO friction are hard to predict.
- *Preparation* of a turn-out-the-vote campaign for parliamentary elections focused on youth and urban voters who traditionally mistrust Lukashenka.
- *Reaching out* by Europe and U.S to the voters of Belarus through significant and material support of the democratic opposition as well as using the tools of public diplomacy, such as international broadcasting from countries around Belarus in the AM band by opposition radio stations; launching opposition TV broadcasting, and expanding people-to-people and educational exchanges.
- *Consultations* with Russia be on regarding a possible change of regime that will make Belarus more predictable and will benefit Russia by eliminating the need to subsidize Belarussian economy through below-the-market price natural gas, which provides over \$2 billion a year to the inefficient state sector, and by making the transit route for the Russian gas to Europe more stable and less prone to interference by Minsk. Russia does not need a basket-case economy led by a basket-case dictator as an albatross around its collective neck. Russians should know that if integrated, the bacilli of Belarussian authoritarianism may exacerbate their country's own tendency to limit freedom

Conclusion: The business of freedom in Eastern Europe is not over. Belarus, just like Ukraine and Moldova, has not fully completed its transition from the Soviet system to democratic capitalism. It is the duty of neighbors near and far, to help complete the process and to reach the safe coast of democracy, security and prosperity.

Mr. BEREUTER. Thank you Mr. Cohen.

Next, we will hear from Mr. Paul LeGendre, Program Officer, Working Group on Belarus and Secretariat for OSCE Parliamentary Assembly.

You may proceed.

STATEMENT OF PAUL LEGENDRE, PROGRAM OFFICER, WORKING GROUP ON BELARUS AND INTERNATIONAL SECRETARIAT, OSCE PARLIAMENTARY ASSEMBLY

Mr. LEGENDRE. Mr. Chairman, on behalf of the OSCE Parliamentary Assembly Working Group on Belarus, I would like to thank you for the opportunity to participate in today's hearing.

Ms. Uta Zapf, a member of the German Bundestag and the chair of the Working Group was, unfortunately, unable to appear today due to parliamentary business of her own, but she would very much liked to have come.

As you mentioned, I have submitted a written statement in advance and would therefore like to use the time available to me now to touch on a few of the main points from that statement.

For the OSCE Parliamentary Assembly, Belarus has been a dominant and at times divisive issue. In part, this is the result of the longstanding debate over Belarus' representation in the Assembly. I touched upon the substance and ultimate result of that debate in more written detail in my written statement.

This 6-year long debate did not emerge in a vacuum, of course, but rather in the context of a constitutional and political crisis within the country. Thus, parallel to the legal debate over Belarus' status within the Assembly, the OSCE Parliamentary Assembly has always maintained a focus on the political situation within the country. I would like to share with you some of the Assembly's observations in this regard.

Four years ago in testimony to the U.S. Helsinki Commission, the chair of the Working Group at that time described the polarization among political forces in Belarus. This polarization has not diminished since that time. There are currently deep divisions in Belarusian society on questions concerning the legitimacy of those in power.

There are likewise fundamental disagreements on issues of foreign policy priorities, democratization and economic development. In the absence of regular and genuine political dialogue in the country, election processes have been seen by the Parliamentary Assembly as an opportunity for political forces to engage in a meaningful way. Of course, in order for this to have a positive effect, those processes must be free and fair.

Unfortunately, the parliamentary and presidential elections in 2000 and 2001 were unable to play the potentially positive role envisioned by the Parliamentary Assembly. Both elections failed to meet OSCE commitments for democratic elections.

The Working Group on Belarus is now looking with its partners toward the new cycle of elections and more immediately to the parliamentary elections tentatively scheduled for October 2004. The so-called four benchmarks formulated in the year 2000 by European institutions are still relevant. Let me summarize few of the group's observations in this regard.

Benchmark number one: Transparency of the election process. Transparency of the election process stems from the electoral legislation in place and from its proper implementation. The Working Group has called on the Belarusian authorities to make certain amendments to their electoral legislation to bring it into line with OSCE standards. However, with the elections quickly approaching, it seems unlikely that any substantial changes will be made.

Benchmark number two: Access of opposition to the state-run mass media. Access to state-run media is essential, especially in an environment where all electronic media is controlled by the state. This access takes on added significance in a climate where independent media outlets are barely able to function due in large part to repressive measures by the authorities. There have been a number of cases of serious media freedom violations which the Working Group has raised.

Benchmark number three: Nondiscrimination of political opposition. Criminal charges currently being launched against Mr. Lebedko, a prominent opposition leader, for defamation of the President appear to be the most recent example of politically motivated harassment. The right to openly criticize the government's policies without fear of reprisals is especially important in an election campaign. Such cases of harassment will only serve to stifle the level of debate with regard to Belarus' future course.

In this regard, another area of serious concern involves the cases of the disappeared political figures alleged to have been kidnapped and murdered for their involvement in legitimate opposition activities. The lingering specter of these cases cannot but limit the number of people who would wish to engage in honest and legitimate dissent against the government's policies.

Benchmark number four: Meaningful powers for the parliamentary body. The Working Group has repeatedly called for amendments to Belarusian legislation which would endow the Belarusian National Assembly with meaningful powers. Unfortunately, the Working Group is at present unaware of any serious discussions on this issue in the National Assembly or elsewhere in official state structures. It is almost certain that the elections in 2004 will be to a parliamentary body without the meaningful powers needed for genuine parliamentary oversight of the executive branch.

Mr. Chairman, while all these issues have been vigorously debated in the Assembly as a whole, it has been the Working Group on Belarus which has taken the lead in moving these issues forward. The Working Group was created in October 1998 with the mandate to promote dialogue between political forces in Belarus.

From the Working Group's point-of-view, dialogue is more than a simple exchange of views. Rather, it is more akin to a regular assessment of progress made toward those benchmarks which have been set for Belarus' further integration into European structures. However, one might ask, why would the Working Group's Belarusian interlocutors be interested in such a dialogue?

The main carrot, if you will, lies in the fact that Belarus' participation in the OSCE Parliamentary Assembly and adherence to the organization's commitments could serve as a stepping stone to membership into other European structures. This includes, first and foremost, the Council of Europe where Belarus is seeking to regain its guest status. European Union membership is a far more distant prospect, but there are a number of steps on that road from which Belarus could benefit. Improvements in certain important bilateral relationships are closely connected to this integration process.

The Working Group sees the upcoming parliamentary elections as the most immediate opportunity to engage the Belarusian authorities in a dialogue on the four benchmarks. In this effort, the Working Group is closely coordinating its actions with counterparts in the Parliamentary Assembly of the Council of Europe and the European Parliament. And representatives have been ready for some time to travel to Belarus in the framework of a Parliamentary Troika to further discuss the election processes already underway.

At present, unfortunately, there is a growing impatience among these institutions with regard to the Belarusian authorities' unwillingness to thus far accept this visit.

Thus, as we see from this one example, a strategy based on dialogue is not without limitations. The most severe limitation lies in the fact that dialogue can only be productive when it involves willing partners. The Belarusian authorities have been at times willing to engage but overall their interest in a genuine dialogue seems minimal.

As a result, the Working Group relies heavily on the input of its many partners. Among them are civil society organizations, international NGOs, intergovernmental and interparliamentary organizations. Most importantly, it relies on individual states which arguably have the largest set of tools in influencing democratic developments in Belarus.

Mr. Chairman, let me conclude by saying that the conduct of the last cycle of elections in 2000 and 2001 and subsequent developments have all inspired continued pessimism. Yet some optimism comes from the fact that Belarusians are by and large ready for a genuine democratization process.

The forthcoming parliamentary elections offer the next serious opportunity for the Belarusian authorities to change course and show signs that they are ready to embark on this process in earnest. Benefits to European integration through dialogue and democratization are quite clear.

The Working Group on Belarus will continue to argue this case in an effort to convince skeptical partners from within the Belarusian National Assembly and the administration and will continue to rely on the partnership of a large number of international actors and the variety of tools they have at their disposal to push this process forward.

Thank you, Mr. Chairman.

[The prepared statement of Mr. LeGendre follows:]

PREPARED STATEMENT OF PAUL LEGENDRE, PROGRAM OFFICER, WORKING GROUP ON
BELARUS AND INTERNATIONAL SECRETARIAT, OSCE PARLIAMENTARY ASSEMBLY

I. BELARUS AND THE OSCE PARLIAMENTARY ASSEMBLY

Belarus has arguably been the one issue which, more than any other, has occupied the attention of the OSCE Parliamentary Assembly (OSCE PA). Not only has it been a dominant issue, but it has also proved at times to be a divisive one.

Until recently, one source of debate has been Belarus' representation in the Assembly. The origin of this debate dated back to 1997, at which time a new parliamentary body, the Belarusian National Assembly, created in the wake of the controversial November 1996 constitutional referendum, sought recognition by the OSCE PA. At the time, the 13th Supreme Soviet was the recognized parliamentary body. An ad hoc Credentials Committee was created in January 1997 for the purpose of reviewing the issue and recommended that the OSCE PA continue its recognition of the 13th Supreme Soviet. The credentials of the 13th Supreme Soviet were again challenged in July 1998. A Credentials Committee was again set up and recommended as before to deny the challenge. On the basis of another recommendation from this Committee, the OSCE PA's leadership created a special Working Group on Belarus several months later.

The issue of Belarus' representation in the OSCE PA was again considered in February and July 2001 in light of two new factors: On the one hand, the legal mandate of the 13th Supreme Soviet had officially expired in January 2001. On the other hand, the October 2000 elections to the Belarusian National Assembly were criticized by an OSCE/ODIHR Technical Assessment Mission as "falling short of meeting the minimum commitments for free, fair, equal, accountable, and transparent elections." These two factors contributed to a *de facto* "empty seat" whereby Belarus was for a time unrepresented in the Assembly.

The seating of the Belarusian National Assembly was further debated during the July 2002 Meeting of the OSCE PA's Standing Committee of Heads of Delegation, with a specific consideration for the organization's Rules of Procedure and the provisions by which delegations are seated. The debate concluded with a procedural motion tabled by the Head of the American Delegation to the OSCE PA which postponed the decision of the seating until the next meeting of the Standing Committee. Though the motion to postpone was carried, the closeness of the vote illustrated the divisions in the Assembly on the issue and in some ways pitted two strategies—exclusion versus inclusion—against one another.

That next meeting of the Standing Committee took place in February 2003, at which time a similar procedural motion to postpone was tabled following a debate on the issue. On this occasion, however, the motion failed to receive the required two-thirds support of the Standing Committee and the Belarusian National Assembly was seated. Mr. Bruce George, the OSCE PA President presiding over the meeting, concluded the debate by stating that the decision was a legal—not a political—one and should in no way be interpreted as condoning the policies of the Belarusian government.

This decision by no means resulted in Belarus being removed from the OSCE PA's agenda. The seven-year long debate of Belarus' legal status within the OSCE PA did not emerge in a vacuum, but rather in the context of a constitutional and political crisis within the country. Thus, parallel to the legal debates, the OSCE PA has always maintained a focus on the political situation in the country. A number of resolutions on Belarus have been vigorously debated and passed during the OSCE PA's Annual Sessions (the most recent from July 2003 is attached as an appendix to this testimony) and, considering that these Resolutions' criticisms of the Belarusian authorities' actions have largely gone unanswered, there is no reason to believe that this level of attention will not continue. It remains to be seen whether or not the Belarusian parliamentarians participating in the Assembly's meetings (as full-fledged members since February 2003) are willing to take part in a genuine discussion on these important issues. Thus far, such willingness has not been forthcoming.

II. THE FOUR BENCHMARKS AND THE FORTHCOMING PARLIAMENTARY ELECTIONS

When Mr. Adrian Severin, then Chair of the OSCE PA ad hoc Working Group on Belarus, testified before the U.S. House of Representatives Helsinki Commission in March 2000, he described a polarization among political forces in Belarus. Polarization between those in positions of authority and those who form the political opposition (and who remain largely outside of the formal structures of state power) has not diminished since that time. There are currently deep divisions in Belarusian society on questions concerning the legitimacy of those in power. There are likewise fundamental disagreements on issues of foreign policy priorities, democratization and economic development. Yet though these divisions and disagreements exist, it would be a mistake to think of Belarusian society in purely black and white terms. One can encounter a variety of views in discussions with different government officials, Belarusian parliamentarians or civil society representatives.

In the absence of a regular and genuine political dialogue in the country on issues of importance, electoral processes have been seen by the OSCE PA as an opportunity for political forces to engage in a meaningful way with one another and, perhaps more importantly, with the public at large. Of course, those processes must be free and fair in order to have a positive effect.

During a June 2000 visit of the parliamentary assemblies of the OSCE and the Council of Europe and the European Parliament, this so-called "Parliamentary Troika" set four benchmarks which these organizations believed, if implemented, could lead to free and fair elections. As formulated by the Parliamentary Troika in its press release of 22 June 2000, the benchmarks were as follows:

- *the establishment of a democratic electoral code, guaranteeing full transparency of the electoral process and a representative composition of the Central, Regional and Local Electoral Commissions;*
- *satisfactory procedures for the access of all political parties to the mass media, especially the electronic media;*
- *the establishment of meaningful functions for the Parliament to be elected; and*
- *the observance of a 'peace period' for the development of minimum trust and confidence during the period in the run-up to the elections (abstention from political suppression by way of criminal court proceedings and from harassment by police and security forces).*

Unfortunately, the parliamentary and presidential elections in 2000 and 2001, respectively, were unable to play the potentially positive role envisioned by the Parliamentary Troika and other international organizations. As previously noted, the October 2000 parliamentary elections were characterized by the OSCE/ODIHR as "falling short of meeting the minimum commitments for free, fair, equal, accountable, and transparent elections." With regard to the presidential elections, the International Limited Election Observation Mission (ILEOM) concluded that ". . . The election process failed to meet OSCE commitments for democratic elections formulated in the 1990 Copenhagen Document and the Council of Europe standards."

Now, four years later, the OSCE PA is looking with its partners toward the new cycle of elections—more immediately to the parliamentary elections tentatively

scheduled for October 2004. While the political climate in Belarus today is not markedly different from that in the run-up to the 2000 parliamentary elections, there is one significant difference which should be noted. In contrast to the parliamentary elections in 2000, when a large part of the political opposition boycotted the elections, opposition forces have declared their intention to take part in the parliamentary elections in October 2004. Furthermore, the various opposition forces have been negotiating, albeit with some difficulty, the formation of a united bloc. The OSCE PA Working Group on Belarus views this as a positive development since it has always been of the view that a strong opposition is essential for Belarus' democratization, and that a united opposition would offer the best opportunity for those political forces to provide a real alternative for Belarusian voters.

The benchmarks formulated in 2000 are still relevant and provide a framework in which to assess the political situation in the country in the run-up to the October 2004 elections. Unfortunately, during the course of numerous visits since the completion of the last election cycle, the Working Group on Belarus has seen little if any progress with regard to these benchmarks. On the contrary, many of the policies pursued by the Belarusian authorities can only be seen as steps backwards and cause for serious concern. Below are some of the observations (in the general context of the four benchmarks) of the Working Group on Belarus from the most recent visits to the country:

Transparency of the election process

The transparency of the election process stems from the electoral legislation in place and from its proper implementation, both in letter and in spirit. The Working Group has called on the Belarusian authorities to make the necessary amendments to their electoral legislation which would provide a wider representation of political forces in the electoral commissions at all levels, increased opportunities for both domestic and international observation, and greater limits and more controls over early and mobile voting. Ms. Uta Zapf, a Member of the German Bundestag and the current Chair of the Working Group on Belarus, expressed some hope following a Working Group visit in May 2003 that such changes would be considered. However, with the elections quickly approaching, it now seems unlikely that any changes will be made. Of course, the implementation of the legislation is arguably as important as the content, and even flawed election legislation could be implemented in a way that contributes to free and fair elections. This would, however, require the Belarusian authorities to demonstrate the political will, undetectable at present, to conduct truly free and fair elections.

Access of opposition to the state-run mass media

Access to state-run media is essential, especially in an environment where all electronic media is controlled by the state. This access takes on added significance in a climate where independent media outlets, which might be more inclined to provide campaign coverage of candidates from opposition parties, are barely able to function due in large part to repressive measures by the authorities. The Resolution on Belarus from the 2003 Rotterdam Annual Session "condemn[ed] the continuing repression of non state-owned, independent media and the persecution of independent journalists, specifically the ban and censorship of newspapers such as *Narodnaya Volya*, *Navinki* and *Vecherny Stolin*, especially worrisome in this regard being the three-month suspension of the publication *Belaruskaya Delovaya Gazeta*." Just prior to the Rotterdam Session, in a press conference in May 2003 at the conclusion of a Working Group visit, Ms. Zapf also raised her concern over the case of Mr. Ivashkevich, the editor of the newspaper *Rabochy*, who was imprisoned at the time on criminal defamation charges. These are just a few of the cases of media freedom violations which have attracted the attention of the Working Group.

The only potential glimmer of hope on the media front has come from the much-discussed draft media law. The Belarusian authorities have for some time been developing a draft media law to replace the current flawed legislation regulating the media. They have also promised the Working Group on several occasions to forward the draft legislation for evaluation by international organisations.

If such a draft law is further developed with input from civil society and in line with international standards, some of the concerns voiced in recent months might be addressed. The Working Group has sought to inject much-needed transparency into the process by proposing to moderate a round table on the subject with representatives of the Belarusian National Assembly, the Ministry of Information, journalists, political party leaders and international experts. It remains to be seen whether the authorities will take advantage of this opportunity to begin to address the pervasive mistrust which currently exists between independent journalists and the authorities.

Non-discrimination of political opposition

The criminal charges currently (at the writing of this testimony) being launched against Mr. Anatoly Lebedko, a prominent member of the political opposition, for defamation of the President, appear to be the most recent example of politically-motivated harassment of an opposition figure. The right to openly criticise the government's policies without fear of reprisals, important at all times, is especially important in an election campaign and such cases of harassment will only serve to stifle the level of debate with regard to Belarus' future course. The Working Group has previously drawn attention to the harassment of Belarusian parliamentarians belonging to the opposition-oriented *Respublika* Group and the OSCE PA 2003 Rotterdam Resolution on Belarus "condemn[ed] every attempt at repression, discrimination and politically-motivated criminal charges against these and other parliamentarians."

More broadly speaking, the unhindered development of a thriving civil society contributes in important, if indirect, ways to an environment where free and fair elections are a realistic possibility. In September 2001, the International Limited Election Observation Mission "welcome[d] and acknowledge[d] the emergence of a pluralist civil society, being the foundation for the development of democratic political structures, representing all segments of the population." More recently though, numerous non-governmental organisations have been closed down for largely technical violations of the legislation, although the sheer number and timing of these closures leads one to suspect a political motivation behind the actions of the authorities. At the time of its latest visit to Minsk in November 2003, the Working Group raised the cases of *Youth Christian-Social Union*, *Civil Initiatives*, *Varuta*, *Kontur*, *IREX*, *Belarusian Trade Union of Air Traffic Controllers*, *Ratusha*, *Legal Assistance to the Population*, *Women's Response*, *Vesna* and *Independent Society for Legal Research*, *Belarusian Helsinki Committee*, and *Lev Sapega Foundation* which at the time had already been liquidated or had been warned that they could be. Independent trade unions, another crucial component of civil society, have largely been dismantled to the advantage of state-sponsored ones.

Another area of serious concern involves the cases of disappeared political figures, alleged to have been kidnapped and murdered for their involvement in legitimate opposition activities. Time after time, the Working Group on Belarus has expressed its deep discouragement with the authorities' apparent abandonment of these cases without having ever provided any satisfactory answers as to the circumstances surrounding these disappearances. The lack of a resolution in these cases cannot but limit the number of people who would wish, in the face of such a potential threat, to engage in honest and legitimate dissent against the government's policies.

Meaningful functions and powers for the parliamentary body

The OSCE PA and other international organizations have repeatedly called for amendments to Belarusian legislation which would endow the Belarusian National Assembly with meaningful functions and powers. Unfortunately, the Working Group is at present unaware of any serious discussions on this issue either in the National Assembly or elsewhere in official state structures. It is thus almost certain that the elections in 2004 will be to a parliamentary body without the meaningful functions and powers needed for genuine parliamentary oversight of the executive branch.

III. STRATEGIES OF THE OSCE PA AD HOC WORKING GROUP ON BELARUS

The OSCE PA ad hoc Working Group on Belarus was created in October 1998 with the mandate to play a supportive role in the work of the OSCE Advisory and Monitoring Group (Note: The OSCE AMG operated in Belarus from 1998–2002), promote dialogue between political forces, and assist in the development of democracy in Belarus. In many ways, the Working Group is well placed to do this, having been given its mandate by the leadership of the OSCE PA, an organization whose overarching goal is to promote dialogue among parliamentarians from OSCE participating States. Furthermore, the Working Group is working in the broader framework of the OSCE, the only European institution in which Belarus is a participating State. The OSCE also has a local presence in Belarus—the OSCE Office in Minsk—which is an important partner for the Working Group.

Dialogue is more than a simple exchange of views. Rather it is more akin to a regular assessment of progress made toward those benchmarks which have been set for Belarus' further integration into European structures, of which the OSCE is only one of several. However, one might ask: why should the Working Group's Belarusian interlocutors be interested in such a dialogue? First of all, Members of the Belarusian National Assembly now have a seat in the OSCE PA, but not necessarily the respect of fellow parliamentary colleagues. This respect is derived, most impor-

tantly, from the legitimacy which only free and fair elections can offer, but also from active involvement in OSCE PA activities. For the Belarusian Delegation to the OSCE PA, this means the honest participation in debates on the political situation in Belarus, a subject likely to be of concern and attention for the OSCE PA as a whole for some time to come.

Secondly, Belarus' participation in the OSCE PA and adherence to the organization's commitments could serve as a stepping stone to membership into other European structures that the Belarusian authorities have declared a desire to join. This includes first and foremost the Council of Europe where Belarus is seeking to regain its guest status. European Union membership is a far more distant prospect, but there are a number of steps on that road from which Belarus could benefit. The "Wider Europe—New Neighborhood" initiative of the European Union is one example. In a recent op-ed piece in the *Washington Post*, Mr. Urban Ahlin, Chair of the Foreign Affairs Committee of the Swedish Parliament and Member of the Working Group on Belarus, outlined the potential benefits of the policy for countries like Belarus. Yet without greater engagement and steps toward democratization from the Belarusian side, the EU is unlikely to be too enthusiastic about extending to Belarus the full benefits of this program.

Since the presidential elections in 2001, the Working Group has pursued its mandate of promoting dialogue and assisting the democratization process on two levels: within Belarusian society and within the structures of the OSCE PA.

Within Belarus, the Working Group sees the upcoming parliamentary elections as the most immediate opportunity to engage the Belarusian authorities in a dialogue on the four benchmarks. In this effort, the Working Group is closely coordinating its efforts with its counterparts in the Parliamentary Assembly of the Council of Europe (PACE) and the European Parliament (EP). While each of these three institutions has slightly different priorities in their relationship with Belarus, they all see free and fair elections as an opportunity for Belarus' further integration into European structures. The Presidents of the three institutions have agreed to coordinate their activities vis-a-vis the Belarusian parliamentary elections and representatives are ready to travel to Belarus in the framework of a "troika" to further discuss the election processes already underway.

Whereas this Troika traveled to Minsk on four occasions for high-level meetings in connection with the previous election cycle in Belarus, the Belarusian authorities have reacted with some hostility to the renewal of cooperation between these institutions in the run-up to this year's elections. In particular, the Belarusian authorities have expressed an unwillingness to work with Mr. Jan Marinus Wiersma, the representative of the EP component of the Troika and don't seem to be much more favorable to the PACE representative. Their esteem for the PACE will unlikely increase following the important upcoming debates during the PACE session in April on the media situation in Belarus and the disappearances of opposition figures. The OSCE PA Working Group has deplored such an unwillingness to cooperate and has indicated that it is an affront to these institutions to reject the democratically-chosen members of a proposed delegation. It remains to be seen whether or not the Belarusian authorities will accept a visit of the Parliamentary Troika.

Elections are indeed an important process, yet will unlikely serve as a panacea for all societal ills. The Working Group has therefore also sought to establish a more permanent dialogue with both the Belarusian authorities and civil society. Thus far, this has largely been two separate dialogues—one with civil society and the other with Belarusian parliamentarians and government officials—even if there tends to be a certain overlap between the two. The press releases of the Working Group's most recent visits to Minsk (attached as appendices to this testimony) offer a closer look at the types of issues being raised.

The Working Group has also sought more recently to moderate a dialogue in which parliamentarians and government officials would discuss issues of mutual importance directly with civil society representatives. The Working Group would also hope to involve parliamentarians from neighboring countries in these discussions. As previously mentioned, the Working Group has proposed that the first such round table be devoted to the subject of media, and there are a number of topics which could be explored in the future. There is a certain amount of enthusiasm among the various participants for this initiative, yet the Belarusian authorities, though committed in words to this process, have been less responsive in deed.

The Working Group also seeks to periodically reinforce the work it is doing in Belarus within the structures of the OSCE PA. In addition to reporting regularly to the Standing Committee, the Working Group members have taken the lead in a more or less constant debate in the Assembly on the political situation in Belarus. This has been done largely by initiating during the OSCE PA's Annual Sessions resolutions on Belarus, which are subsequently debated and amended in committees

and then passed by the Assembly as a whole. Resolutions on Belarus have been passed in St. Petersburg (1999), Bucharest (2000), Berlin (2002), and Rotterdam (2003) and Working Group members are considering a similar resolution for the Session in Edinburgh in July 2004.

Members of the Belarusian National Assembly were unable to take part in these debates until 2003, when they assumed Belarus' seat in the organization and obtained the right to take part in the discussions. Thus, the debate on the Resolution on Belarus in Rotterdam last summer was the first in which the Belarusian parliamentarians were able to participate. In a step that is somewhat contrary to the spirit of the Assembly, the Belarusian delegation chose to use its energy in an effort to block the resolution from being placed on the agenda rather than in voicing their opinions on the substance of the resolution.

The Working Group has also sought to capitalize on the presence of a large number of Assembly Members during the Annual Sessions by organizing on the sidelines open round tables on specific issues related to the situation in Belarus. Such a round table was organized in Berlin in 2002 and again in Rotterdam in 2003 on the subject of the electoral legislation in Belarus. Unfortunately, the Belarusian delegation chose not to participate in the latter event. The Working Group is currently planning a similar event in Edinburgh and has already informed the Belarusian delegation in the hope and expectation that they will participate in these debates.

While the institutional framework of the OSCE PA makes dialogue the best and most logical strategy for the Working Group on Belarus, it is naturally not without limitations. The most severe limitation lies in the fact that dialogue can only be productive when it involves willing partners. The Belarusian authorities have at times been willing to engage, but overall their interest in a genuine dialogue seems minimal and this is reflected in the fact that there hasn't been any progress in the four benchmarks. The OSCE PA is also limited in the fact that it has few means to impose genuine dialogue upon unwilling partners. As previously mentioned, the OSCE PA has largely positive incentives (i.e. further integration into European structures) as the main tool at its disposal. Condemnation in the form of resolutions and other statements of the OSCE PA is the only real consequence for a failure to engage. Thus, the OSCE PA has much to offer for cooperation, but little in the way of "punishment" for a failure to cooperate. As a result, the OSCE PA relies heavily on the input of its many partners, among them civil society organizations, international NGOs, inter-governmental and inter-parliamentary organizations. Most importantly, this list also includes individual states which, through bi-lateral relations, arguably have the largest set of "tools" in influencing democratic developments in Belarus.

IV. PERSPECTIVES

The conduct of the last cycle of elections in 2000 and 2001 and subsequent developments can only inspire continued pessimism. Yet, some optimism comes from the fact that Belarusians are by and large ready for a genuine democratization process and civil society does not appear to be easily deterred, despite the obstacles, from moving that process forward. The forthcoming parliamentary elections offer the next serious opportunity for the Belarusian authorities to change course and show signs that they are ready to embark on this process in earnest. European institutions are most eager for this to happen. The OSCE PA and its Working Group on Belarus have clearly exhibited its readiness to promote and engage in a genuine process of dialogue. The benefits to European integration through dialogue and democratization are quite clear. The OSCE PA will continue to argue this case in an effort to convince skeptical partners from within the Belarusian National Assembly and administration and will continue to rely on the partnership of a large number of international actors and the variety of tools they have at their disposal to push this process forward.

Mr. BEREUTER. Mr. LeGendre, thank you very much for your statement.

Next, we will hear from Mr. Stephen Nix, Regional Program Director, Eurasia, International Republican Institute.

STATEMENT OF STEPHEN B. NIX, ESQ., DIRECTOR, EURASIA PROGRAMS, INTERNATIONAL REPUBLICAN INSTITUTE

Mr. NIX. Mr. Chairman, I would formally request that my statement be introduced into the record in its entirety.

Mr. BEREUTER. That will be the case.

Mr. NIX. Thank you, sir.

I sit here before you today, sir, to testify on the deteriorating political situation in Belarus and the efforts of the Coalition Five-Plus to fight for the democratic future for their country.

I know, Mr. Chairman, that you have been briefed extensively in the past about the regime of Alyaksandr Lukashenka and its efforts to stifle democracy in Belarus, so I will try to keep my remarks about the regime brief and instead focus primarily on the democratic efforts in that country.

There is only one source of power in Belarus, Mr. Chairman, and that is the President. The judicial branch is appointed by him and issues decisions based upon his desires. Legislators at all levels of government, from Parliament to the smallest local council, are officially elected, although in reality their candidacy must be approved in advance by the President.

Media outlets that offer criticism of the President are summarily seized or shut down. Individual opponents of the President are threatened, beaten, imprisoned and killed. Little information about the negative consequences of Mr. Lukashenka's policies reaches the Belarusian people because of their limited access to independent media. As a result, many assume that Alyaksandr Lukashenka is popular among Belarusians. That is categorically false.

A recent poll conducted by the international Republican Institute shows that 61 percent of Belarusians desire a change in the office of the President. Alyaksandr Lukashenka enjoys just 27 percent support among his people; 71 percent of Belarusians feel that their country is going in the wrong direction.

More imperative to Belarus' democratic future than the President's lack of support is the appearance of a coalition of political parties and NGOs with the desire, capacity and most importantly the courage to fight against the totalitarian status quo and for a better life for all Belarusians.

As you stated earlier, Mr. Chairman, that coalition is the People's Coalition Five-Plus. This coalition was formed in preparation for this year's parliamentary elections in the fall in Belarus. Five-Plus encompasses six of the seven largest political parties, more than 200 NGOs and the small but stubborn faction of the current Belarusian Parliament known as the Respublika.

Belarusians have organized coalitions before but never so early prior to an election and never with the objectivity, activity and resolve of Five-Plus. Casting aside differences in ideology, the Coalition has designed a broad platform built upon five main goals that average Belarusians have identified in public-opinion polling. They have agreed on a common slate of candidates in each of Belarus' 110 parliamentary districts, and they have accomplished all of this in spite of the repressions that I alluded to earlier in my statement.

Their platform is entitled, Five Steps to a Better Life, and among other things, Mr. Chairman, calls for fair wages, an economy that stimulates both growth and the creation of new jobs, equal application of the law toward each citizen, a just and transparent government and placing Belarus on equal footing with its European neighbors and all countries throughout the world.

Public-opinion polling shows that current popularity of Five-Plus of 17 percent. When combined with the 10 percent support that other independent candidates enjoy and 8 percent that a smaller separate democratic coalition maintains, the total for non-Lukashenka, pro-democratic candidates swells to 35 percent of the total vote. Adding to the optimism created by these numbers is that Five-Plus has just now began its public outreach campaign.

As the political parties and NGOs of Five-Plus begin to spread their message through a broad-reaching, grassroots campaign, their colleagues in Respublika are introducing legislation in Belarus' Parliament which is based on the Five Steps to a Better Life.

The likelihood of adoption of this legislation is *de minimis*. However, the message to the regime is clear: Pro-democratic forces understand the course they must follow, and they are committed to seeing it through until they see the lives of their fellow citizens improve. In other words, Five-Plus is serious. Five-Plus understands its duty, and Five-Plus is not going away.

Not all political parties and NGOs have come together under the aegis of Five-Plus. However, the other groups have agreed to work with Five-Plus to monitor the elections among other coordinated activities. The door remains open to them to join the Coalition, and it is sincerely hoped that they will eventually do so.

It is an easy task, Mr. Chairman, to sit here in Washington and commend Five-Plus on their coming together into a cohesive unity and for setting up their campaign strategy 9 months before the election. However, Mr. Chairman, the campaign period will not be easy for the democratic forces. Already, we have seen the regime of Alyaksandr Lukashenka moving against the Five-Plus leadership. Earlier this month, as stated previously, the Minsk Prosecutor initiated criminal charges against Anatoly Lebedko, the leader of the United Civic Party, who is the driving force behind the Coalition and its platform.

According to the Prosecutor's office, Mr. Lebedko will be charged with defamation of the President. The apparent basis for this charge is Mr. Lebedko's comments on Russian television suggesting a presidential shadow-budget financed through illegal arm sales and linking the recent Russian-Belarusian row over gas deliveries to the Lukashenka government's failure to build an efficient economy and industrial base over the past decade.

Two weeks ago, another incident occurred, this time against Vintsuk Vyachorka, the leader of the Belarusian Popular Front Party, and other key players in the Five-Plus Coalition. The group was questioned by police in the western division of Hrodno after attending a meeting between a local councilman and his constituents. Although no official charges were filed against the politicians, it is clear that the government is not going to tolerate open dialogue between politicians and citizens.

Mr. Lukashenka has also manipulated the election law to his advantage. For example, the actual campaign period is limited to just 1 month prior to election day. Importantly, current election law prohibits political parties and candidates from actually raising or spending money.

Can you imagine, Mr. Chairman, trying to run an underdog campaign without being able to raise money, without access to tele-

vision, to radio, to direct mail, without the ability to organize a lit drop or even tell your neighbors that you are running for office?

That effectively is the case for democratic forces in Belarus.

The United States has shown its resolve to support democracy around the world, but we must continue to ensure that we do not neglect the doorstep of its closest allies, the Euro-Atlantic alliance. By the time the October elections are held in Belarus, the country will share a border with NATO and the European Union. Belarus is a known supplier of arms to rogue states and is the last stop on the route for drug runners from points south and east before they ply their trade in Europe.

Many in Congress and here in this room have spoken out in support of the democratic forces in Belarus. The Belarus Democracy Act is a tremendous example of the type of support the United States can offer to these struggling defenders of freedom.

Other countries, too, deserve recognition for their efforts in support of Belarusian democracy. The government of Lithuania, both at home and through their Embassy here in Washington, has been particularly supportive of U.S.-sponsored political party building efforts and through their own program. Lithuanians are all too aware of the perils of sharing a border with an authoritarian regime.

I am also pleased to report, Mr. Chairmen, that other countries in the region, such as Latvia and Slovakia, are now seeking to be more actively engaged in building support for the democratic forces in Belarus.

There is much to do, and I encourage the Congress to continue to support these and other efforts to improve the lot of the Belarusian people.

Mr. Chairman, as I conclude, I would like to draw your attention to one final point. On Belarus' western border lie the countries of the Euro-Atlantic alliance. On Belarus' eastern and southern flank lie Russia and Ukraine, two countries much larger than Belarus and arguably more geo-strategically important to United States foreign policy.

Officials in Kyiv and Moscow will be watching the Belarusian election campaign very closely. If the United States allows a genuine dictator to continue his unchecked dismantling of basic democratic ideals, then others may take that as a sign that they can do the same. The United States must draw a line in Belarus.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Nix follows:]

PREPARED STATEMENT OF STEPHEN B. NIX, ESQ., DIRECTOR, EURASIA PROGRAMS,
INTERNATIONAL REPUBLICAN INSTITUTE

Thank you, Mr. Chairman. I request that my statement be submitted into the record in its entirety.

I sit before you today to testify on the deteriorating political situation in Belarus and the efforts of the People's Coalition Five Plus to fight for the democratic future of their country. I am sure that you have been briefed in the past about the repressive regime of Alexander Lukashenko and his efforts to stifle the voice of democracy in Belarus, so I will try to keep my remarks about the regime brief and instead focus primarily on the positive efforts of the democratic opposition.

There is only one source of power in Belarus: the president. The judicial branch is appointed by him and issues decisions based upon his desires. Legislators at all levels of government, from parliament to the smallest local council, are officially elected, although in reality their candidacy must be approved by the president.

Media outlets that offer criticism of the president are summarily seized or shut down. Individual opponents of the president are threatened, beaten, imprisoned and killed.

Little information about the negative consequences of Mr. Lukashenko's policies reaches the Belarusian populace because of their limited access to independent media. As a result, many assume that Alexander Lukashenko is popular among Belarusians. That is categorically false.

A recent poll conducted by The International Republican Institute shows that 61 percent of Belarusians desire a change in the office of the president. Alexander Lukashenko enjoys just 27 percent support. Seventy-one percent of Belarusians feel their country is going in the wrong direction.

More imperative to Belarus' democratic future than the president's lack of support, is the appearance of a coalition of political parties and NGOs with the desire, capacity, and, most importantly, the courage to fight against the totalitarian status quo and for a better life for all Belarusians. That coalition is the People's Coalition Five Plus.

This coalition was formed in preparation for this year's fall parliamentary elections in Belarus. Five Plus encompasses six of the seven largest democratic political parties, more than 200 NGOs, and the small, but stubborn democratic faction of the current Belarusian parliament known as Respublika.

Belarusians have organized coalitions before, but never so early before an election, and never with the objectivity and resolve of Five Plus. Casting aside differences in ideology, the coalition has designed a broad platform built upon five main goals that average Belarusians have identified in public opinion polling. They have agreed on a common slate of candidates to promote in each of Belarus' 110 parliamentary districts. And they have accomplished all this despite the repressions I alluded to earlier.

Their platform is entitled "Five Steps for a Better Life" and, among other things, calls for fair wages; an economy that stimulates growth and the creation of new jobs; equal application of the law towards each citizen; a just and transparent government; and placing Belarus on equal footing with its European neighbors and all countries throughout the world.

Public opinion polling shows the current popularity of Five Plus candidates at 17 percent. When combined with the 10 percent support that independent candidates enjoy, and 8 percent that a smaller, separate democratic coalition maintains, the total for non-Lukashenko, pro-democratic candidates swells to 35 percent of the total vote. Adding to the optimism created by these numbers is the fact that Five Plus has just begun to campaign.

As the political parties and NGOs of Five Plus begin to spread their message through a broad-reaching grassroots campaign, their colleagues in Respublika are introducing legislation in the Belarusian parliament based on the Five Steps to a Better Life. The likelihood of adoption of this legislation is de minimus. However, the message to the regime is clear: Pro-democratic forces understand the course they must follow and they are committed to seeing it through until they see the lives of their fellow citizens improve. In other words, Five Plus is serious, Five Plus understands its duty, and Five Plus is not going away.

Not all political parties and NGOs have come together under the aegis of Five Plus. However, the other groups have agreed to work with Five Plus to monitor the election together, among other coordinated activities. The door remains open to them to join the coalition and it is hoped that they will eventually do so.

It is an easy task to sit here in Washington, DC and commend Five Plus on their coming together into a cohesive entity and for setting out their campaign strategy nine months before the election. However, Mr. Chairman, the campaign period will not be easy for pro-democratic political parties. Already we have seen the regime of Alexander Lukashenko moving against Five Plus' leadership. Earlier this month, the Minsk Prosecutor initiated criminal charges against Anatoly Lebedko, the leader of the United Civic Party, who is a driving force behind the coalition and its platform. According to the Prosecutor's office, Mr. Lebedko will be charged with defamation of the president. The apparent basis for this charge is Mr. Lebedko's comments on Russian television suggesting a presidential shadow budget financed through illegal arms sales, and linking the recent Russian-Belarusian row over gas deliveries to the Lukashenko government's failure to build an efficient economy and industrial base over the past decade.

Two weeks ago another incident occurred, this time against Vintsuk Vyachorka, the leader of the Belarusian Popular Front, and other key players in the coalition. The group was questioned by police in the eastern region of Hrodno after attending a meeting between a local councilman and his constituents. Although no official

charges were filed against the politicians, it is clear that even local government officials are intolerant of open dialogue between politicians and citizens.

Mr. Lukashenko has also manipulated the election law to his advantage. For example, the actual campaign season is limited to just one month prior to election day. Importantly, current election law prohibits political parties from legally raising, or spending, money. Can you imagine, Mr. Chairman, trying to run an underdog campaign without being able to raise any money, without access to television, to radio, to direct mail, without the ability to organize a lit-drop, or even tell your neighbors that you are running? That is effectively the case for the democratic forces in Belarus.

The United States has shown its resolve to support democracy around the world, but we must continue to ensure that we do not neglect the doorstep of its closest allies, the Euro-Atlantic Alliance. By the time the October elections are held in Belarus, the country will share a border with NATO and the European Union. Not since the communists took control of Cuba has such an imminent threat to democracy sat on the borders of the free world. Belarus is a known supplier of arms to rogue states and is the last stop on the route for drug runners from points further south and east before they ply their evil trade in Europe.

Many in Congress and here in this room have spoken out in support of the democratic forces in Belarus. The Belarus Democracy Act is a tremendous example of the type of support the United States can offer to these struggling defenders of freedom. Other countries, too, deserve recognition for their efforts in support of Belarusian democracy. The Government of Lithuania both at home and through their Embassy in Washington has been particularly supportive of U.S.-sponsored political party building efforts and through their own programming from Vilnius. Lithuanians are all too aware of the perils of sharing a border with an authoritarian regime. I am also pleased to report that other countries in the region, such as Latvia and Slovakia, are now seeking to be more actively engaged in building support for the democratic forces in Belarus. There is much to do, and I encourage the Congress to continue to support these and other efforts to improve the lot of the Belarusian people.

Mr. Chairman, as I conclude I would like to draw your attention to one final point. On Belarus' western border lie the countries of the Euro-Atlantic Alliance. On Belarus' eastern and southern edges lie Russia and Ukraine, two countries much larger than Belarus, and arguably more geostrategically important to U.S. foreign policy. Officials in Kyiv and Moscow will be watching the Belarusian election campaign very closely. If the United States allows a genuine dictator to continue his unchecked dismantling of basic democratic ideals, then the others may take that as a sign that they can do the same. The United States must draw a line at Belarus.

Mr. BEREUTER. Thank you very much Mr. Nix.

Thanks to all of you gentlemen.

The Ambassador from Belarus to the United States had asked for an opportunity to appear. Instead, since we did not agree, we accepted his statement in full and I would ask unanimous consent that it be made a part of the record. Hearing no objection that will be the case.

[The information referred to follows:]

PREPARED STATEMENT OF HIS EXCELLENCY MIKHAIL KHVOSTOV, THE AMBASSADOR OF BELARUS TO THE UNITED STATES

Dear Mr. Chairman, Congressmen, Ladies and gentlemen,

It is regrettable that I have been denied an opportunity to testify in the subcommittee on 31 March 2004. I do not believe this to be democratic, especially, taking into account the subject of the hearings, which is "Belarus and Its Future: Democracy or Soviet-Style Dictatorship". Since you have decided to hear only those you wanted to hear I could presume what the results of the hearings will be.

The purpose of my statement is not to discuss the present and the future of my country. This is the Belarusian people's business. I am convinced that the only answer to the question asked is democracy. Belarus answered this question in 1991, when we made our choice. That is why it seems strange that the subcommittee calls this into question, imposing a different point of view on the American people.

Belarus is a totally new country that has nothing to do with the Soviet Union. Nothing, because the scale is different. Belarus cannot strive for hegemonism, or reshape the world according to its own standards, or to build a new, and better world. We have already lived through that.

Another big difference is that the level of freedom in Belarus is enormously higher than in the Soviet Union. Belarus' return to the past is impossible in principle, so you should not try to scare us by that. It is true, that Belarusian society still has nostalgia for the past. It is important for you to realize that this is nostalgia for social guarantees, not for the lack of freedom.

We have left dictatorship behind once and for all. However, strong power is needed during transition to market economy and civil society. If there is no power at this stage the state will be overcome and destroyed by corruption. US founding fathers stated that, once corruption flourishes, society becomes disillusioned with democracy. We also believe in that and that is why Belarus has strong presidential power. We are also fully aware of President Bush' reelection slogan—"strong leadership in time of difficulties". When the state is strong and has a civilized market economy, it will always be able to carry out its social functions.

It is true, that market mechanisms in Belarus today are not ideal. But in which countries of the former Soviet Union do they work well? Ideal market mechanisms are only created in textbooks.

We are facing problems and threats that are new in principle. This is not a threat of the resurrection of the Soviet structure. This is a threat of corruption, a threat of preserving a gap between rich and poor that is much larger than in the United States.

There are problems concerning freedom. But they are not the problems of return to the Soviet-type dictatorship.

A part of propaganda directed against Belarus is aimed at creating a myth about enemies of democracy, entrenched in Minsk, suppressing and stifling everything around and dreaming of return to the Soviet Union. This is not true. We have passed the point of return to the Soviet Union. The Constitution of Belarus guarantees this. The President of Belarus is a nationally oriented person whose aim is to lead the nation out of chaos and semi-anarchy of the early 90s of the past century.

Soviet heritage is a part of modern life in Belarus. There is no magic wand. In the last ten years, however, Belarusian people have clearly realized: the more political activity there is in the streets today, the worse life becomes tomorrow. This is our historical lesson.

Liberalism is impossible without a strong state. Preservation of a strong role of the state is important for providing social and economic stability. Market economy is based on a certain section of a society as well as on certain morale. I can blame US legislature in that it is allowed to gamble in Las-Vegas while it is not practically throughout the rest of the country. I will not do that because I know that the nation is brought up in the culture of achieving success through hard work and not in the culture of momentary success. Neither democracy, nor market is impossible without culture.

In Belarus, we are not discussing whether we will be building market economy or whether we will be creating a civil society. We have been building the tools and mechanisms of market economy and civil society and we have already been actively using them.

It is true, that state power is strong in Belarus. When rights and freedoms are not protected by a strong state, mafia wins over and then it's too late to discuss human rights. Both American and Western European democracies are built on this.

I was born in the Soviet Union and my ideology was initially shaped under its influence. That state has been gone for over ten years already. Belarus is of that origin too, but its future depends on the Belarusian people and not on Mr. Cohen's views. This is exactly what the Belarusian authorities have been doing and will continue to do: building future for the people of Belarus.

I thank you, Mr. Chairman.

Mr. BEREUTER. As a matter of fact, if he wishes to respond in any fashion to the testimony, the questions and comments from Members today, he is free to submit that material to this Subcommittee. I will review it with Mr. Wexler, and we will either accept in total or not accept it. But in any case, we will not censor it.

Mr. Wexler, I turn to you for any comments and questions you might have, and take as much time as you need.

Mr. WEXLER. Thank you, Mr. Chairman.

To the panel at large, and again, I thank you very much for taking your time and providing us with your thoughtful expertise.

In one way, shape or form, it seems each of the panel has addressed the particular role that Russia may or may not play in terms of the democracy movements. And I was wondering if you could provide us with some suggestions as to how we might effectively encourage Russian policy in a positive direction.

And in that light, I would hope that you might give us some specific examples in terms of what American carrots and sticks can be offered that would be of some relevance. I mean, our aid and involvement in Belarus in the last couple of years has essentially been negligible. What can we do?

And if you would not mind offering your observations in terms of the Belarus Democracy Act that the Chairman spoke of and I did, but if you could offer your observations as to whether or not, if we were to actually implement that act, would we be helping or hurting the reform efforts?

Mr. COHEN. Mr. Wexler, Russia is indeed a key player. It is right next to Belarus. It is much bigger with a much stronger economy. Belarus is dependent on Russian natural gas for fuel. There is both licit and illicit trade going on between the two countries in hundreds of millions of dollars.

Russia in the past was supportive of Mr. Lukashenka. However, I think Mr. Lukashenka over-played his hand. Mr. Lukashenka entertains ideas of grandeur, of running for Russian presidency and creating a united state between Russia and Belarus. In fact, it could be that this united state exists as a federation now or a confederation, will be a tool some speculate to propel Mr. Putin to a presidency of a joint Russia-Belarusian state after the second term of Mr. Putin's office expires in 2008. I do not see a lot of emphasis by the Russian government to promote democracy per se.

I do know from talking to people who advise Mr. Putin, there is a growing irritation with Mr. Lukashenka and his behavior. And this was expressed to Belarus by shutting off the gas supply on more than one occasion. I do believe that more dialogue between the United States and the Russian Federation on policy and more policy coordination vis-a-vis Belarus could help, not hurt, the democracy standards in that country. And we would benefit from clarifying positions of both sides on this particular issue.

Mr. WEXLER. If I may, Mr. Chairman, the source of Russia's irritation that you speak of is not our source of irritation though, is it? I mean, they are not wrangling over human rights deficiencies in Belarus and saying, "My goodness, what are we going to do?" Is it even naive of us to speak about Russia's concern for the same problems that we are talking about here? Their irritation is very different, is it not, a different source?

Mr. COHEN. It is a different set of priorities, but it is the same source. And the source is Mr. Lukashenka and his lack of understanding of what are the standards of international behavior and what are the standards of domestic behavior and what is tolerable in terms of treatment of his own people.

But yes, you are absolutely right, the Russian priorities are not in the area of political pluralism or human rights, and this is not what Russia puts on the political agenda. Just like Russia does not do it vis-a-vis let's say Turkmenistan, which is an even worse human rights violator in that part of the world than Belarus.

So, nevertheless, if we are engaged in a dialogue with Russia including and emphasizing the issues of adherence to the OSCE standards of applications, of elections, of media freedom, I do believe that Russian decision-makers will understand our concerns. And clarification of what our priorities are, what their priorities are, up to and including support of people who are currently politically in opposition to Mr. Lukashenka is in the realm of the feasible.

Mr. NIX. I would respond by saying that IRI had facilitated quite a bit of dialogue between the Five-Plus Coalition and the democratic forces in Russia. That is, Union of Right Forces and Yabloko. In fact Union of Right Forces made several trips to Minsk to work in open dialogue with their Belarusian counterparts.

With the results of the Duma elections in December, the liberal parties, that is, the democratic forces have splintered. They are no longer an effective political force. They are regrouping. That is a real void for the Belarusian opposition parties.

Mr. Chairman, that void is starting to be filled by Eastern European countries. We would not look to Russia to be of help to raise this issue because these issues are not being adequately addressed in the Russian republic in terms of independent judiciary, media and other things.

We would look more toward European countries, as I mentioned earlier, the Lithuanian government and many NGOs in that country, the Slovaks, Latvians, to get engaged and perform this role to highlight the issues in Belarus and provide support to the democratic opposition.

Mr. LEGENDRE. I would just like to add that the OSCE Parliamentary Assembly Working Group on Belarus has been making more attempts recently to reach out to Russian parliamentarians. There was a certain amount of tension within the Assembly for some time over the issue of the seating of the Belarusian delegation. I spoke about this more in my written statement.

There were two delegations for a time. There was a long standing debate within the Assembly, and in some way, that pitted Russia against the Western European countries and the American delegation.

That issue has been resolved, and it seems that there are now opportunities to involve Russia in a dialogue on Belarus that does not involve simply the issue of Belarus' representation in the Assembly.

The Working Group has had the idea to organize a seminar, a roundtable, if you will, in Minsk on issues related to the electoral process to try to get Belarusian parliamentarians together with opposition figures to share perspectives on a specific issue. We have been trying to involve members of Parliament from neighboring countries, including the Russian Federation.

And we have received some signs from Russian parliamentarians that there is an interest in this, and we believe that they could have a positive impact on their colleagues in Belarus.

Certainly, if you have contacts with members of Parliament from the Russian Federation, we would be most grateful if you could encourage them to take part in these debates, not to see it as the Belarusian parliamentarians often do, as interference in their in-

ternal affairs but more as a concern for developments in that country.

As for what the United States can do, I would simply recommend close coordination with your partners in Europe. In our recent visits to Belarus we have always met with Ambassadors from the United States and from the EU countries. There appears to be a concerted effort to coordinate policy, and when those policies are coordinated, it can send quite a strong message.

So I would simply recommend greater coordination in the future. The OSCE and the Council of Europe have also tried to coordinate efforts with member states, and I think that such coordination would be to the benefit of United States and European policy.

Thank you.

Mr. BEREUTER. Thank you, Mr. Wexler.

If you take a look at the EU, the U.S., the OSCE, the Council of Europe, how do their policies with respect to Belarus significantly differ if at all? What are the major differences?

You have talked about coordination of policy just as you finished, Mr. LeGendre. And I would ask you about what those policy options might be.

But right now, are there any noticeable differences between the organizations I have mentioned or any other ones you think are key actors from the community of democracies?

Mr. LEGENDRE. I would simply add that, in terms of policy, I think there are more similarities than differences among these institutions.

I think where the differences lie is in the strategies that these organizations are able to use to implement those policies. If you take the OSCE, for example, it is a European institution whereas Belarus is already a member state, along with 54 other countries.

As concerns the Council of Europe, Belarus has been seeking to join the Council of Europe, and so that organization has a certain amount of influence on Belarus to implement certain changes.

I think the EU and the United States also have a certain amount of influence in that respect since Belarus may be striving in a westward direction or has at least expressed the desire to do so.

Thus, the main strategy for the OSCE is to promote a dialogue within the organization, whereas other organizations are trying to encourage Belarus to join and are using the various tools available to them to get Belarus to take the necessary steps.

Mr. BEREUTER. Mr. LeGendre, I have been participating in the NATO Parliamentary Assembly for a long time. We have 19 full members, soon to be 26, very soon, plus about 20 associate members.

The only country the Parliamentary has ever expelled from associate member status is Belarus. And the Assembly did that after many warnings and expressions of concern to the Belarusian government and to the delegation from Belarus.

They are still a participant in the OSCE PA. We talked about the Working Group that has been established.

Does the OSCE, the body as a whole of parliamentarians from those countries representing OSCE, continue to think it is productive to have the Belarusians as members? I gather they probably

have a full membership at this point. There is no differentiation between associates and full members there, is that correct?

Mr. LEGENDRE. Belarus assumed full membership as of February 2003. Prior to that, there was a period of about 2 years in which Belarus had no representation. Prior to that, it was the 13th Supreme Soviet which was elected in 1994 which was represented in our Assembly until 2001.

It is hard to judge to what extent their membership in the OSCE Parliamentary Assembly since February 2003 has had a positive effect. I really cannot point to any particular examples where it has.

Mr. BEREUTER. Do the members of the Assembly think it will be counterproductive to expel them? Is there any kind of assessment you can give? Is there any kind of action in the OSCE Parliamentary Assembly which addresses this issue as to whether or not their membership continue? Any votes or any substantial debate on that issue?

Mr. LEGENDRE. I think it is highly unlikely that they would ever be expelled simply because the organization's Rules of Procedure do not allow for such an action. There was a long process, a long debate, which ended in Belarus being re-accepted into the assembly. I do not think, at this point, there would be an effort to expel them. I think now the effort will be to try to find ways to include them more, to encourage their participation, to encourage them to take part in the dialogue which the OSCE Parliamentary Assembly is trying to promote.

The Working Group spends a fair amount of its time in Belarus, but it also uses the opportunity and the frame work of the OSCE Parliamentary Assembly to try to involve parliamentarians from Belarus. Up until now, they have been a bit reluctant to take part in various debates even when the subject is Belarus. They have been a bit reluctant to take part in special roundtables that we have tried to organize on this subject.

But I think the Working Group members have not lost hope. They will continue to try to involve the Belarusian parliamentarians. We have our annual session in July in Edinburgh. We plan to organize a roundtable on the sidelines on the subject of Belarus which the Working Group will moderate. We hope to involve the Belarusian parliamentarians as well as any other member who wishes to participate in these debates. I cannot say for sure at this point if they are going to participate or even if that particular event will have a lasting effect on the situation in Belarus. But it could be a small step that the Working Group could contribute to that process.

Mr. BEREUTER. Well, I will not suggest what the OSCE should do, but with respect to NATO and the NATO Parliamentary, among the soon to be 26 members, there is this expectation that these are functioning democracies with strong democratic institutions that are in fact being improved and that there is at least a degree of significant democratic institutions in the associate member states, and they are making efforts in that respect to improve their democratic institutions and pluralism and human rights.

And the conclusion was in fact that Belarus does not meet those requirements, even at a minimal fashion. It is getting worse, so they were expelled as a first example.

Mr. Nix, I would like to ask you if your other three counterpart organizations are involved in Belarus at this point.

Mr. NIX. I think you are speaking about the National Democratic Institute. Yes, sir, indeed they are.

Mr. BEREUTER. And the Chamber and the Organized Labor Counterparts?

Mr. NIX. It is tremendously difficult to operate within Belarus. For example, if a political party member wants to receive training on how to do a lit drop or how to go door-to-door, we cannot really do that in the country. It is all being done in the neighboring countries.

Mr. BEREUTER. The NGOs, a number of them are quite active in Lithuania to work with Belarusians.

Mr. NIX. Yes.

Mr. BEREUTER. How about your democratic counterparts, are they involved?

Mr. NIX. Yes, they are. They are working on the local level, and there are non-American trainers that do enter Belarus and provide training on very basic organizational skills. That is happening. Our National Democratic Institute is doing a fine job.

Mr. BEREUTER. Correct me if I am wrong, any of you gentlemen, but it seems to me a major hurdle to move toward democratic elections has not been the procedures as much as it has been to get people on the ballot who are willing to put their name on the line. And the Coalition of Five-Plus, I think one of you said, expects to have a candidate, at least one candidate in each of the numerous parliamentary districts. Is that correct?

Mr. NIX. Yes, sir, as I said earlier.

Mr. BEREUTER. Is that the major hurdle to get them, to get the them on the ballot and keep them on the ballot and to protect them from intimidation?

Mr. NIX. That will be one of the major hurdles. The plans for the Five-Plus Coalition is to have a candidate in each of the 110 districts, but also to have a second candidate because the opposition believes and with sound basis that candidates will be removed from the registration list on procedural grounds. There will be some basis, some legal means to move against them so there is a plan to have two candidates in each and every district.

Mr. BEREUTER. Do you believe, gentlemen, that an international strategy could be put together to protect the candidates that file for office in those parliamentary districts and to attempt to keep the government from being willing to discredit them or in any fashion eliminate them as candidates?

Is there international pressure or a coalition of tactics and pressure that could be brought to bear to protect them so that the election could actually take place with these people on the ballot?

Mr. COHEN. Mr. Chairman, I think that the efforts need to be done. Whether it is going to be effective or not remains to be seen, but if we do not try, we will never know.

I do believe that, without such pressure, Lukashenka will see it as a carte blanche to use every trick in the book and then some to prevent Coalition Five-Plus or for that matter any other anti-Lukashenka candidate from running.

And you know, Mr. Chairman, that all the tools and dirty tricks including disappearance, including bringing legal procedures on false pretenses are being use currently against opposition leaders.

Mr. LEGENDRE. To add to that, the OSCE Parliamentary Assembly will be working together with the Parliamentary Assembly of the Council of Europe and the European Parliament, as I mentioned in my comments, in the framework of a Parliamentary Troika to monitor the process. This will be done in conjunction with another body of the OSCE, the Office For Democratic Institutions and Human Rights, which once the decision is made to observe the elections will send a team of long-term observers up to 6 weeks or 2 months before the elections. If candidates were to be denied registration or deregistered, this would likely be the time that would happen.

Mr. BEREUTER. Would any of those parliamentarians be from OSCE PA?

Mr. LEGENDRE. The Parliamentary Assembly will send short-term observers together with probably 300 to 400 short-term observers from the OSCE member states. It is likely that the OSCE Parliamentary Assembly will send parliamentary observers together with the two other parliamentary institutions.

In the last presidential elections in Belarus, there were up to 100 parliamentary observers from these three institutions. We anticipate that we would have a similar number. Obviously, they cannot cover every constituency, every district, but they will be present, observe as many polling stations as they can and will be able to make political assessment of the process.

Mr. BEREUTER. Do you have any ideas as to how we can protect the candidates in the pre-election period? How can we keep them from being intimidated or, by various steps by the government, being taken off the ballot?

Mr. LEGENDRE. Well, we have been trying, on the one hand, to alter the legislation so that, legislatively, that would not be possible. Unfortunately, it does not look like those changes are going to be made.

What we hope is that the fact of that our presence on a regular basis will be enough to prevent certain violations from occurring. We cannot pretend to be able to prevent everything from happening. We have seen in previous elections, the presence of observers does tend to obstruct certain violations from happening, but it cannot stop everything.

Mr. BEREUTER. But that is at the election itself. It is not the pre-election period.

Mr. LEGENDRE. It is not the pre-election period. The Parliamentary Troika will travel, if allowed by the Belarusian authorities, in the pre-election period. And the long-term observers will be present in Belarus up to 2 months before the election period.

Mr. BEREUTER. Mr. Nix, do you have any suggestions?

Mr. NIX. Mr. Chairman, pressure from the Euro-Atlantic Alliance will have some effect, and we saw this in Ukraine when Ukraine attempted to amend its constitution recently to take the right to vote for the presidency away from the voters and vest that in the legislative branch.

The Parliamentary Assembly of Europe did a tremendous job of confronting this issue, confronting the Ukrainian authorities with this issue. There was a change in mind, and that was taken off the table in the Ukraine.

There is some history, and I think that could be effective. It is essential that these candidates be protected, as you said, during the pre-campaign period. But there is also the need for a substantial international election observation, long-term.

And I say this, Mr. Chairman, because Belarus will have voting not only on election day, but its law calls for what they call early voting. And this takes place 5 days prior to election day, a full 5 days. And the history of national elections, the presidential election, was that that was a very active time for voting in Belarus. There were a lot of problems. And we have reason to believe that that the outcome of the election was affected by the early voting that took place.

Mr. BEREUTER. Dr. Cohen, has there been any effort to impose broad multilateral sanctions against the government of Belarus?

Mr. COHEN. To my best knowledge, no. If my colleagues are aware of broad multilateral sanctions of some kind that I am not aware of?

Mr. LEGENDRE. There was a visa regime, visa ban, 2 years ago or so which resulted in the OSCE being re-established in that country. It was applied as a result of the OSCE Advisory Monitoring Group being expelled from the country. The visa ban was applied as a result of that action of the Belarusian authorities.

Mr. BEREUTER. How broadly was that visa ban supported?

Mr. LEGENDRE. It was supported by the United States and members of the European Union with the exception of Portugal, which was hosting that year the OSCE ministerial meeting and did not wish to agree to that ban.

Mr. BEREUTER. And the result was that, in fact, the OSCE was re-admitted?

Mr. LEGENDRE. The OSCE was re-admitted. It is hard to say to what extent the role of the visa ban played in that agreed reinstatement of the OSCE, although I would imagine that it did have some role.

Mr. BEREUTER. Mr. Wexler, do you have any more questions?

Mr. WEXLER. Some of the Committee staff who had an opportunity to meet with the opposition leaders are of the view that part of the problem with the opposition is that they are simply anti-Lukashenka and that they are not offering any vision of their own. I was curious if you shared that view and if you do, what can you do or what can we do to offer or assist the opposition leaders in offering a true vision of their own?

Mr. NIX. I do have a different view, sir, in that the Five-Plus has actually taken survey data and formulated a campaign platform based on what resonates with voters, and this is a platform not based on criticizing the current government. But as I mentioned, the Five Steps to a Better Life. It is modeled basically on the economic issues, the economic challenges that the average Belarusians faces every day.

The survey data clearly shows those are the driving forces in Belarusian politics. Mr. Lukashenka's relative unpopularity aside,

those are the issues in which the election will be decided in a free and fair election.

Mr. WEXLER. Sort of a contract for Belarus?

Mr. NIX. We offer a lot of models, and they choose the one that they deem appropriate, sir.

Mr. BEREUTER. It better be bipartisan.

Mr. NIX. And Mr. Chairman, I should mention that you had the benefit of meeting with them along with the speaker, and I am sure you heard a lot about that program. And it is basically a program on what the Coalition stands for, not what it stands against.

Mr. BEREUTER. Dr. Cohen?

Mr. COHEN. I would suggested that the visa regime is indeed an effective tool, not just for the senior government officials and not just for those people who are suspected in participating in the disappearances of the political opponents of Mr. Lukashenko but also of business associates, of businessmen who are supporting Mr. Lukashenko.

In that respect, not just the visa regime, but an investigation, possibly with the help of FINCEN or other branches of the U.S. law enforcement, into overseas accounts of Mr. Lukashenko or his business associates, as well as—as I suggested earlier—an investigation into the—a criminal investigation into the disappearance of these political leaders, a criminal investigation that, to the best of my knowledge, this country has not undertaken, would be an effective tool of bringing more pressure on that regime.

After all, disappearance of human beings in general and democratic politicians in general in the middle of Europe shouldn't be tolerated.

Mr. BEREUTER. What role do you think the United Nations could play?

Mr. LEGENDRE. In our work in Belarus we have had some minimal contact with the UNDP, which has an office in Minsk implementing a variety of projects, though not necessarily related to the same issues of democratic development that we have been interested in, and, therefore, we have not had significant contact with them on a broader level on what role they could play.

Mr. BEREUTER. Any suggestions?

Mr. COHEN. Unfortunately, Mr. Chairman, I have to express negative impression of the function of the U.N. Commission on Human Rights. This is a body chaired by Libya. This is a body that is taking a staunchly anti-Israel stance, whereas ignoring major violations of human rights in other countries. I am afraid we are not going to get much succor from that particular body.

Mr. BEREUTER. Do you think that the European Union and the United States might agree on offering an action within the U.N. Human Rights Commission? Do you think we could agree? I am not asking about effectiveness, whether or not it would be moved, but do you think we could agree to a case there that would put them in a difficult position?

Mr. COHEN. It is worth trying, sir.

Mr. BEREUTER. I think it might be interesting. What is the Belarusian record on trafficking in persons? Do you have any knowledge of that area? I know it is a bit outside. We are asking to you focus on the political process and the elections in particular.

Mr. LEGENDRE. It is an issue that will come up at a Parliamentary meeting of the Assembly this fall. As Belarus is now a full-fledged member in the Assembly, hopefully they will take part in that meeting and will discuss that issue as it relates to their own country and to the region in which they are located. At the moment, unfortunately, I do not have significant information on the subject, though.

Mr. BEREUTER. If there could be a strategy put together by the European Union and the United States, for example—it lies beyond that, as far as I am concerned—to basically treat the President and the high-level officials in the current government as pariah, do you think it would have any impact, any positive impact? This is part of what the visa arrangement was all about in some small way, of course, I am sure.

Mr. LEGENDRE. I think it already exists. In the EU and the United States, I think he already is a pariah. I don't believe he travels to those countries. I don't believe he would be invited. The visa ban would be a symbolic gesture, but I don't think it would significantly change the current practices of the Belarusian authorities.

Mr. BEREUTER. It reinforces his approval—do you think it would possibly reinforce his approval?

Mr. LEGENDRE. No.

Mr. BEREUTER. Mr. Cohen is shaking his head no. Mr. Nix is similarly expressing.

Mr. LEGENDRE. I think it would probably be best, if that action was taken, that it be tied to some concrete actions. I think in some respect, if one could conclude that the previous visa regime was successful, it was because it was tied to a specific demand, a specific criteria, which was related to the OSCE office in the country.

Mr. BEREUTER. What is your individual opinion about the Belarus Democracy Act? Some have suggested that it has only served to further isolate Belarus and might be counterproductive.

Mr. NIX. I have a different view altogether. I think passage is important. It is symbolic to the opposition to know that it has the support of the United States. One cannot measure how important it is to the citizens, what just meeting with you and the Speaker and others here in Washington meant to the opposition.

Number two, it sends a signal to our European counterparts, and that is essential to us having a common strategy and common approach to Belarus. I think if the opposition parties unite on a common strategy, then it certainly is incumbent on the United States and its European allies to agree on a common strategy and continue to focus on the problems that continue to exist in Belarus and support of democratic movements in Belarus.

Mr. BEREUTER. Mr. Cohen.

Mr. COHEN. I believe that such a piece of legislation will resonate not just in Belarus. It is important not just for Belarus, but it is important for Central Europe and the former Soviet states. This is a signal that the U.S. is serious about these issues, and therefore I would support such a piece of legislation.

Mr. BEREUTER. I would appreciate it if you would go back and look at the legislation to see if you have any specific suggestions and to see if you think there are certain parts that perhaps should

be deleted, and give us your reactions. Do you think it is possible, just say the West, to give such degree of attention to the coalition party leaders and perhaps even to the candidates that we could insulate them from negative action by the government? Is that possible, and if so, how would we attempt to go with doing that?

Mr. NIX. I think the clear signal from the United States and its allies that criminal detention, incarceration, proceedings, attempts to remove people from the ballot once they have been duly registered would be met with the highest level of protest and condemnation in Europe and the United States. I think continued watchfulness and pressure will have to protect the opposition candidates.

I am not sure whether that will carry the day. Many people in the opposition expect to be jailed for their participation in this upcoming campaign. So I am not sure, sir, that we can stop this—we can prevent this from happening, but it is certainly worth the effort.

Mr. BEREUTER. If they are jailed, I guess we could send—try to encourage activists to go and make themselves a nuisance.

Mr. Wexler, any great ideas that you want to share here? I want to offer any of you an opportunity to say something that you haven't had a chance to say yet in answer to questions or in general to share information right now if you have anything you would like to contribute additionally before we conclude. Dr. Cohen?

Mr. COHEN. Sir, I come from a background of international broadcasting, among other things, and audience research. I do believe, based on my conversation with the Belarusian opposition leaders and looking at the failure of media wave broadcasting, AM broadcasting into Belarus, the station that was based in Poland went into bankruptcy, that the Belarusian public is underserved or underserved by Belarusian-language alternative media, and if funds can be found, whether through U.S. Agency for International Development, National Endowment For Democracy or other sources, to finance a radio station that covers with its signal Belarus, find those journalists that were sidelined by the Lukashenko regime and bring them aboard to broadcast to the Belarusian public. Probably radio is the cheapest and most effective medium because printing and transporting it through the borders is difficult. Running underground presses is dangerous, and television is too darned expensive.

So my call on this would be medium-wave AM radio from an adjacent country, giving a good mix. Radio Sawa, the Arabic service that we are now providing for the Middle East, is probably a good example, not necessarily commenting one way or another on the mix of music and news, which is a separate issue. But that audience needs to hear an uncensored voice of true Belarusian democrats.

Mr. BEREUTER. Thank you for that suggestion.

Mr. NIX. Mr. Chairman, I would like to say I would like to express thanks to you and your Committee, Mr. Wexler, for the attention and the time devoted to the democratic cause in Belarus. And my hope is that others in Washington and in the capitals of Europe will follow your exemplary lead. So thank you for allowing us to appear here today.

Mr. BEREUTER. Thank you very much. We are not done yet.

Mr. NIX. We would be here as long as you would like us to be.

Mr. BEREUTER. But I mean that is not the end of things.

Mr. LEGENDRE. I would also like to thank you. I plan to go back to Copenhagen at which time I will be in touch with the members of the working group. We will be travelling to Belarus hopefully in the near future. I will share with them the ideas that were presented here today. If they have any comments on the particular issues that were raised, and in particular on the Belarus Democracy Act which you specifically asked about, I will consult with them and be in touch with you or your staff members. Thank you.

Mr. BEREUTER. Thank you very much. The Subcommittee stands adjourned.

[Whereupon, at 2:50 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

COMMENTS SUBMITTED FOR THE RECORD BY HIS EXCELLENCY MIKHAIL KHVOSTOV,
THE AMBASSADOR OF BELARUS TO THE UNITED STATES, IN RESPONSE TO THE RE-
MARKS OF THE HEARING WITNESSES

The November 1996 *national referendum* initiated by the President of Belarus was held in accordance with the decision of the Parliament. Two drafts of the Constitution were introduced, accordingly, by the President and by the Parliament. The draft offered by the parliamentarians was regarded as a return to the Soviet Constitution of 1978. It would significantly strengthen powers of the Parliament at the expense of the executive branch. The speaker would appoint judges, the Government could be dismissed by the decision of the Parliament at any moment, the executive branch would not even have the right of legislative initiative, etc. Not a single independent newspaper supported this draft.

The new Constitution adopted at the referendum in 1996 balanced functions of all branches of power and put in conformity their rights and obligations. At the same time every branch retained its independence, parallelism in their activities was eliminated, the mechanism of interaction between representative and executive powers was defined in a more correct way. That in turn led to higher controllability of the state system.

The Constitution amendments expanded the powers of the Government. From a body under the President it was transformed into an independent state body, performing executive power functions. As a result the Government has gained more authority at the expense of the President.

The President of Belarus has significant powers; in their capacity they however are not wider than those of Presidents of the United States, Russia, Kazakhstan, France and other nations.

Mass manifestations are regulated by the Law "On gatherings, meetings, street processions, demonstrations and vigil", and by Decrees of the President of 1999 "On some measures to prevent emergencies during mass actions" and of 2001 "On some measures to improve the order of conducting gatherings, meetings, street processions, demonstrations and other mass actions and vigil in the Republic of Belarus".

According to these legislative acts, the participants of mass actions (meetings and processions) must observe public order and fulfill all lawful requests of the organizers of a mass action, executive committees and law enforcement agencies. In case of a violation of public order an event must be stopped upon a request by executive and administrative authorities, law enforcement agencies, organizers of these mass actions.

Individuals responsible for violating the established order of organizing and carrying out mass actions as well as those violating the public order can be brought to court in accordance with the national legislation. It is impossible to completely rule out the use of force by law-enforcement officers, when manifestations turn out to be out of control and threaten public safety. However it should be noted that such precedents are of exceptional nature and fall within requirements of national legislation.

In accordance with the requirements of the legislation of Belarus criminal proceedings were instituted on the *facts of disappearances* of Yury Zakharenko, Viktor Gonchar, Anatoly Krasovsky, and Dmitry Zavadsky. The Minsk prosecutor's office has carried out the investigations.

In spite of significant efforts of investigators on the case of Zakharenko, it turned out to be impossible to exactly identify the circumstances of his disappearance in May 1999. In this connection the Minsk prosecutor's office suspended the preliminary investigation on this case on January 17, 2003.

The analysis of the compiled evidence on the case gives reasons to believe that unknown persons kidnapped Gonchar and Krasovsky in September 1999. By present time all possible investigation activities on this case have been completed. On January 20, 2003 the Minsk prosecutor's office suspended the preliminary investigation because the persons subject to be put on trial as defendants were not identified.

As preliminary investigation showed there's no connection of Gonchar and Krasovsky's disappearance either with their political activity, or with criminal activities. During the investigations of the disappearances of Gonchar, Krasovsky and Zakharenko no evidence has been found of any involvement in these cases of special services and senior government officials of Belarus. Operational search in Belarus and internationally of whereabouts of Zakharenko, Gonchar and Krasovsky are still underway.

The Prosecutor's office of Belarus in the course of investigation of a criminal gang, consisting of Ignatovich, Malik and others, proved that they kidnapped a camera man of the Belarusian bureau of the Russian television company "ORT" Zavadsky to take vengeance for publishing information on Ignatovich's participation in combat operations in Chechnya on the side of the terrorists.

According to the Minsk regional court verdict of March 14, 2002 Ignatovich and Malik were found guilty in kidnapping Zavadsky, unlawfully depriving him of freedom, as well as committing a number of other serious crimes, and sentenced to life imprisonment. In spite of all possible measures, taken during the investigation, it turned out to be impossible to identify either Zavadsky's whereabouts or his body, or what happened to him after his disappearance. Due to this fact the investigation was suspended.

Belarus builds its relations with *mass media* in full conformity with the Constitution of Belarus and national legislation. Article 33 of the Constitution guarantees to everyone the freedom of opinion, belief and expression. Monopolization of mass media by the state, NGOs and individual citizens as well as censorship is not permitted. The proof to this is that almost two thirds of registered periodicals out of total number of about 1300 do not belong to the state. Founders of printed media outlets include 125 NGOs and 445 citizens. The media are printed in Belarusian, Russian, German, English, Ukrainian and Polish languages.

Belarusian media are characterized by the wide spectrum of views and positions. Without exceptions all periodicals are granted access to the state run printing facilities and distribution net.

There are 64 non-state TV and radio programs registered in Belarus, the Ministry of Communications issued cable TV licenses to 93 private organizations. Opening of the "Second national TV-channel" (ONT) in 2002 is viewed as an important development. The channel that is not owned by the state facilitates creation of robust environment on Belarusian electronic media market. Information broadcasting by ONT is mainly focused at activities of NGOs, and concrete problems in lives of ordinary citizens.

Diversity in media also guarantees the freedom of speech and provides NGOs and citizens with an opportunity to present to Belarusian people their point of view on every issue of concern.

The Criminal Code of Belarus envisages responsibility for dissemination of knowingly false and dishonorable information of other person (libel), deliberate humiliation of honor and dignity of a person (insult). Committed against the President of Belarus these actions in accordance with the law would receive more severe punishment.

Due to publishing in newspaper "Pahonya" of information and materials on behalf of NGOs not registered in the established order, the State Committee on printed media had issued 4 written notices to paper's management. In spite of the warnings "Pahonya" proceeded with publications containing false information. In this connection the Office of Public Prosecutor of the Grodno region introduced to the Supreme Economic Court of Belarus a writ to stop the activities of the newspaper.

Right after this action journalists Pavel Mozheiko and Nikolai Markevich published inflammatory articles accusing the President of Belarus of arms trade, genocide and creation of criminal organization. The Grodno Regional Court concluded that Mozheiko and Markevich committed a crime of libel and sentenced them to 2 years and 6 months and 2 years of imprisonment accordingly. Later Markevich's sentence was softened substituting 12 months of imprisonment with correction works. Supreme Economic Court of Belarus in November 2001 decided to stop activities of "Pahonya".

Parliamentary elections of October 15, 2000 in Belarus were held in strict accordance with the provisions of the Constitution and the new Electoral Code of Belarus. The authorities made every effort to ensure that the elections complied with the principles of democracy and international standards.

All the necessary conditions for conducting free, fair and transparent elections had been created in Belarus—a fact confirmed by numerous international and internal independent observers. There were 566 candidates, representing 10 parties (those in opposition among them) who competed for 110 deputy mandates. More than two-thirds of Belarusian citizens took part in the voting.

The National Assembly of the Republic of Belarus, elected on October 15, 2000, is a full-fledged and legitimate legislative body and one of indispensable pillars on which the balance of Belarusian state powers rests. In February 2003 the National Assembly restored its full participation in the OSCE Parliamentary Assembly on February 20, 2003.

During *presidential election* in September 2001 all candidates, including opposition representatives, had equal and fair access to the state run media in full conformity with the Electoral Code of Belarus. National television channel granted to each candidate one hour of live air broadcasting to present pre-election programs.

Observers from the Commonwealth of Independent States confirmed that the election of the President of Belarus was free, open and in full conformity with universal democratic principles. Election was held in a developed democratic information environment. All candidates for presidency had access to mass media to the extent required, published their pre-election programs in 8 state printed editions and made appearances on state television and radio channels. Foreign journalists were provided with wide rights for the coverage of election campaign in the country.

Parliamentary elections in 2000 and presidential election in 2001 reiterated effective implementation of the national electoral system principles. People freely exercised their will in electing representatives to the lower chamber of the Parliament and the head of the Belarusian state. Elections were conducted on the basis of equal, direct and secret universal suffrage.

Supervision by the Office of Public Prosecutor clearly confirms legitimacy and transparency of the conducted elections. Few violations, revealed during election campaign, were not considerable and could not substantially affect voting results.

Thorough analysis of the *Belarus Democracy Act* shows that it is based on inaccuracies and subjective and outdated information. The means to achieve the proclaimed goals of the Bill—“to provide for the promotion of democracy, human rights and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence”—are counterproductive. The adoption of the document that provides for the regime of sanctions against Belarus will hardly advance the nation’s democracy and strengthen its sovereignty and independence but will definitely affect in the most negative way our bilateral relations.

Belarus hopes that the United States Congress will demonstrate their political wisdom and willingness to facilitate further development of Belarus-U.S. bilateral relations on the basis of mutual respect and understanding.

Legislative initiatives like BDA create an extremely unfavorable atmosphere for the process of normalizing bilateral relations. Belarus is interested in pursuing a genuine dialogue with the United States. However, the adoption of the bill would block all possible venues for establishing constructive cooperation between the two countries.

Belarus has a dynamically developing *economy*. Average annual GDP growth since 1996 has been at 6 percent. In 2003 GDP of Belarus grew by 6,8 percent. External trade of goods services grew by 23,9 percent. Income of a Belarusian family grew by 3,4 percent. Belarusian economy is the most open in CIS, correlation of exports volume to GDP is about 60 percent. For comparison, in Russia it’s 30 percent, Ukraine—46, Kazakhstan—43. In physical volume of external trade Belarus ranks the third after Russia and Ukraine.

Human trafficking is a high priority issue on the social agenda of the Government. Belarus works closely with foreign governments on a bilateral basis, with international organizations and national NGOs to prevent spread of trafficking and to provide protection and assistance to victims.

Efforts of Belarus in fighting human trafficking have been well recognized by other parties active on this issue. The U.S. State Department in its report on trafficking in 2003 transferred Belarus into the second tier of countries whose governments do not fully comply with the minimum standards but are making significant efforts to bring themselves into compliance with those standards.

Trafficking and related crimes are comparatively recent issues for Belarus. In order to address them the Government pursues a range of activities in four major fields:

1. Developing national legislation.
2. Setting up special police units.
3. Launching an awareness campaign for women seeking employment abroad.

4. Developing a net of social institutions capable of assisting potential and actual victims of trafficking.

The Council of Ministers of Belarus adopted the National Program of Comprehensive Measures toward Combating Trafficking in Human Beings and Spreading of Prostitution for 2002–2007. Implementation of a set of preventive measures under the Program is to increase awareness of trafficking and prostitution, through information campaign in printed and electronic media.

The Department for Drug Trafficking and Morality in the Ministry of the Interior has been in work since 2000 and among other things deals with exposing of persons drawn into prostitution, organizers of their traffic abroad, pimps and illegal brothel keepers. The Department for Migration permanently monitors activities of all companies providing job-seeking services for Belarusian citizens abroad.

The Ministry of the Interior maintains constantly updated database on crimes and offences against morality, as well as on their perpetrators. In order to prevent crimes against women and eliminate their causes the Ministries of the Interior of Belarus, Russia, Ukraine, Lithuania, Poland, Austria, Germany and Spain established exchange of information on persons involved with such crimes.

As a result of measures undertaken the number of exposed crimes connected to brothel-keeping and pimping has risen tremendously over the last seven years. Whereas only 42 of such crimes were registered in 1996, their number reached 342 in 2002. Last year the Belarusian police disclosed 753 trafficking related crimes.

Within activities on preventing trafficking in women, a remarkable cooperation has been established between authorities and NGOs. The Center for Gender Information and Policy (CGIP) of the Ministry of Labour together with women associations has carried out a number of relevant activities over the last three years.

CGIP and Belarusian Association of Young Christian Women, sponsored by the United Nations mission in Belarus, published in November 2001 an educational brochure on human trafficking. The Association works closely with the Polish Foundation “La Strada”.

Project on combating human trafficking is under way with the International Organization for Migration. The project addresses three integrated and interrelated aspects of the problem: to prevent trafficking through disseminating information aimed at increasing public awareness; to prosecute more effectively trafficking crimes by building the capacity of Belarusian law enforcement and juridical authorities; and to ensure protection by providing extensive reintegration assistance to victims of trafficking.

Women and Children Social Service Centers currently provide assistance for women who became victims of violence. Non-governmental associations are establishing similar institutions. For instance, a crisis center for women who suffered from sexual and domestic violence opened in Minsk under the Belarusian Women’s Union auspices. Women’s Educational and Advisory Center has been providing psychological and legal advisory services to victimized women since 1998.

In keeping with its commitment to combat human trafficking, Belarus has completed necessary procedures for acceding to International Convention on Combating Trafficking in Women and Children, Convention on Civil Aspects of International Abduction of Children as well as a number of other relevant legal instruments.

Cooperation between Belarusian and foreign nations on human trafficking is based on bilateral agreements with Bulgaria, China, Israel, Lithuania, Romania, Poland, Turkey and Vietnam. A number of corresponding instruments are also signed with the CIS countries. The Ministry of the Interior currently completes procedures for conclusion of international agreements with India, Poland, Iran, Egypt and Estonia, which would include provisions on human trafficking.

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A Strategy to Democratize Belarus

Ariel Cohen, Ph.D.

As the October 2004 parliamentary elections in Belarus are becoming a priority for democratic forces in the country and for Western friends of Belarussian democracy, it is the time to act.

It is time to consolidate opponents of the status quo, reach out to the people, and give them hope. This is the task, first and foremost, for the Belarussian opposition, but also for those who understand that at stake is more than just the future of Belarus, important as it is. At stake is how willing—or unwilling—the West is to fight for liberty.

If the West is ready to defend freedom, what is a better place to start than its own home base—Europe? At stake is our own future. At stake in Belarus is how we handle rogue regimes—and friends of rogue regimes. Alexander Lukashenka was elected president in 1994 and then engineered his own re-election in 2001 with major violations of the Belarussian constitution and international democratic norms. The opposition refused to recognize the legitimacy of those elections.

In 1996, Lukashenka dismissed the National Assembly and the Constitutional Court and imposed his own constitution, further alienating the Belarussian elite. He has supported every dictator from Kim Jong Il, to Yasir Arafat, to Saddam Hussein.

In the case of Belarus, it is important to recognize that hard-line elements of the Russian government were strongly supporting Mr. Lukashenka and his pro-Russian rhetoric and policy. However, many in the Russian leadership have grown exasperated with

Talking Points

- The struggle for freedom in Belarus is greater than Belarus itself. It is also about preventing the process of rebuilding the Soviet empire.
- Can Belarus become a test case of Russia's policy of integration with the West based on shared democratic values? In a way, Belarus becomes a litmus test on Russia's future relationship with the West.
- The historic experience of the Soviet Union shows that pro-independence forces, from Central Asia to Moldova, learned from the leadership of the Baltic States. Once the communist leadership failed to stop the surge to freedom in Vilnius, Riga, and Tallin, others followed in Kyiv and Baku.
- As revolutions in Georgia and Serbia have demonstrated, political protests tied to elections—with appropriate preparation through political activities, public education, and international support—may be the magic mix that makes dictators disappear.

This paper, in its entirety, can be found at:
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aid or hinder the passage of any bill before Congress.

Lukashenka's antics, and even those with lower democracy standards may finally recognize that the dictator is becoming a liability for Moscow.

The Struggle for Freedom

The struggle for freedom in Belarus is greater than Belarus itself. It is about Russia helping, tolerating, or opposing democracy next year. It is about setting a good example for Russia and Ukraine. And it is also about preventing the process of rebuilding the Soviet empire—regardless of how nostalgic some people get in Moscow.

After the collapse of the Soviet Union, Belarus has remained a Jurassic Park of authoritarianism in the heart of a democratizing Europe. However, it is also a huge lab in which retrograde forces of the old Soviet regime are attempting to develop new models of repression, which they may apply in Russia, and possibly Ukraine. It is not accidental that the rumors of extending presidential terms in violation of existing constitutions are repeatedly floated and then vehemently denied—which makes them ever more credible—in Minsk, Moscow, and Kyiv.

It is true that Belarus was one of the most Soviet among all Soviet republics. It is true that the anti-communist and nationalist movement there was among the weakest. However, I do not want to blame the people of Belarus for what happened next.

There are other examples of totalitarian and authoritarian regimes in the former Soviet camp, where the pre-reform conditions were appalling. Romania, Bulgaria, and Ukraine had all started from a point of severe disadvantage in comparison with the Czech Republic and Estonia. Nevertheless, their achievements are quite remarkable. Romania and Bulgaria are in NATO and on the way to EU membership, and in Ukraine, the democratic opposition leader Victor Yushchenko consistently remains the most popular presidential candidate.

If Russia's main priority in Belarus—safe and secure gas transit—is assured, it certainly should be no problem for Moscow to cooperate with the West to ease Lukashenka out. Can Belarus become a test case of Russia's policy of integration with the West based on shared democratic values? In a way, Belarus becomes a litmus test on Russia's future relationship with the West.

Lukashenka's Disastrous Performance

The performance of Belarus under Lukashenka, judged by objective international criteria, has been a disaster.

- Inflation is rampant.
- There has been no meaningful privatization.
- Agriculture is still collectivized.
- Seventy percent of the country's economic output of state-owned enterprises piles up in warehouses, as no one is willing to buy Belarussian goods.
- NGOs are denied registration.
- The country's human rights track record is so abysmal that the U.S. State Department's human rights report uses language reserved for totalitarian states.
- The regime has been cracking down on political opposition, independent media, and civil society activists.

However, Lukashenka's repression may be sowing the seeds of his own demise. The recent events in Georgia, some fatigue in Moscow with Lukashenka's escapades, and—most important—his utter failure to provide Belarussians with a road to a decent future may indicate that 2004 will be the year in which he could return to the *kolkhoz*—or, even better, be investigated and tried for abuse of power, for the disappearances and possibly murder of his political opponents, and for other crimes. Another solution for Lukashenka would be political asylum in North Korea, Syria, or Cuba—albeit those regimes may not last very much longer either.

The historic experience of the Soviet Union shows that pro-independence forces, from Central Asia to Moldova, learned from the leadership of the Baltic States. Once the communist leadership failed to stop the surge to freedom in Vilnius, Riga, and Tallin, others followed in Kyiv and Baku.

As revolutions in Georgia and Serbia have demonstrated, political protests tied to elections—with appropriate preparation through political activities, public education, and international support—may be the magic mix that makes dictators disappear. The freedom bug is contagious indeed.

What Should Be Done?

To facilitate Lukashenka's road from the presidency back to the farm, or from Minsk to Pyongyang, the opposition and supporters of Belarussian freedom should take several joint steps. These include:

- **Unification**, or at least sustained cooperation, of the three main groups comprising Belarus's opposition. If over 200 Belarussian opposition political parties, organizations, and NGOs are working at cross-purposes, the Lukashenka regime will play one against the other, rendering them ineffective.
- **Development** of a joint strategy, program, and projects, nominating single viable opposition candidates in each district. The demise of the liberal parties in the Russian December 2003 Duma elections indicates that refusal to cooperate leads to premature political death. Personal and group ambitions should wait till the dictator is no longer there.
- **Severe public criticism** of violation of election procedures, criticized in the past by the Organization for Security and Cooperation in Europe (OSCE), which should demand that the electoral laws are amended per past OSCE recommendations and that the OSCE elections observation mission is allowed to deploy in Belarus well ahead of the October 2004 elections.
- **Preparation** for declaring the elections illegitimate in case of election falsification and other violations.
- **Expanding** a domestic and international campaign to publicly investigate the disappearance of Lukashenka's political opponents; appointment of an international public tribunal to that end; and initiation of criminal procedures in Europe and the U.S. against those in the president's circle who ordered and participated in the murder of opposition politicians and journalists.
- **Building** up a democratic opposition youth movement and not leaving the field to the pro-Lukashenka BRYU (Belarussian Republican Youth Union).
- **Questioning** the idea of a joint army with Russia. Belarussian boys should not be sent as cannon fodder in Chechnya, and Russian soldiers

should not be posted on the Polish–NATO border. This is a prescription for more, not less, instability in Europe. The consequences of such Russian–NATO friction are hard to predict.

- **Preparation** of a turn-out-the-vote campaign for parliamentary elections, focused on youth and urban voters who traditionally mistrust Lukashenka.
- **Reaching out** by Europe and the U.S. to the voters of Belarus through significant and material support of the democratic opposition as well as using the tools of public diplomacy, such as international broadcasting from countries around Belarus on the AM band by opposition radio stations, launching opposition TV broadcasting, and expanding people-to-people and educational exchanges.
- **Consultations** with Russia regarding a possible change of regime that will make Belarus more predictable and will benefit Russia by eliminating the need to subsidize the Belarussian economy through below-market-price natural gas, which provides over \$2 billion a year to the inefficient state sector, and by making the transit route for Russian gas to Europe more stable and less prone to interference by Minsk. Russia does not need a basket-case economy led by a basket-case dictator as an albatross around its collective neck. Russians should know that if integrated, the bacilli of Belarussian authoritarianism may exacerbate their country's own tendency to limit freedom.

Conclusion

The business of freedom in Eastern Europe is not over. Belarus, just like Ukraine and Moldova, has not fully completed its transition from the Soviet system to democratic capitalism. It is the duty of neighbors near and far to help complete the process and to reach the safe coast of democracy, security, and prosperity.

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