

Belarus

by Vitali Silitski

Capital: Minsk
Population: 9.7 million
GNI/capita: US\$10,750

The data above was provided by The World Bank, *World Bank Indicators 2009*.

Nations in Transit Ratings and Averaged Scores

	1999-2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Electoral Process	6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00	6.75
Civil Society	6.00	6.50	6.25	6.50	6.75	6.75	6.75	6.50	6.50	6.25
Independent Media	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Governance*	6.25	6.25	6.50	6.50	6.50	n/a	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	6.75	7.00	7.00	7.00	6.75
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	6.50	6.50	6.50	6.75	6.75
Judicial Framework and Independence	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Corruption	5.25	5.25	5.25	5.50	5.75	6.00	6.25	6.25	6.25	6.00
Democracy Score	6.25	6.38	6.38	6.46	6.54	6.64	6.71	6.68	6.71	6.57

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

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

EXECUTIVE SUMMARY

Following a brief period of relative democracy after gaining independence in 1991, the Republic of Belarus moved toward a form of post-Soviet authoritarianism with the election of Alyaksandr Lukashenka as president. Chosen in 1994 on a populist platform, he quickly set out to reverse democratic changes, consolidate power in the hands of the president, suppress the opposition, destroy independent media, manipulate the electoral process, and reestablish pervasive controls on daily life. By 1996, he had established a firm political grip over the country. The relative success of Lukashenka's economic policy—which was based on heavy subsidies of raw materials by Russia—enabled a degree of social cohesion and stability that forestalled any effective opposition. Lukashenka's prophylactic measures to combat the tide of colored revolutions that swept the former USSR in the mid-2000s ensured his smooth reelection in 2001 and 2006. In 2004, a constitutional referendum removed any term limits and effectively sanctioned his perpetual rule.

This once impregnable position began to slowly erode following the Belarus-Russia gas conflict of 2006–2007, when rising energy prices from Moscow forced Lukashenka to search for new solutions to the long-term goal of infinite political survival. Hence, the Belarusian authorities authorized a modest economic reform program that included tax reform, deregulation of certain sectors of the economy, cessation of social privileges, some privatization, and the active wooing of foreign direct investment. New economic policies also dictated certain shifts in the geopolitical orientation of the capital, Minsk, as Lukashenka could no longer count on Moscow's unwavering support. Thus, the authorities made attempts to normalize relations with the West and engage in dialogue with the European Union (EU) and the United States. Nevertheless, Lukashenka made it clear that this dialogue did not mean he would change his domestic policies or authorize political liberalization. Effectively, he offered some illusion of geopolitical balancing between the West and Russia in exchange for tolerance of his regime by the West. At the same time, Lukashenka's major foreign policy objective remained securing Russia's support, using ties with the West as a blackmailing tool to secure economic privileges and political patronage from the Kremlin under the threat of "going West."

The release of most political prisoners in February 2008 led to a dialogue with the EU on thawing relations, even though the releases were followed by a new round of political repression. Toward the United States, however, the government engaged in a diplomatic war over sanctions that had been introduced against the oil and chemical concern Belneftekhim, leading to the departure of the U.S. ambassador and most embassy staff. The parliamentary elections in September 2008 were

set forth by both the EU and the United States as a benchmark for normalizing relations with Minsk. Although no changes were made in the government's manipulation of the vote and no opposition members were elected, the EU decided to suspend visa sanctions against the head of the Central Election Commission and all but six members of the regime who were implicated in the kidnapping of an opposition leader in 1999. The political bargaining between Lukashenka and the West in the run-up to the elections did result in the release of three political prisoners, including the most famous, Belarusian Social Democratic Party leader Alyaksandr Kazulin.

National Democratic Governance. The release of several political prisoners in February and the freeing of Alyaksandr Kazulin, Andrej Kim, and Sergei Parsyukevich in August 2008 brought the Belarusian authorities into compliance with one of 12 EU demands for internal political liberalization and raised hopes for further progress in softening the political climate. The removal of some of the most odious operatives of the regime's power bloc, such as Security Council head Viktor Sheiman and the notorious commander of the riot police, Dzmitry Paulichenka, also indicated that the regime was undergoing internal changes and abandoning hard-line practices in order to ensure its dealings with Europe and the United States. Nevertheless, the government took a stop-and-go approach, resuming harassment of opponents each time its relations with the West took a turn for the worse. Brutal dispersion of an opposition demonstration on March 25, attacks on independent journalists on March 27, harassment of opposition activists in the aftermath of the terrorist attack in Minsk on July 4, and, above all, failure by the authorities to respect democratic standards proved that democratization of Belarus remains a distant prospect. *Nevertheless, the halfhearted liberalization of the political climate, release of political prisoners, and first steps by the authorities to engage in a dialogue with civil society all warrant an improvement of Belarus' rating for national democratic governance from 7.00 to 6.75.*

Electoral Process. The parliamentary elections on September 30, 2008, were set by the EU (and the United States) as a benchmark for normalizing relations with Belarus and a pre-condition for further dialogue. Overall, according to the preliminary judgment of the observer mission sponsored by the Organization for Security and Cooperation in Europe (OSCE), the elections, in spite of improvements, "ultimately fell short of OSCE commitments for democratic elections." No opposition candidate was elected, and all 110 places in the House of Representatives were elected in the first round, and all pro-government. The election was marred by the harassment of leading opposition candidates and a virtual absence of election coverage in the most important state media. The authorities failed to change the routine for early voting, considered to be particularly vulnerable to fraud, and largely failed to grant election observers an opportunity to monitor the vote count. *Although no progress was achieved in improving key election practices and ensuring meaningful political competition, an improvement in the overall political*

atmosphere during the 2008 election campaign warrants a slight improvement in the electoral process rating from 7.00 to 6.75.

Civil Society. Belarusian authorities abstained from enacting article 193-1 of the criminal code prosecuting unauthorized civil society activities. For the first time in years, representatives of the authorities engaged in open discussions with opposition and civil society activists. Nevertheless, the legal ground for repression remained fully in place, and the authorities continued to deny registration to the independent-minded civil society groups, political parties, etc. *As a result of these small steps forward, Belarus' rating for civil society improves slightly from 6.50 to 6.25.*

Independent Media. A new media law adopted by the Parliament in August 2008 effectively banned independent journalists from working on foreign broadcast media without official accreditation. Journalists working on EU-based radio and TV stations broadcasting in Belarus were subjected to continuous harassment, including the mass public attacks on March 27, 2008. On a positive note, the authorities abstained from enacting measures to control the Internet that were discussed throughout the year, returned some independent publications to the state distribution networks, and engaged in dialogue with representatives of independent media. *Belarus' rating for independent media remains unchanged at 6.75.*

Local Democratic Governance. Participants in protests against the construction of a chemical plant in Druzhny village near Minsk were harassed and threatened by local administrations. Local opposition activists faced firings and lockups in the run-up to key political events in the localities, such as elections or visits by top officials. *Belarus' rating for local democratic governance remains unchanged at 6.75.*

Judicial Framework and Independence. The prosecution of participants in the entrepreneurs' protests in January was conducted with multiple procedural violations and ignored proof of innocence by the court, according to human rights defenders. Opposition activists continued to be discriminated against at work and places of study. Police arbitrarily targeted opposition activists in the investigation of the terrorist attack on July 4, 2008, in the center of Minsk, although detainees were kept within the limits established by law and were not harassed in detention. *Belarus' rating for judicial framework and independence remains unchanged at 6.75.*

Corruption. Belarus continued to make considerable progress in removing excessive business regulations, according to a World Bank study. Nevertheless, problems of excessive regulation and discretionary decision-making power in the hands of state officials continue to affect the operations of the government and its relations with economic entities. President Lukashenka's revelations of corruption in top security bodies in November 2008 highlighted the extent to which the problem continues to plague the state in spite of a series of anticorruption crusades undertaken by

Lukashenka throughout his rule. *Owing to deregulation and improvements in business practices and governance, Belarus' rating for corruption improves from 6.25 to 6.00.*

Outlook for 2009. Balancing between Russia and the West and dealing with the impact of the world financial crisis will underscore internal political dynamics in Belarus in 2009. Belarus-EU relations and the fate of suspended visa sanctions will depend on the ability of the EU to come up with a set of clear benchmarks before April 2009 on which political progress in Belarus will be measured. The slow Westward movement of the Lukashenka regime may be interrupted by fears that it could disorganize the internal coherence of the system, as well as by incentives the Kremlin may offer to keep Belarus firmly in its geopolitical orbit. Nevertheless, the regime is almost doomed to continue with economic liberalization, which will reframe Belarusian relations with the external world and trigger the erosion of the “old” Lukashenka regime grounded in a Soviet-style economy, populism, and pro-Russian orientation. It remains to be seen whether the system will reequilibrate into a “new,” relatively liberalized, more market-based regime or whether economic and social tensions will open a space for genuine political change.

MAIN REPORT

National Democratic Governance

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
n/a	n/a	n/a	n/a	n/a	6.75	7.00	7.00	7.00	6.75

Since the 1996 referendum, the system of government in Belarus has been based on the principle of unlimited presidential autonomy. The president is endowed with vast prerogatives, including unlimited control over the executive branch, local administrations, security apparatus, and, *de facto*, the legislature. No parliamentary approval is necessary to appoint government members except for the prime minister, and the Parliament faces dissolution if it twice fails to approve the candidacy presented by the president. The president appoints and can fire at any moment heads of all regional and local administrations, all judges (except for the chairman of the Supreme Court), half of the Constitutional Court, half of the Central Election Commission (CEC), and 8 out of 64 members of the Council of the Republic, the upper house of the National Assembly. The Constitution *de facto* endows the president with legislative powers granting him the right to issue decrees that, according to the Constitution, overrule laws adopted by the Parliament in case of a conflict of regulations. The constitutional referendum of 2004 removed the last check on presidential powers by waiving term limits on the presidency. This opened an opportunity for Alyaksandr Lukashenka's lifelong presidency.

The National Assembly is a largely ceremonial body whose primary business is to rubber-stamp presidential decrees and legislation prepared by the government. The House of Representatives, whose four-year term expired in October 2008, enacted only four bills that originated in the Parliament itself. Most legislative proposals are drafted at the National Center for Legislative Activities, which is subordinated to the presidency. Out of the four successive compositions of the House of Representatives elected or appointed since the adoption of the 1996 Constitution, none has had a party-based structure, and only the second House (2000–2004) featured any noticeable representation by the opposition.

The most recent presidential elections were conducted on March 19, 2008, and resulted in the reelection of Alyaksandr Lukashenka for a third term in office. The official declaration that Lukashenka took 83 percent of the votes was met with disbelief by the opposition and Western observers. Post-election protests occurred for a week despite a massive campaign of intimidation, arrests, and attacks on opposition activists, becoming the largest act of civil resistance in a decade. However, the protests failed to make an impression on a larger audience that appeared to be genuinely supportive of Lukashenka, although not in the numbers claimed by official propaganda. The opposition's defeat in the presidential elections and its subsequent failure to devise a meaningful political strategy took a heavy toll

on the morale of democracy activists, many of whom either withdrew from politics or, particularly young people expelled from universities, left the country.

The most recent parliamentary elections were conducted on September 28, 2008, and, according to observers from the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR), failed to comply with its criteria for free and democratic elections and Belarus' international commitments. Elections ended in the first round in all 110 constituencies, and all members of Parliament (MPs) elected were supporters of the government. Most international observers, however, noticed some improvements in the electoral process and an overall relaxation of the political climate compared with the previous election, which was carried out in a highly restrictive atmosphere that coincided with the pivotal constitutional referendum on removing term limits. The parliamentary campaign of 2008 was carried out with fewer attacks on democracy activists and opposition candidates, and the opposition had slightly better opportunities to present views to the public through the state-controlled media.

This modest relaxation was a consequence of a complicated foreign policy game undertaken by the Lukashenka regime in the run-up to the elections, which were set up by the European Union (EU) and the United States as a criterion for normalization of relations with Belarus and the end of its international isolation. Yet dialogue and engagement with the West were not on a smooth track throughout 2008. On March 6, the same day Minsk approved the arrival of the European Commission delegation in Belarus, the U.S. government expanded sanctions against Belarus's chief operator in the energy trade, Belneftekhim. A subsequent diplomatic war resulted in the near expulsion of the U.S. embassy from Minsk. Even though the parliamentary elections failed to comply with minimum democratic standards, in October the EU suspended visa sanctions against most Belarusian officials for six months and endorsed dialogue with Belarusian authorities on matters of technical cooperation. The ultimate dropping of the sanctions is contingent on Belarus' compliance with EU demands for media liberalization, electoral reform, elimination of punishments for unauthorized civic activism, and cessation of repression against government opponents.

A modest success in easing political repression and extending the space for independent opinion proved that Belarusian authorities can no longer ignore the West altogether, while the Kremlin is increasingly assertive and unpredictable. The West may find new tools for leveraging Lukashenka amid the unwinding worldwide financial crisis, which could create serious economic problems for Belarus in 2009. Already in 2008, the country recorded a heavy deficit of almost US\$8 billion that could trigger dramatic devaluation in the near future. Belarus managed to obtain a US\$2 billion stabilization loan from Russia in November 2008, but this loan is tied to the demand to move closer to the introduction of a single currency, something that Belarusian authorities are keen to avoid. The authorities also succeeded in obtaining a stabilization loan from the International Monetary Fund (IMF) in exchange for promises to carry out substantial and highly unpopular economic

reforms, confirming the struggle of Belarusian authorities to emancipate themselves from the Kremlin's absolute control. At the same time, the approval of the IMF loan sent signs that the West was preparing to engage with Russia in a geopolitical competition over Belarus, marking an overall opening in the space for change and transformation in Belarus.

Since 1996, economic expansion has been key to pacifying the Belarusian society and nudging it toward the acceptance of authoritarian rule. At the same time, as economic expansion creates new social expectations, the regime has been pushed toward economic liberalization as the old Soviet-style model fails to generate the same rates of growth. The economic changes slowly but steadily take the Lukashenka regime out of its equilibrium. Even as the West has yet to find an effective leverage for dealing with Belarus, the need for engagement prompted the regime to somewhat relax political repression in 2007–2008. The release of several political prisoners in February 2008 and the freeing of Alyaksandr Kazulin, Andrej Kim, and Sergei Parsyukevich in August brought the Belarusian authorities into compliance with one of 12 EU demands for internal political liberalization and raised hopes for further progress in softening the political climate. The policy changes, however, have threatened to enhance social tensions, especially with the strata that traditionally supported Lukashenka and had the most to lose from the dismantling of the social safety net.

The dismissal of Security Council head Viktor Sheiman and Henadz Padabied and Dzmitry Paulichenka, notorious commanders of the riot police, may indicate that the hard-line faction in Lukashenka's entourage is indeed on the retreat and the regime is clearing the way toward more accommodating relations with the West. In November, Lukashenka cleansed the Interior Ministry apparatus, the staff of the Office of the Prosecutor, and top courts, announcing that these high-ranking officials were involved in illegal real estate deals around Minsk. Many of the designated officials were involved in the repression of political activists and business elite, and their dismissal contravened Lukashenka's customary policies of placing and promoting officials compromised by the abuse of office.

Electoral Process

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00	7.00	6.75

The consolidation of absolute presidential rule in Belarus eliminates the possibility for meaningful electoral contestation. The country's electoral code does not guarantee election commissions with multiparty representation and independence, fails to ensure equal campaigning opportunities for candidates representing the government and the opposition, and fails to provide sufficient transparency of the vote count or uniform appeals for the decisions of election commissions. The

CEC, appointed jointly by the president and the Council of the Republic for a five-year term, is not an impartial body. Instead, it ensures that electoral legislation is interpreted to the advantage of candidates nominated by the government, while the head of the commission frequently issues political statements supporting the policies of the president and denigrating the opposition.

The presidential elections held on March 19, 2008, were accompanied by widespread violence, intimidation, and government repression. Official election results granted an overwhelming victory (83 percent) to Alyaksandr Lukashenka, compared with 6 percent for United Democratic Forces (UDF) leader Alyaksandr Milinkevich, 4 percent for pro-presidential leader Siarhej Hajdukevich, and 2 percent for Belarusian Social Democratic Party leader Alyaksandr Kazulin.¹ Independent observers accused the government of fraud, and hundreds of protesters who demanded a rerun of the elections were arrested or beaten by the police. Kazulin was arrested and sentenced to five and a half years in jail for organizing mass disorders in the aftermath of the elections. He was granted early release in August 2008 after the Belarusian government found it necessary to move closer to the West in the wake of the conflict in Georgia. In the most recent local elections, held on January 14, 2007, only a few dozen opposition members were elected into over 21,000 local council seats in a campaign characterized by public apathy, government restriction, and the opposition's near lack of purpose and interest.²

Expectations that the 2008 parliamentary elections would be a landmark event leading toward political liberalization were based on the official discourse stressing the necessity of democratic and transparent elections. President Lukashenka repeated throughout the year that the elections would be carried out in the most transparent manner and “at the supreme European level” and promised that Belarus would “show to both the West and Russia how the elections have to be carried out.”³ Likewise, CEC head Lidiya Yermoshina explicitly declared that she would “work to achieve international recognition of the elections.”⁴ Declarations by President Lukashenka that several opposition members would be admitted to the Parliament appeared to be an invitation to the EU to come to the bargaining table.

The authorities made some low-cost, cosmetic changes to the election process. For example, observers from the ODIHR were allowed during the elections, in contrast with the Kremlin, which turned down the observer mission for the most recent presidential and parliamentary elections in Russia. Additional changes, such as Yermoshina's invitation to members of political parties to observe the CEC or the inclusion of some opposition members on the constituency-level electoral commissions, did not change the overall rules of the political game in Belarus but did create good publicity for the political elite.

At the same time, the authorities showed early signs that the new style would not be followed by much change in substance. Thus, attacks on government opponents began almost at the moment the election campaign was announced. President Lukashenka himself directed the attack against the opposition by instructing officials to check the financial records of opponents running for office. The authorities included 38 opposition representatives on the constituency-level

electoral commissions, satisfying 28 percent of petitions from the opposition.⁵ However, when it came to precinct-level commissions, which actually count the votes, only 47 opposition representatives were included.⁶ Given the total number of 6,000 election commissions, opposition representatives could observe the vote count at only 1 out of 150 precinct commissions. The CEC denied that it had anything to do with the composition of the commissions, but its representatives “regretted” that the local authorities chose to discriminate against the opposition.⁷

As the Belarusian opposition approached the parliamentary elections, it struggled with the apathy and disappointment of its own rank-and-file activists, many of whom had lost hope that political change was possible. Throughout 2008, the opposition consistently failed to mobilize supporters on the streets. The largest rallies in Minsk rarely attracted more than 2,000 participants, and opposition protests continued to be brutally dispersed by the police. For example, around 70 persons were arrested, beaten, and sentenced on March 25, when police dispersed the Independence Day demonstration in Minsk. The largest protests of the year, including those over the construction of a chemical plant in Druzhny village near Minsk, were carried out by civil society, interest groups, or spontaneous citizen initiatives. Protest organizers often explicitly warned the opposition to stay away, hoping to prove that the protests were of a purely economic nature, thus trying to push their case with the government without fear of a crackdown.⁸

The main issue for the opposition during the 2008 parliamentary elections appeared to be the dialogue between the West and Lukashenka. For segments of the opposition, including the Belarusian Popular Front (BPF), Young Front movement, and Charter-97 human rights group, the very idea of such a dialogue was a sign that the West was giving up on democratic forces in Belarus. These groups called for a boycott of the elections, but the call was rejected by the UDF, and the BPF eventually allowed its candidates to run. Many opposition candidates from the BPF and other parties, however, withdrew in protest of unfair election practices. Early voting, a procedure long criticized by the opposition as a tool for fixing elections, proceeded according to the customary schedule. A total of 24 percent of voters participated in early voting, many mobilized by local administrations. While voting on election day proceeded without major disturbance, most observers noted that the vote count proceeded according to the old scheme, where election commission members stand with their backs to observers, who are required to stand at least several meters away.

Within hours after closing the polls, the CEC declared 76.7 percent turnout and valid elections in all 110 constituencies, with all MPs elected in the first round and no opposition representation in the Parliament.⁹ Nearly all winning candidates received a uniform percentage of votes at 65–70 percent regardless of locality. Most opposition candidates received 10–15 percent of the vote, with a maximum of 33 percent. Both President Lukashenka and CEC head Yermoshina declared that the result reflected the society’s deep distrust of the opposition, an opinion partly shared by many independent observers. The elections produced the most sterilized and controlled Parliament in the last 18 years, lacking any opposition members.

The opposition cried foul and claimed that it received a much higher share of votes. Indeed, wherever observation was possible, the figures varied dramatically. Nevertheless, there was no public outcry about the vote fraud, partly because, according to independent sociologists, the public has grown accustomed to falsifications and does not see vote fraud as an extraordinary event. In the larger sense, the opposition still faces severe problems in connecting to the society. According to a poll released by the Independent Institute for Socio-Economic and Political Studies, while about 52 percent of Belarusians want political and social changes in the country, about 51 percent still trust the president and 43 percent intended to vote for representatives of the government, whereas only 19 percent intended to vote for the opposition.¹⁰

International observers from the OSCE concluded that the parliamentary elections in Belarus ultimately fell short of OSCE commitments, despite some “minor improvements.” The EU maintained its general direction toward normalizing relations with Belarus, and scores of European officials called for continuing the dialogue with Minsk.¹¹ The EU decision to renew dialogue with Belarusian authorities, even while the latter failed to comply with demands for free and fair elections, was viewed by some critics as a face-saving exercise over the failure of the overall policy to engage with President Lukashenka. At the same time, the push for engagement reflected the diminishing hope that a bottom-up change is possible in Belarus.

Civil Society

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
6.00	6.50	6.25	6.50	6.75	6.75	6.75	6.50	6.50	6.25

Civil society in Belarus continues to operate in a hostile legal environment aimed at delegitimizing and even criminalizing most forms of independent civic activity. Several articles of the criminal code impose heavy penalties for running nongovernmental organizations (NGOs) without official registration or for engaging in activities that can be interpreted by the authorities as incitement of mass disorders or defaming the country in the international arena. Although there was a reduction of repression against the NGO sector in 2008 due to the overall softening of the political climate, this failed to bring forth institutional changes or remove the instruments available for restarting attacks on civil society at any given moment.

According to the Ministry of Justice, there were 2,255 public associations (235 international, 722 nationwide, and 1,298 local), 36 trade unions, and 64 foundations registered in Belarus as of January 1, 2008. The ministry also registered over 14,000 local branches of public associations and 22,000 local trade union chapters. The ministry registered 69 new public associations and over 7,500 new local branches of NGOs during the year but also reported that registration was

rejected for at least 6 NGOs, mostly for improper filing of registration documents. Movement for Freedom, a human rights public association and de facto political grouping of Alyaksandr Milinkevich, registered successfully in December after three previous denials.

There were no liquidations of NGOs by the courts in 2008, nor was any individual imprisoned under Article 193-1 of the criminal code, which provides punishment of up to three years in jail for running or participating in an unregistered NGO. However, Kacia Salaujeva of the Young Front was prosecuted under the article in April and fined approximately US\$800. In August, Amnesty International launched an international campaign to abolish Article 193-1, and the EU made the abolition of criminal punishments for running unregistered NGOs one of its key benchmarks for normalization of relations with Belarus. The leader of the Young Front, Zmicier Dashkevich, who was sentenced to one and a half years in jail in 2006 for running an unregistered NGO, was released in early 2008. Members of youth political movements and unregistered NGOs, particularly the Young Front, were subject to attacks and harassment in 2008, although with lowered intensity. Some youth activists were expelled from universities and immediately drafted into the army, while others were banned from traveling abroad, although police revoked these improperly authorized decisions and apologized.

Government-sponsored NGOs include the Belarusian Republican Union of Youth (a replica of the Soviet-era Komsomol) and the sociopolitical movement Belaya Rus, whose creation in 2007 was viewed by some as a sign that Lukashenka might soon organize his own political party. Belaya Rus, albeit enjoying state privileges and mandatory membership for many state employees, appeared to be more of a bureaucratic initiative aimed at granting greater political clout to regional elites than a genuine presidential movement. Lukashenka himself lambasted Belaya Rus in April for Communist Party-style bureaucratization, also signaling his unwillingness to delegate power by turning a pro-regime group into an official party.

During 2008, Belarusian civil society found itself engaged in a deep organizational, ideological, and identity crisis. On the one hand, it is affected by the aftermath of years of political repression that cleansed the social and political landscape and led thousands of citizens to cease active participation in independent life or, in the case of many youngsters, to leave the country altogether. On the other hand, the civic sector has been hurt by a depoliticization of the society, which appears to be trading relative prosperity and security for political loyalty. As a result, independent civic and political activity is restricted to a narrow circle of increasingly marginalized activists with extreme political or religious views. The Young Front, Belarus' oldest antigovernment youth group, neared a breakup in October over Christian fanaticism among its ranks. Early in the year, the group made waves in the media owing to the aggressively homophobic rhetoric of its leader, who complained about the participation of gay groups in the Chernobyl rally.

Nongovernmental actors are challenged to find attractive messages that propose a positive agenda for change, as the value-based opposition fails to attract much attention among the increasingly pragmatic and depoliticized public. Many regional

NGOs have tended to drop the long-standing aspirations for “regime change” and are refocusing their activities on practical issues of daily life. NGO campaigns that gained visibility in 2008 were the antinuclear coalition protest of the construction of a nuclear power plant in Belarus and the cultural campaign *Budzma* (Let Us Be), which focused on the nonpoliticized promotion of Belarusian history, culture, and arts among the general public.

Channels and platforms for communication and cooperation between civil society and the government are severely underdeveloped in Belarus owing to implicit bans on contacts with unauthorized NGOs and the underground mentality of segments of civil society. One such channel is the Minsk Forum, organized annually by the German-Belarusian Society in cooperation with authorities. The appearance of presidential administration head Uladzimir Makey at the Minsk Forum in November 2008 and his engagement in an open dialogue with representatives of opposition NGOs was treated by the local press as a mini-sensation. The authorities somewhat relaxed travel bans for international civil society representatives in 2008, as demonstrated by their attendance at the forum. Another example of externally sponsored dialogue between civil society and the government was the media freedom seminar conducted under the auspices of the OSCE in Minsk in November, where authorities pledged to abstain from regulating the Internet.

The government continued in 2008 to restrict the activities of independent trade unions. For example, local branches of the Trade Union of Radioelectronic Industry Workers were routinely denied registration. Official trade unions refused to defend Leanid Autokhou, a BPF activist from Haradok, when he was fired from a local housing maintenance facility in May. A union representative declared that Autokhou was automatically expelled from the trade union when his dismissal was announced.¹²

Independent Media

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

In 2008, Belarus ranked 188th out of 195 surveyed countries in the Freedom House Global Press Freedom index, trailing Cuba, Turkmenistan, and North Korea. As of March 1, 2008, there were 1,254 periodicals registered in Belarus, including 692 newspapers, 522 magazines, and 25 bulletins. Out of this number, 393 registered periodicals are state owned and 861 are nonstate owned. The private press is predominantly entertainment and advertisement oriented. According to the Belarusian Association of Journalists, only 30 nonstate periodicals cover mostly sociopolitical issues. Only 370 periodicals are published fully or partly in Belarusian, even though the Constitution grants the language official status equal to Russian.

The state press is heavily subsidized from the budget, and subscription to certain government periodicals is compulsory for government offices and enterprises and can

be imposed on public sector employees. The state press combines pro-government propaganda with pop culture entertainment and secures sales with monopoly rights on certain publications, such as TV broadcast schedules. State publications do not offer alternative views and are generally off-limits to the opposition, except when the programs of election candidates must be published. However, the largest state periodical, *SB-Belarus Segonyia*, showed a tendency to offer some independent opinion by hosting roundtables with representatives of civil society on controversial issues such as Belarus-EU relations. This is atypical for the usually monolithic pro-Lukashenka press. In another unprecedented move, representatives of the independent Belarusian Association of Journalists discussed media freedom with the head of the ideology department of the presidential administration, Usevalad Jancheuski, in November 2008.

Nongovernmental publications are discriminated against through paper pricing and access to state subscription and distribution facilities. The Belarusian authorities made promises in November, in an attempt to show progress during a six-month “trial period” given by the EU, to return some opposition periodicals such as *Narodnaja Volja* and *Nasha Niva* to state subscription and circulation. Other independent newspapers, *Novy Chas*, *Tovarishch*, and *Intex-Press*, appealed to the authorities to be included in catalogs and the distribution network, but their requests were denied. In all, eleven independent publications remained out of the state subscription and distribution networks at the end of 2008.

On February 8, 2008, a presidential decree was signed mandating that journalism majors at state universities submit to a pre-screening interview to determine their competence. Experts believe this places a barrier to opposition-minded youth. Indeed, interviews conducted at Belarusian State University in the spring resulted in the disqualification of five applicants out of several thousand, including Youth of the BPF leader Franak Viachorka, who was expelled from the university in January and later tried to reenroll.

On March 27, police raided the offices and apartments of independent journalists working on EU-sponsored media projects, such as European Radio for Belarus, BelSat, and Radio Racyja. Dozens of journalists were harassed and briefly detained, while police confiscated equipment and computers. The Belarusian Association of Journalists protested the actions, and most equipment was returned by August. Journalists of externally operated media who applied for accreditation in 2008 were rejected, and some were told they would be allowed to reapply in a year. Additionally, Eduard Melnikau, coordinator of BelSat satellite TV, was summoned to the KGB office on May 13 for interrogation as a witness in a criminal case launched in 2005 related to online political cartoons.

In June 2008, the House of Representatives passed the Law on Mass Media. The president signed the law in August, and it was scheduled to come into force in February 2009. The new law bans journalists from working for foreign media without official accreditation, a measure targeted against EU-sponsored broadcast media. The law also extended the range of reasons for which a newspaper or other medium may be warned, providing the possibility to close down media on the first

warning. On a positive note, the new law dropped some of the most odious measures contained in the initial draft, such as the requirement that media reregister with every change of address. The law abstained from demanding that Internet versions of printed publications be registered and declared that registration of Internet media should be voluntary. The law foresees reregistration of all mass media in 2009, although the government assured that reregistration would be considered on the principle of declaration and not approval. The EU commissioner for external relations, Benita Ferrero-Waldner, strongly condemned the adoption of the new law, claiming that it would further reduce freedom of speech in Belarus.

Independent journalists face discrimination in access to information. The authorities announced in October the possible introduction of a special ID for journalists representing state media. Such IDs could be used to expel independent journalists from major events related to state institutions.

Journalists also continued to be harassed by the authorities in 2008. Alexander Sdvizhkov, former editor of the outlawed newspaper *Zhoda*, was arrested in November in connection with the publication of caricatures of the Prophet Muhammad from February 2006 but was granted early release in February 2008. The Law on Combating Extremism, enacted in 2007, was applied in 2008 against the independent press. Police arbitrarily confiscated periodicals and books from democracy activists trying to cross the borders, demanding their recognition as “extremist literature.”

As of June 1, 2008, there were 156 registered radio and 65 TV outlets in Belarus, out of which 164 were state owned and 57 private.¹³ There are 4 nationwide TV channels, all state owned. According to independent monitors, the official media largely ignored the parliamentary election campaign, as election coverage was limited to reports about the country’s achievements over the past four years, not candidates’ platforms and views.¹⁴ Opposition candidates were allowed coverage in official media, but mostly those outlets with a minimal audience. Some candidates were denied the opportunity to present their programs on technical grounds. Belarusian-language programs on official TV and radio amount to only 5 percent of total content. There are nine information agencies operating in Belarus.

The number of broadband Internet users in Belarus was approximately 170,000 in 2008.¹⁵ Owing to the state monopoly, high-speed Internet is overpriced in Belarus compared with costs in neighboring countries. The Belarusian segment of LiveJournal.com, one of the Web’s most popular blogging resources, is 13th largest in the world, with over 22,000 registered blogs originating from Belarus. Most independent print media have online versions, and some, such as *Salidarnasc* and *Nasha Niva*, made the successful transition to the Internet after their publications were kicked out of the state distribution services. The Internet increasingly serves as a tool of grassroots organizing and political discussion, sometimes replacing real-life activism for online users. At the same time, it is used by government groups to launch defamation campaigns against opposition activists.

Authorities sent conflicting signals in 2008 regarding Internet censorship. On the one hand, Deputy Minister of Information Ludmila Ananich hinted

throughout the year that the government may adopt the “Chinese model”¹⁶ of regulation, implying content filtering and firewalling unwanted sites. On the other hand, authorities, including the newly appointed head of the ideology department of the presidential administration, Usevalad Jancheuski, insisted that the Internet will remain a “free zone.”¹⁷

Local Democratic Governance

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
n/a	n/a	n/a	n/a	n/a	6.50	6.50	6.50	6.75	6.75

Local governments in Belarus are consolidated within the presidential vertical of power. By law, heads of regional administrations are appointed by and responsible to the president. Popularly elected local councils have no control over the executive bodies. Nearly 1,700 local governments exist, subdivided into three levels: regional (*voblasts*), district (*raion*), and village or (in urban areas) township. The Constitution establishes that local councils have the exclusive right to adopt regional programs in social and economic development, establish local taxes and adopt budgets, manage communal property within limits proclaimed by the law, and call local referendums. Nevertheless, as the central budget absorbs nearly 70 percent of the consolidated national budget, local authorities are largely deprived of independent sources of financing.

The last local elections held on January 14, 2007, reduced to a bare minimum the already minuscule representation of the opposition on local councils. Out of 23,000 elected officials, only 20 opposition representatives won seats in the councils at all levels. In spite of the high turnout, the elections raised little public discussion about pressing local issues.

Local governments implement many of the repressive policies of the central government, including harassment of democracy activists and local free press. During the 2008 parliamentary election campaign, many activists running for office or participating in the campaign were subjected to low-intensity harassment, some being fired from their positions outright. The local authorities, effectively unaccountable to the public, engage in dialogue with social groups only under pressure, as was the case with public protests over the proposed construction of a chemical plant in Druzhny village near Minsk. The government overall is more responsive to protests by the depoliticized public than actions staged by the opposition. Even then, the authorities apply pressure against the most active participants and organizers, such as Syarhei Abrazouski, who was fined BYR1.4 million (about US\$650) for organizing an unsanctioned protest against the Druzhny plant.¹⁸ In another case, Ales Chyhir, an activist from Babrujsk, was detained in May by militiamen and beaten at the police station in apparent “preventive detention” prior to the president’s arrival at the opening of an ice hockey palace in Babrujsk.

Judicial Framework and Independence

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

Belarus lacks an independent judiciary system, as all court appointments are controlled by the president and the salaries and promotion of judges depend upon the executive. Judges generally act as agents of the president, and while most cases are heard with due process, many are decided according to political necessity.

On January 10, 2008, police arrested 27 participants in a protest of private entrepreneurs that took place on the streets of Minsk. The following day, 22 persons were sentenced to 15 days of arrest. On January 21, the entrepreneurs held a second unauthorized protest. Interior Minister Uladzimir Navumau personally led the dispersal of the demonstration. As many as 15 persons were fined from BYR525,000 to 1.75 (US\$244–814), and 6 were sentenced to 5 to 15 days in jail. One person was fined BYR1.225 million rubles (US\$570) and jailed for 10 days. Criminal charges for staging mass disorders were subsequently brought against 13 more participants in the January 10 demonstration, with a trial taking place in April. Although the case disintegrated in court, as the prosecution failed to offer any evidence that the defendants attacked the police or committed other acts of hooliganism, they received heavy sentences, such as two years of hard labor for defendants who held permanent employment and fines of up to US\$1,700 for those who did not. The hard labor sentences were mitigated by the fact that defendants were not to be sent to special labor settlements but could maintain their jobs while essentially under house arrest.

Monitors reported multiple procedural violations during the trial and biased treatment on behalf of the prosecution. The harsh sentences given to the protesters reflected a determination of the government to contain the spread of the protest mood from the hardcore of the opposition to new social and interest groups that previously had not confronted the government. The jailed protesters were released in August 2008 after Lukashenka was forced to engage in a new round of dialogue with the EU as political and economic pressure from Russia intensified following the Russia-Georgia war.

The courts continued issuing harsh sentences in the period of “frozen” relations with the West that spanned from March to July 2008. On March 25, over 70 people were detained during the Independence Day demonstration honoring the proclamation of the Belarusian Democratic Republic in 1918. In the following days, 75 administrative cases were brought against demonstrators for “violating the order of organizing and holding mass events.” Twenty-six people were sentenced to 5 to 15 days in jail, and over 50 people were fined. More than 20 people were injured as a result of police actions. Detainees were tried on confused evidence by the police. In one case, a participant was found guilty based on her demonstration outfit, a red coat and white balloons attached to her bag, which the court interpreted as an allusion to the colors of the 1991–1995 flag now banned by the authorities.

A bomb explosion injuring 54 at a concert commemorating the official Independence Day on July 4 was used by the authorities to pressure opposition and NGO activists, who were called to militia headquarters for “questioning,” fingerprinting, and DNA samples. Four members of the unregistered Bely Legion organization were arrested and held in prison for 10 days with no charges. However, suspects claimed on release that they were treated politely with no harassment or discrimination and that the authorities respected all procedural formalities. The investigation effectively led nowhere, but the authorities used the explosion as a pretext to tighten control and surveillance over the public: For example, in some areas all residents were required to submit full sets of fingerprints under the threat of losing their jobs.

The ordeal of Emmanuil Zeltser, an American lawyer arrested in Minsk in February 2008 and subsequently sentenced to three years in jail on charges of commercial espionage, highlighted the deficiencies of the penitentiary system in Belarus. According to multiple claims by the Zeltser family, he was repeatedly denied medical treatment and medicines while in jail. The authorities apparently improved the treatment of Zeltser after interventions by the U.S. embassy.

During 2008, scores of opposition activists, including United Civil Party head Anatol Liabedzka and many Young Front members, found themselves on exit ban lists while trying to cross the border, for reasons as varied as having criminal cases pending to unpaid taxes or child support. However, the authorities failed to produce a mechanism that would appeal the decision of the border guard services. There were a few instances in the second half of 2008 when courts contradicted the position of the authorities. For example, in an unprecedented decision, the court found one election commission member guilty of rigging the vote during the parliamentary elections.¹⁹ And in October, the Grodno district court rejected a KGB request to recognize as extremist several independent publications confiscated at the border.

Corruption

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
5.25	5.25	5.25	5.50	5.75	6.00	6.25	6.25	6.25	6.00

Belarus’s rank of 151 on Transparency International’s 2008 Corruption Perceptions Index is down one place from 2007, a slight change compared with the precipitous decline since 2003, when it was ranked the 36th cleanest country in the world. The decline, while not necessarily representative of the actual spread of corruption, highlights that bribery and abuse of office became more evident to ordinary Belarusians and businesspeople in recent years.

Belarusian legislation contains many anticorruption laws and regulations regarding conflict of interest. Nevertheless, the country’s system of unlimited presidential rule blurs the line between the public sector and the private domain

of the president and excludes civil oversight of the government's operations. For example, Belarusian legislation does not require that all state programs be financed through the budget, and a large number of these go through special presidential funds unaccounted to the Parliament. The predominance of the state sector (controlling 80 percent of all assets) creates ubiquitous opportunities for officials to reap administrative rents, take advantage of uncontrolled financial flows, and offer privileges to companies to which they have connections at the expense of competition. Privatizations in 2007–2008 generally targeted the inflow of revenue to offset the balance of payments. Such an approach is relatively clean, as it aims for the highest possible bidder; nevertheless, there was evidence that some of the transactions were carried out to prioritize business groups that had dealt with the Belarusian government for years.

There were controversial trends regarding the transparency of government and its capacity to fight corruption in 2008. The positive news was the increasing streamlining of many government procedures and partial debureaucratization. According to a study by the World Bank, Belarus made impressive progress in 2008 regarding rules and regulations for business activities, jumping from 115th place in 2007 to 85th in 2008 and thus becoming one of the world's fastest economic liberalizers. In particular, the World Bank marked considerable progress in such areas as ease of starting a business, dealing with construction permits, getting credit, and in particular registering a property (Belarus improved to 14th place, up from 95th in 2007). At the same time, Belarus remained the worst country in the world for paying taxes (in terms of complicated regulations), though the introduction of a 12 percent flat rate for personal income taxes will improve the situation.

Investor protection became a hot political issue in 2008 as the government changed its long-standing policy of preserving national control over key economic assets and began to actively woo foreign investors to offset the mushrooming deficit. Prime Minister Siarhej Sidorski blamed government bureaucracy for sluggishness and actual sabotage of investment deals and claimed that at least 20 potential investors had complained about government abuse at the Belarus Investment Forum in London. Sidorski's revelations highlighted that the bureaucratic inertia, of which corruption is an important part, outweighs the orders and directives of top officials. On a positive note, the government removed some excessive regulations in the wake of the financial crisis—for example, those that violated the protection of bank clients from excessive oversight by financial authorities.

The advance of "Lukashenka's capitalism" intensified competition among factions in the ruling elite, who are eyeing the transition from being state bureaucrats to state capitalists. According to an independent analyst, there is a system of bureaucratic rent extraction in Belarus by which certain public offices control opportunities for bribery and kickbacks in branches of the economy and clusters of the bureaucracy. Competition over these "spheres of interests" instigated "law enforcement agency wars" in 2007–2008, where simultaneous attacks, criminal prosecutions, and occasional street violence by members of one security agency against another actually reflected the fight for rent opportunities. Corruption cases

in this system had increasingly become instruments for getting rid of unwanted competition in the rent market. In 2008, the bureaucratic tug-of-war between the Ministry of the Interior and competing security agencies from the State Control Committee and KGB continued with a series of arrests and criminal investigations routinely opened by members of one agency against another.

President Lukashenka himself acknowledged that the competition was getting out of control. Since his anticorruption crusade propelled him to the presidency in 1994, Lukashenka has built his public image as a campaigner against government abuse and defender of the interests of ordinary people. It is in his interest, therefore, to periodically revive the issue of corruption and stage showcase reprisals on officials whose loyalty he questions. As time goes by, however, new corruption revelations are increasingly uncomfortable for the regime, as they prove that the government is unable or unwilling to defeat corruption, which ultimately disorganizes the government apparatus and erodes the president's power.

Indeed, speaking to law enforcement agencies in March, President Lukashenka declared that "court trials over customs officials, border guards, high-ranking bureaucrats, and representatives of the Interior Ministry and KGB had become commonplace. Public officials supposed to fight crime have become criminals themselves."²⁰ High-profile corruption cases in 2008 include Major Oleg Roschenja, son-in-law of the powerful State Control Committee head Zianon Lomat, who was put on trial for illegal entrepreneurial activities, and a corruption scandal in the National Olympic Committee, whose financial director was accused of bribery.

At a November meeting with security services devoted to the corruption fight, Lukashenka declared that top officials in the Ministry of the Interior and high courts were involved in corruption deals to illegally acquire land for residential construction in the environmentally protected zones around Minsk.²¹ Lukashenka ordered the dismissal of 10 high state officials, including 3 deputy ministers of the interior; this was seen by many as a move to undermine Minister Uladzimir Navumau, who grew increasingly strong after the firing of Viktor Sheiman in July. At the same time, several cleansings of the security apparatus, which spread in 2007–2008 to all its subdivisions, signal the departure of the old generation of *siloviki* and the arrival of a new one that may eventually control the transition to Lukashenka's new capitalism.

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