

# Belarus

by Alena Vysotskaya Guedes Vieira

*Capital:* Minsk  
*Population:* 9.5 million  
*GNI/capita, PPP:* US\$16,950

Source: The data above are drawn from the World Bank's *World Development Indicators 2015*.

## Nations in Transit Ratings and Averaged Scores

|                                     | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|-------------------------------------|------|------|------|------|------|------|------|------|------|------|
| Electoral Process                   | 7.00 | 7.00 | 7.00 | 6.75 | 6.75 | 7.00 | 7.00 | 7.00 | 7.00 | 7.00 |
| Civil Society                       | 6.75 | 6.50 | 6.50 | 6.25 | 6.00 | 6.00 | 6.25 | 6.50 | 6.50 | 6.50 |
| Independent Media                   | 6.75 | 6.75 | 6.75 | 6.75 | 6.50 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 |
| National Democratic Governance      | 7.00 | 7.00 | 7.00 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 |
| Local Democratic Governance         | 6.50 | 6.50 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 |
| Judicial Framework and Independence | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 7.00 | 7.00 | 7.00 | 7.00 |
| Corruption                          | 6.25 | 6.25 | 6.25 | 6.00 | 6.00 | 6.00 | 6.25 | 6.25 | 6.25 | 6.25 |
| Democracy Score                     | 6.71 | 6.68 | 6.71 | 6.57 | 6.50 | 6.57 | 6.68 | 6.71 | 6.71 | 6.71 |

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

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President Alyaksandr Lukashenka, in power since 1994, continues to preside over an authoritarian system that crushes political dissent while offering citizens an unstable standard of living. External rents, mostly from Russia, come in the form of oil and gas subsidies, as well as regional customs agreements and support in deterring international pressure for democratic reform.

The two decades of Lukashenka's rule have seen several brief intervals of mild political liberalization as the ruling elite courted economic opportunities in the West, particularly when the flow of rents from Russia appeared to be in jeopardy. The last of these thaws ended abruptly with a police crackdown on those protesting the deeply flawed December 2010 presidential elections. For the next two years, the regime put heavy, sustained pressure on civil society actors and the already fragmented political opposition, driving most dissenting voices deep underground.

The release of human rights activist Ales Bialiatski and other political prisoners in 2014, as well as some concessions in new legislation and its application, did not change the fact that political rights and civil liberties continue to lack any systematic improvement in Belarus. Simultaneously, the geopolitical agenda surrounding Ukraine prevailed over critical human rights- and democracy-related issues throughout the year, and the events solidified the incumbent's position ahead of next year's presidential elections.

**National Democratic Governance.** Belarus's international visibility increased during the year and the country's relations with Western governments slightly improved. Internally, however, the leadership remained reluctant to conduct structural reforms amidst the uncertain future of transfers from Moscow, particularly as Russia's own economic situation worsened. Economic hardship thus intensified in the preelection year, prompting President Lukashenka to reshuffle the government several times. *Belarus's national democratic governance rating remains unchanged at 6.75.*

**Electoral Process.** Changes to the Electoral Code, in force since December 2013, criminalized election boycotting, while amendments to the law on political parties in February 2014 allowed nongovernmental organizations (NGOs) to potentially become political parties. Rivalry for presidential candidacy between opposition movements prevented the rise of any substantial or united opposition. The key features of the Belarusian electoral process remained unaffected: neither the existing legislation nor its implementation provide the basis for free and fair elections. *Belarus's electoral process rating remains unchanged at 7.00.*

**Civil Society.** Instead of imprisonment and open harassment, the state applied other instruments of control, such as preventive detentions and petty-crime accusations, to criminalize political activism during the year. Arrests before and after the May World Hockey Championship underlined the regime's intolerance toward any kind of criticism. An increase in civic activism, including initiatives aimed at promoting the Belarusian language, did not translate into lasting popular support. *Belarus's civil society rating remains unchanged at 6.50.*

**Independent Media.** Unable to control independent media based abroad, Belarusian authorities increasingly arrested freelance journalists working in Belarus. By November, 15 journalists and 10 newspaper distributors had been fined for not having government accreditation or for working with foreign media. In December, the parliament adopted amendments to the media law, enabling the Ministry of Information to shut down online news outlets. Blocking of numerous independent websites continued; those living in the country can only access them through alternative methods. *Belarus's independent media rating remains unchanged at 6.75.*

**Local Democratic Governance.** The March local elections took place in an even more restrictive environment than the elections of 2010 and set the tone for the upcoming presidential elections. In addition to the already restrictive regulations of the new Electoral Code, authorities increased their control over the electoral process in order to both guarantee a high turnout and demonstrate the opposition's lack of political legitimacy. *Belarus's local democratic governance rating remains unchanged at 6.75.*

**Judicial Framework and Independence.** Belarusian authorities continued to harass and prosecute political activists and opponents on trumped-up charges. Despite some legislative changes, including the adoption of a law on alternative service and the introduction of an individual complaints mechanism at the Constitutional Court, the legal framework does not provide protection against human rights abuses. Although a number of political prisoners were freed during the year, their release did not signal the regime's goodwill. A new prisoner, Yury Roubtsou, was added to the list of political prisoners in December and the situation of imprisoned activists remained precarious. *Belarus's judicial framework and independence rating remains unchanged at 7.00.*

**Corruption.** Alongside the developing crisis in Ukraine, corruption was named a national security threat and the fight against it a national security priority. However, the existing practices and planned legislative changes confirm the government's agenda to identify and punish corrupt officials rather than prevent and eradicate corruption as a sociopolitical phenomenon. A draft bill, introduced in August, would require state officials and their close relatives to declare their income and, in a way, facilitate arbitrary corruption sweeps in the future. *Belarus's corruption rating remains unchanged at 6.25.*

**Outlook for 2015.** Owing to domestic constraints, a turbulent external environment, and the uncertain prospects of additional external financing, Belarus's outlook for economic growth is discouraging. Although the president's ratings have increased during the developing crisis in Ukraine, the government has failed to translate this new momentum into any structural (political or economic) liberalization. Rather, all current trends predict further repression of both civil society and independent media leading up to the presidential elections in fall 2015.

# MAIN REPORT

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## National Democratic Governance

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 7.00 | 7.00 | 7.00 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 |

Amended in a controversial referendum in 1996, the constitution of the Republic of Belarus established a system of unlimited presidential authority over the executive branch, local administrations, and the security apparatus. Presidential decrees overrule laws adopted by the National Assembly (parliament) and regulate the activities of the Constitutional Court. The president appoints and removes regional and local governors, all judges (with the guaranteed approval of the upper house of the parliament), 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 parliament). He also appoints the prime minister, the ministers of defense and interior, and the head of the national security agency (KGB). A constitutional referendum in 2004—the year President Alyaksandr Lukashenka finished his second 5-year term in office—removed the last check on his powers by waiving presidential term limits altogether.

Lukashenka's regime has maintained power by redistributing external economic rents obtained from Russia—including energy subsidies and privileged access to the Russian market—in exchange for domestic political support.<sup>1</sup> With up to 70 percent of the population employed by the state, the government is able to purchase loyalty by bailing out insolvent sectors of state-owned economic enterprises, inflating salaries when expedient, and spending heavily on welfare services. After the flow of rents from Russia drastically declined in 2007, Belarus courted support from Europe, resulting in the appearance of brief periods of political thaw. However, the harsh government crackdown on the opposition following the 2010 presidential elections brought an end to any illusions of genuine liberalization.

In 2014, the Belarusian economy suffered from a reduction in real wage growth, heightened inflation, and slow GDP growth (half as fast as expected by government forecasts).<sup>2</sup> To help finance the national deficit and sustain its monetary reserves, Belarus appealed to the Russian government for a loan, which it granted in June. The government took a number of positive steps during the year, including an attempt to tie salary raises to the performance of state-owned enterprises, and continued with plans to phase out cross-subsidization in the utility sector. The leadership nevertheless maintained its reluctance to conduct structural reforms or revise existing macroeconomic policies; and a potential International Monetary Fund (IMF) loan remained out of sight.<sup>3</sup>

After 2013, Lukashenka reshuffled the government in 2014 again. New appointments targeted local executive authorities, heads of state-owned companies,

and diplomats. In October, Natallia Pyatkevich left her job as presidential aide in what was described as a mutual decision.<sup>4</sup> Leanid Anfimau replaced Alyaksandr Yakabsan as head of the state control committee in the same month. In November, Belarus installed a new finance minister (Uladzimir Amaryn), defense minister (Andrei Raukou), chairman to the Minsk city council (Andrei Sharets), and chairman to the customs committee (Yury Syanko). The president justified the changes by saying that the people needed a new, revamped team of officials who would remain in office after the 2015 presidential elections.<sup>5</sup> But in reality, the appointments merely served to rotate (rather than replace) state officials and thereby prevent them from forming their own support systems and new centers of power. The president's intentions were exemplified by his warning the newly appointed minister of finance to steer clear of the prime minister's or deputy prime ministers' orders which would "destabilize" the country's centralized system of management.<sup>6</sup>

Another reshuffle took place on 27 December after Russia's economic fallout hit Belarus and its foreign exchange market. President Lukashenka replaced Prime Minister Mikhail Myasnikovich with Andrey Kabyakou, and appointed several new ministers, including to the ministries of education, industry, and economy. He also replaced the head of the central bank, Nadzeya Ermakova, with former deputy chairman Pavel Kalavur.<sup>7</sup> The round of new appointments came after the National Bank took a number of controversial measures aimed at preventing the further devaluation of the Belarusian ruble: it enacted a temporary fee on all foreign currency purchases, increased interest rates, and guaranteed ruble deposits. In addition, a number of online shops were shut down in December, allegedly for their failure to indicate prices in Belarusian rubles and the lack of information about producers and sellers.

Since the end of 2013, Belarus and Russia have been involved in negotiations on oil revenues. A 2010 agreement required Belarus to pay customs duties on oil imports to Russia, totaling about \$4 billion.<sup>8</sup> This issue dominated Belarus's political discourse in 2014, overshadowing the signing of the Eurasian Economic Union documents in late April.<sup>9</sup> The parties agreed that Belarus would retain a portion of the export duties on oil products (\$1.5 billion) in 2015. The retention of oil duties was crucial for the country, especially given the government's plan to spend about \$4 billion on repaying external debt in 2015.<sup>10</sup> However, slow GDP growth in Russia and ongoing instability in the region have made the prospects of future transfers uncertain.

Throughout 2014, Belarusian authorities assumed an ambiguous position regarding the crisis in Ukraine. On one hand, they supported the Russian diplomatic narrative, harshly criticizing Ukraine's bid to the North Atlantic Treaty Organization (NATO) and voting against the United Nations (UN) General Assembly Draft Resolution 68/L.39, which aimed to declare the Crimean referendum invalid.<sup>11</sup> On the other hand, the Belarusian leadership immediately recognized the interim government in spring 2014, and Lukashenka himself attended Petro Poroshenko's inauguration. Contrary to the Russian position, the Belarusian leadership consistently emphasized the importance of Ukraine's

territorial integrity, sovereignty, and independence; and the country's international standing improved after the launch of the so-called Minsk talks.

In 2014, the rapprochement between Belarus and the European Union (EU) continued and the number of visits increased. In July, the Belarusian minister for foreign affairs participated in the fourth Eastern Partnership Summit in Brussels. The visa liberalization process and Belarus's modernization were central points on the emerging shared agenda, but at the same time, the EU emphasized its policy of "critical engagement" toward Belarus. In July, the EU removed eight Belarusians from its sanction list, while imposing sanctions on one new individual. In October, an additional 24 people and seven companies were removed from the list.<sup>12</sup> Belarus's relationship with the United States also improved during the year, with representatives of the State Department, the Department of Defense, the Department of Commerce, and USAID traveling to Minsk and Prime Minister Mikhail Myasnikovich participating in the Belarusian-American Investment Forum in New York in September.<sup>13</sup>

#### Electoral Process

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 7.00 | 7.00 | 7.00 | 6.75 | 6.75 | 7.00 | 7.00 | 7.00 | 7.00 | 7.00 |

Elections in Belarus are largely an administrative formality conducted to validate the selection of progovernment candidates. Legislation fails to protect such basic tenets of free and fair elections as equal campaigning opportunities, representation of all political parties in the country's electoral commission, and transparent vote counting. Local elections were held on 23 March, with the presidential elections scheduled for 2015 and parliamentary for 2016.

The crisis in Ukraine overshadowed the preelection campaigning leading up to the presidential elections. Despite ongoing economic problems and unfulfilled promises, the turmoil in Ukraine solidified the status of the incumbent, partly because the crisis shifted the attention of the EU and the United States away from Belarus's internal problems. In addition, a rather stable phase of Russo-Belarusian relations and Belarus's participation in the Eurasian Economic Union made it unnecessary for Moscow, the most influential external player, to support an alternative candidate. These tendencies suggest that the 2015 elections will be carried out in a restrictive internal environment and with limited external interest.

Changes to the Law on Elections and Referendums, which came into force in December 2013, effectively criminalized election boycotting as well as calls for delaying or disrupting elections (Art. 47).<sup>14</sup> These tactics, occasionally used by the opposition in the past, have been now equated with spreading war propaganda, advocating the violent overthrow of the constitutional system, and violating the territorial integrity of the Republic of Belarus. Prior to December 2013, the law prohibited calls for a boycott only on the day of the election.

Changes to campaign financing last year also raised the private donation cap for presidential campaigns from 3,000 to 9,000 base units (approximately \$124,000).<sup>15</sup> However, presidential candidates no longer receive money directly from the state budget; instead, state funds go to local and precinct-level electoral commissions, which produce and distribute candidates' informational materials among voters.

A package of amendments to the Law on the Activity of Political Parties and Public Associations entered into force on 20 February. While it maintained the prerequisite of 50 people for founding a national association or an NGO, the requirement of securing representation in Belarus's regions was lifted. The new law also allows associations and NGOs to become political parties (Art. 19), provided that the organization does not receive support—directly or indirectly—from the state budget, state agencies, international organizations, or foreign citizens, up to six months prior to the transformation.<sup>16</sup> At the same time, the amended legislation still leaves room for interpretation and allows for the arbitrary refusal of registration.

These ad-hoc changes have been offset by restrictions stipulated in the Criminal and Administrative Codes. The Criminal Code maintains, just as before, the criminal responsibility for activity on behalf of an unregistered organization. Exceptionally restrictive registration requirements, discrimination against opposition groups during the formation of election commissions, and the ban on foreign financing for political parties are some examples that underline the precarious context in which opposition groups and social movements operate.<sup>17</sup>

Opposition parties have no representation in the parliament, and most lawmakers are unaffiliated with any party. Seeking to counter the authorities' aim to distance the population from the opposition, in 2013, opposition leaders announced a new initiative to engage more citizens in political life and improve the cohesiveness of the opposition. The "People's Referendum," launched in May 2013, united several of Belarus's leading opposition movements.<sup>18</sup> The campaign set out to create a public platform for expressing opinions on major issues such as the presidential term limit, the election of local authorities, military neutrality, and closer ties with the EU. Participants collected 50,000 signatures (thus remaining far below the 450,000 target for a referendum) and also met with deputies of the lower house to discuss introducing their political concerns into the parliament's formal agenda. This did not happen by year's end. Also in 2013, seven opposition parties and movements formed a competing coalition called "Talaka."<sup>19</sup> The coalition aims to engage the population in the political process by opening coordination centers and inviting politicians and other public figures to the centers' events, such as former Chief of the National Bank Stanislau Bahdankevich and activist Pavel Sevyarynets.<sup>20</sup>

The nomination of a single opposition candidate for the upcoming presidential elections further divided the two movements. Protracted and tense negotiations, as well as publicly voiced disagreements throughout the year and especially in November and December, reflected the enduring mistrust and disorganization inside the opposition, eventually preventing their consolidation.<sup>21</sup>



## Civil Society

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 6.75 | 6.50 | 6.50 | 6.25 | 6.00 | 6.00 | 6.25 | 6.50 | 6.50 | 6.50 |

Alongside the state's preparations for the May World Hockey Championship, civil organizations and political parties used the international event as an opportunity to shed light on human rights violations in the country. Many countries, including the US, Canada, and EU member states, called for a boycott of the championship.<sup>22</sup> In February 2014, the United Civil Party announced a campaign to increase international pressure and force the state to free political prisoners. The campaign collected signatures for a petition signed by civil rights activists, family members of prisoners, and NGOs; called on supporters to wear T-shirts with the faces of political prisoners; and proposed alternative tourist routes with destinations like Kurapaty, the mass graveyard of victims of Stalin's purges.<sup>23</sup> Other initiatives launched by NGOs and activists included online games, social media campaigns, and short films.<sup>24</sup>

The state used all means to muffle critical voices and prevent human rights issues from dominating the championship. Law enforcement agencies harassed civil rights activists, political opponents, journalists, and other perceived threats to the regime, while NGOs continued to face denial of state registration, and restrictions on freedom of assembly remained in place.

To minimize international backlash prior to the championship, Belarusian authorities relied heavily on preventive detention and supervision. Preventive detentions on alleged charges of hooliganism and similar accusations effectively criminalized the work of political activists. During the year, 253 people were detained.<sup>25</sup> Maksim Vyanyarski, coordinator of the campaign "European Belarus," was detained on charges of hooliganism twice in 2014, once before the opening of the World Hockey Championship and again prior to the demonstration in Kurapaty during the summer.<sup>26</sup> He received death threats while in prison, and the government attempted to make him sign a document stating that he had been warned about the prohibition of violent activities.

According to the Viasna Human Rights Center, 38 local activists were arrested and convicted before and during the championship.<sup>27</sup> The vast majority were arrested preventively, on trumped-up charges of hooliganism and disobedience to the police, and received between 10 and 25 days of administrative detention. Two activists, Anastasiya Kuhkto and Alyaksandr Arlou, were detained on 7 May on charges of "disorderly conduct" and "disobedience to the police" and sentenced to 17 and 20 days of imprisonment, respectively. The activists stated that they were captured by men in black and forced into an unmarked vehicle. Aliaksandr Kurets, a leader of the "Food not Bombs" movement, was arrested on 17 May while carrying a bag full of stickers and T-shirts with anti-championship logos and was detained for 15 days, on charges of hooliganism. The police would regularly follow these activists and many others and call them and their family members multiple times to the police station for interrogation.

A number of civic initiatives flourished during the year. In the fall, participants of the “Political Prisoners in Belarus” forum called on the international community to demand the release of these prisoners before conducting any negotiations with the Belarusian regime.<sup>28</sup> In June, the Belarusian National Platform of the EU’s Eastern Partnership (EaP) Civil Society Forum, which seeks to engage Belarus’s NGOs, organized a conference focusing on the new geopolitical challenges facing Eastern Europe.<sup>29</sup> After publishing a report on the poor accessibility conditions of facilities for the championship, the Office of People with Disabilities organized the second annual Accessibility Week in June. The event sparked further initiatives, including a campaign promoting the principles of the Convention on the Rights of Persons with Disabilities (thus far not signed by Belarus).<sup>30</sup>

Another example of increased NGO activism is the Belarusian National Youth Council—RADA, which covers more than 20 initiatives and is part of the Alternative Youth Policy Platform. The council launched seminars to raise awareness for youth policy issues, which are especially important considering students in Belarus are warned not to participate in NGO activities.<sup>31</sup> Further evidence of growing activism included the events of Art Siadziba, an independent cultural initiative; the launch of the online travel guide Open Belarus, which outlines sites in Minsk that hosted anti-regime protests and opposition movements; the Capacity Building Fair on 31 October, which promotes consulting services for NGOs; and the Kastyrynicki Economic Forum on 5 November, which stressed the development of the Belarusian private sector. Despite the increased awareness of NGO activities in 2014 registered by the Independent Institute of Socio-Economic and Political Studies (IISEPS), no increase in public participation has taken place since 2012 or 2013.<sup>32</sup> In other words, increased awareness of NGO activities did not translate into further participation or support and it could hardly reverse the trend towards exacerbating state authorities’ intent to thwart civil society activism and keep society under pressure.

Belarus has two official state languages: Belarusian and Russian. Despite the equal status of the two languages, Russian is increasingly prominent, especially in urban areas, and Belarusian continues to have little to no presence in the political life of the country. Nearly every law is published only in Russian, which contradicts the constitution. Recognizing this contradiction, the Belarusian Language Society has committed to publish all new laws in both languages as well as translate prior laws available only in Russian.<sup>33</sup> In July, the society also appealed to the House of Representatives to enact Belarusian as a language of judicial proceedings. Courts continued to limit or prohibit the use of Belarusian in 2014; in September, Youth Front activist Andrey Tsanyuta, after being expelled from Homel State University, demanded to have his trial postponed in order to conduct the proceedings in Belarusian or otherwise be provided a translator.<sup>34</sup> In April, the Belarusian Helsinki Committee and human rights activist Harry Pahanyaila petitioned the Constitutional Court about the discrimination against the Belarusian language.<sup>35</sup>

Despite the government’s disregard for Belarusian, 2014 brought about new initiatives highlighting the national history, language, and cultural traditions of

Belarus. In contrast to previous years, these initiatives met no resistance from the authorities. The initiatives included social media projects that merge language learning with social networking; free Belarusian classes; and Belarusian language courses for software developers.<sup>36</sup> In addition, on the 70<sup>th</sup> anniversary of Minsk's liberation from the Nazis during World War II in July, President Lukashenka delivered part of his speech in Belarusian.<sup>37</sup> This momentary presence of Belarusian at the highest level of government reportedly served to underline Belarusian sovereignty in light of the Crimean annexation and perceived Russian menace to its neighbors.<sup>38</sup>

Workers' and trade union rights are regularly violated. In 2014, the International Labor Organization (ILO) publicly condemned Belarus for the seventh time for grossly violating workers' rights.<sup>39</sup> Four workers and activists of the Belarusian Independent Trade Union—who had been laid off—started a hunger strike on 5 November.<sup>40</sup> Earlier, in October, the government announced plans aimed at reintroducing controversial Soviet-style penalties for unemployment.<sup>41</sup>

#### Independent Media

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 6.75 | 6.75 | 6.75 | 6.75 | 6.50 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 |

Restrictions on independent media persisted in 2014, and neither visits by the Organization for Security and Cooperation in Europe (OSCE) nor the World Hockey Championship prompted a decline in the ongoing persecution and intimidation of journalists. Unable to control independent media based abroad, such as Belsat, Belarusian authorities stepped up the arrests of freelance journalists. The frequency of these arrests led Zhanna Litsvina, chairperson of the Belarusian Association of Journalists, to talk about a new wave of persecution.<sup>42</sup> Many journalists received warnings or fines for working with foreign or unregistered media.<sup>43</sup>

In April, Ales Dzyanisau was fined for working with Belsat. Later, prosecutions started against Ales Zaleuski and Anrdei Myaleshka in November for working with outlets also based in Poland. In September, Maryna Malchanava was fined for publishing an article on Belsat's website and accused of illicit creation and distribution of media products. The case file for Malchanava included a copy of the ruling against Zaleuski, which prompted Viasna to call the public's attention to the authorities' increasing appetite for prosecuting journalists.<sup>44</sup>

In the case of Maryna Koktysh, a journalist for the independent newspaper *Narodnaya Volya*, the UN Human Rights Committee declared in August that Belarus violated her right to obtain information. Koktysh appealed to the body because Belarusian authorities had refused her accreditation to the lower chamber of the parliament.<sup>45</sup>

During the year, numerous journalists were harassed or detained for working for foreign media. Ales Burakov, a freelance journalist with the independent newspaper *Nash Mahilioŭ*, was accused of working without government accreditation and for

an unregistered news organization (Belsat), as well as for the German broadcaster Deutsche Welle. In September, police broke into his apartment, confiscated several computers, and fined him BYR 6 million (\$480). The incident occurred only months after the website of *Svobodny Farnat*, an independent newspaper in Mogliev which employed Ales Burakov, was hacked.<sup>46</sup>

Similar to the cases of civil rights activists, the prosecution of journalists was linked to the World Hockey Championship and showed the government's desire to maintain control before the upcoming presidential elections. The tactics for restricting the media were similar, too, and included preventive detention on allegations of hooliganism or disobedience of official warnings. In May, during the championship, independent journalist Yauhen Skrabets was detained on charges of hooliganism after disregarding an official warning about cooperating with foreign media. Skrabets was called to the police station and questioned about his work with Radio Racyja. *Vitebsk Kurier* editor Aleh Barscheuski was also detained by local police under suspicion of having a fake driver's license.

The sudden disappearance of Aliaksandr Alesin, a prominent military affairs specialist and journalist, in November sparked international outrage.<sup>47</sup> Alesin spent two weeks incommunicado until the Committee for State Security acknowledged his detention on 8 December. The committee claimed that he had been charged under Articles 356 and 356-1 of the Belarus Penal Code for "high treason" and "collaborating with the special security services or intelligence services of a foreign government." On 10 December, the committee provisionally released him on the condition that he remain available for questioning and stay within Minsk, and dropped the treason charge.<sup>48</sup>

According to the Belarusian Association of Journalists (BAJ), the number of administrative cases against journalists continued to grow in 2014.<sup>49</sup> The association pointed to the growing number of prosecutions in April, a month before the World Hockey Championship, which continued to increase in the following months. According to the BAJ, from April to November, more than 15 independent journalists were fined for working without accreditation and 10 freelancers were fined for disseminating media products in violation of the code.

President Lukashenka signed amendments to the media law on 20 December. According to the new law, Belarusian websites are now categorized as media (except for the purposes of registration) and thus can be blocked by the Ministry of Information after incurring two violations within a year.<sup>50</sup> In addition, the amendments created a state register of media distributors and introduced more restrictive regulations for the removal of disputed information from websites.<sup>51</sup> The parliament approved the draft bill in the minimum time allotted and there was no public discussion on the topic. While the law entered into force only in January 2015, the day it was signed, websites of various news agencies and civil rights organizations found that access to their websites had already been blocked.<sup>52</sup>

According to the International Telecommunications Union (ITU), Belarus's internet penetration rate has increased in the last few years: from 46.91 percent in 2012 to 54.17 percent in 2013.<sup>53</sup> In 2014, Beltelecom, the state-owned telecom-

munications company, announced that the internet penetration rate had achieved the “European average.”<sup>54</sup> A report by BAJ notes that the majority of users go online to access email and search engines rather than online news outlets.<sup>55</sup> The government has responded to increasing internet penetration by restricting and monitoring online activity, particularly as the use of social media among younger Belarusians grows. In 2014, independent news websites including Charter97.org, Naviny.by, and BelarusPartisan.org were blocked by Belpak, a substructure of Beltelecom. As of December, these sites were only accessible through alternative methods, such as VPN/TOR browsers and proxies or “anonymizers.” Beltelecom controls international data transfers and blocks websites of concern, while the national security agency, the KGB, reportedly monitors internet communications and is believed to be behind anonymous Trojan attacks on websites critical of the government.

#### Local Democratic Governance

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 6.50 | 6.50 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 |

President Lukashenka directly appoints the heads of Belarus’s regional and district administrations. Progovernment political forces also dominate directly elected local councils. Opposition groups have a weak presence outside of Minsk.

Local officials have extensive responsibilities in carrying out central government programs, especially in the areas of health, administration, and infrastructure; only a few services, such as institutions of higher education and medical clinics, are directly administered by central government bodies. Local councils, however, have little power besides approving the decisions of the governors and are often underfunded. Although the system also includes self-governing consultative bodies to local councils, formed on a voluntary basis, these bodies receive no funding from the budget.<sup>56</sup> Local councils and their administrations are responsible for hearing locals’ complaints. Many believe that the central government allows criticism at the local level in order to monitor and contain public frustrations before they enter national political discourse.

The local elections, which took place on 23 March, were organized in an even more restrictive environment than the 2010 elections and set the tone for the upcoming presidential and parliamentary elections. In addition to tighter regulations in the amended Law on Elections and Referendums, in force since 2014, authorities did everything in their power to both guarantee a high turnout and demonstrate the opposition’s lack of political legitimacy. Independent observers present at the elections commissions agreed unanimously that the process lacked transparency and infringed upon national and international norms, including the standards for the registration of candidates, the formation of election committees, and the counting of votes.<sup>57</sup>

Opposition candidates represented less than 2 percent of the total number of registered candidates. In general, the registration rates corresponded with the

number of opposition candidates: denial rates were the highest in Minsk City Council (25.6 percent), where the number of opposition candidates was the highest, and much lower in district councils (1.9 percent), as well as in local village councils (only 0.2 percent).<sup>58</sup>

Registration was rejected even in cases of minor technical inaccuracies. The head of the CEC, Lidziya Yarmoshyna, maintained that the candidates were rejected due to their disregard for changes in the Electoral Code.<sup>59</sup> According to Anatol Lyabedzka, head of the United Civil Party (UCP), a large number of potentially successful opposition candidates, under pressure from local authorities or their own superiors, were forced to choose between their jobs or their candidacies.

Authorities widely used administrative resources available to them also during the formation of election commissions and the registration of candidates. The absence of legal norms regarding the formation and composition of the commissions allowed authorities to operate them with minimal transparency. Opposition parties, on the other hand, were underrepresented in the new commissions, which often replicated the composition of previous commissions formed during the parliamentary elections of 2012. Despite the opposition's sustained activism, its participation in the commissions was extremely low (less than 1 percent).<sup>60</sup>

The amendments to the Electoral Code made campaigning difficult for the opposition. Even though candidates for local councils were entitled to use their own funds, the cap on such private funding was low. While the electoral commissions are tasked with producing and distributing campaign materials, the candidates have to supply information on income and assets, as well as on any previous convictions. Opposition candidates complained about delays in printing and frequent mistakes in their biographies during the campaign. Additionally, they objected to the assignment of unattractive places for campaign rallies and restrictions on access to meeting locations. After participating in the 16 March rally featuring posters of political prisoners, UCP leader Anatol Lyabiedzka and about nine other rally participants were arrested and sentenced to 10 and 15 days of detention by the Savestski District Court of Minsk.<sup>61</sup>

When the election finally took place, votes were counted in a matter of minutes and independent observers were often unable to monitor the process. Additionally, authorities encouraged citizens to vote early, creating ample room for manipulation through falsification and forced voting. Among the observers of the initiative "Human Rights Defenders for Free Elections," 98 percent reported obstacles in conducting their activities, while 93 percent complained that the distance to the table where ballots were counted was too large, making it impossible to observe the vote count. Independent observers also reported psychological pressure, both during preliminary voting and on election day.<sup>62</sup>

Participation in the local elections was important to the authorities as an indicator of their legitimacy and supremacy over the opposition parties and movements. To guarantee a high turnout, the authorities resorted to manipulation, including forcing state-employed officials and students to vote. In some cases where opposition candidates were eventually elected, the electoral commission ordered a

recount. The official turnout was 77.3 percent, but independent monitors claimed that this number was highly inflated.<sup>63</sup> Since local councils do not have a tangible political impact, the elections did not attract many candidates: in the vast majority of districts, only one candidate ran for office.

#### Judicial Framework and Independence

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 6.75 | 7.00 | 7.00 | 7.00 | 7.00 |

Due to the absence of checks and balances in the Belarusian political system, the judicial branch lacks any genuine independence. Judges and prosecutors regularly defer decision-making to the executive branch for fear of jeopardizing their careers, and President Lukashenko personally appoints and dismisses all judges based on recommendations by the justice minister and by the chairman of the Supreme Court—both of whom are also appointed by the president. Judges are appointed initially for five years and then reappointed, either permanently or for another five-year term. The criteria for permanent reappointment are not defined in the Code on the Structure of Courts and the Status of Judges. The presidential administration also determines judges' salaries and benefits, while local authorities control their housing privileges.

In October, after four years of debate on conscientious objection, the parliament adopted the Law on Alternative Service. Despite civil society activists' sustained engagement, the bill became a law without any input from them. As a positive development, the law introduced the opportunity to participate in long-distance education while in service. Elena Tonkacheva, head of the Lawtrend Center for Legal Transformation, indicated several problems in the law, including the duration of service; its restriction to those holding confirmed religious beliefs; and the lack of progress in tackling social stigmas associated with alternative service.<sup>64</sup>

On 13 April, the law "On Constitutional Legal Proceedings" entered into force, granting public authorities, organizations, associations, as well as individuals the right to appeal to the Constitutional Court (Art. 158). The law also eliminated conflicting legal provisions and ambiguities.<sup>65</sup>

Belarus remained one of the leading countries in the number of complaints submitted to the UN Human Rights Committee (HRC). The government rarely implements the recommendations and decisions of the UN HRC. In June, the body extended the mandate of Miklós Haraszti, the UN Special Rapporteur on the situation of human rights in Belarus, for another year. Just as in previous years, Haraszti was not allowed to visit the country in 2014. Under the UN Universal Periodic Review process, Belarus is scheduled to report on the implementation of human rights recommendations in May 2015. On 15 September 2014, 11 Belarusian NGOs presented their report regarding the implementation of the 2010 recommendations.<sup>66</sup>

Representatives of human rights organizations and the regime's political opponents are regularly targeted for administrative arrest, usually on dubious charges ranging from swearing in public to disorderly conduct, of which conviction is all but guaranteed. On 30 October, authorities informed human rights activist Elena Tonkacheva that her residence permit had been revoked because of a speeding ticket that had been interpreted as a threat to public order. Although officially a Russian citizen, Tonkacheva had permanently resided in Belarus since 1985. On 5 November, the Office for Migration and Citizenship of the Peshamaiski district police department in Minsk invited her for a meeting to argue her case. However, neither a petition with 7,000 signatures nor the argument that the fines were paid and her driver's license had never been suspended prevented her expulsion for three years. Tonkacheva's appeal was pending at year's end.<sup>67</sup>

On the eve of Belarus's Independence Day, Lukashenka released or shortened the sentences of around 10,000 prisoners. Even though Lukashenka released a number of prisoners sentenced after the 2010 presidential elections in recent years, most of these people neared the end of their prison terms and their criminal records were not expunged after their release. In an unexpected move, political prisoner Ales Bialiatski received presidential amnesty in June. Bialiatski, president of the Viasna Human Rights Center and vice president of the International Federation for Human Rights (FIDH), had spent three years in jail on charges of tax evasion. In October, the UN HRC declared that Belarus had violated Bialiatski's right to a fair trial, freedom of association, and liberty, and ruled that the human rights defender is entitled to an appropriate remedy.<sup>68</sup> Despite the ruling, the government had failed to remove the conviction from his criminal record by the end of the year.

Belarus has the second highest incarceration rate in Europe and its prison conditions are notoriously poor. For the year 2013, Belarus had 31,270 prisoners—about 325 prisoners per 100,000 people.<sup>69</sup> In March, after having exhausted domestic legal remedies, the wife of prisoner Piotr Kuchura appealed directly to the UN HRC, reporting that her husband had been denied medical assistance after a suspicious case of chlorine poisoning.<sup>70</sup> Mikhalay Autukhovich, who was jailed in 2010 for the “illegal handling of arms and explosives” and released in April 2014, was denied dental care and almost went blind while in prison. Eduard Hladkii, erroneously convicted of murder in 2002, admitted in January to having been tortured.<sup>71</sup>

Imprisoned political activists reported that prison administrators curtailed visiting hours, prohibited receiving food parcels, and hindered correspondence to and from the prison.<sup>72</sup> Administrative punishments for violations of prison rules continued and in some cases led to solitary confinement. As of December, there were six political prisoners still in jail.<sup>73</sup> Vasil Parfiankou and Eduard Lobau were released that month, while a new prisoner, Yury Rubtsou, was added to the list.<sup>74</sup> Former presidential candidate Mikalai Statkevich, unsure of his safety, requested to be placed in solitary confinement in Mogilev's prison No. 4.<sup>75</sup>

Belarus is the only country in Europe that has not abolished the death penalty. Following a two-year absence of state executions, three prisoners were executed



in 2014.<sup>76</sup> Eduard Lykau, who was sentenced to death in 2011 for five murders, remained on death row; the Supreme Court upheld his sentence in April. Relatives and the general public continued to have little access to information on death sentences, including the dates of executions. In April, Miklós Haraszti expressed concern about the lack of transparency in death penalty cases.<sup>77</sup>

The year 2014 marked the 15th anniversary of three forced political disappearances (Yury Zakharanka, Viktor Hanchar, and Anatol Krasouski). Despite international pressure and enormous efforts from human rights defenders and the families of the disappeared, the cases remain unsolved. Although the investigation was extended beyond the statute of limitations, there are no guarantees of its independence or actual progress.<sup>78</sup>

### Corruption

| 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|------|------|------|------|------|------|------|------|------|------|
| 6.25 | 6.25 | 6.25 | 6.00 | 6.00 | 6.00 | 6.25 | 6.25 | 6.25 | 6.25 |

The public sector dominates the Belarusian economy, generating more than half of the country's GDP, and the vast discretionary power of bureaucrats to regulate economic activities creates ample opportunities for extortion. This is especially true in profitable and overregulated sectors such as trade, exports, construction, and petrochemicals, as well as healthcare and education. In addition, the process of privatizing state property suffers from a lack of transparency.<sup>79</sup>

While Belarus's legal anticorruption framework is quite well developed, corruption in the country remains widespread. The government's capacity to influence business operations and property rights is very high: about 25 percent of the population considers corruption to be the most critical problem of Belarusian society.<sup>80</sup> About half of the population does not believe that the Belarusian government has been consistent or decisive in fighting corruption, while another 30 percent thinks it is impossible to eradicate graft. In November, the damage resulting from financial crime and corruption in 2014 was estimated at BYR 135 billion (\$89,400).<sup>81</sup>

Corruption sweeps are not uncommon in Belarus; they keep Lukashenka's allies loyal and also show citizens who is to blame for the country's economic woes. The year 2014 was no exception, and corruption scandals involved university professors, doctors, heads of state enterprises, and officials of executive committees. The former head of the Gomel Executive Committee, Viktor Pilipets, under arrest since 2012, was sentenced to five years on a penal colony for abuse of office in April, and Viktor Volkau, deputy director of Belnaftakhim, under arrest since October 2013, was sentenced to eight years on a penal colony for bribe-taking in May.<sup>82</sup> In addition, in April, criminal proceedings were initiated against former First Deputy Forestry Minister Fyodar Lisitsa for misappropriating money from the ministry's Innovation Fund. In June, former deputy chief prosecutor Aliaksandr Arkhipau was sentenced to six years for abuse of office and bribe-taking. The Belarusian Supreme Court's

Military Collegiate also ruled that Arkhipau be stripped of his property and banned from exercising organizational and administrative functions for five years (similar to the cases of Pilipets and Volkau). In July, the Investigative Committee of the Ministry of Interior initiated criminal proceedings against the deputy director of the Naftan refinery—along with other managers of the enterprise—for abuse of office.<sup>83</sup>

Alongside the developing crisis in Ukraine, corruption was named a threat to national security and the fight against it a national security priority. According to Lukashenka, the crisis in Ukraine was a direct consequence of corrupt governance.<sup>84</sup> The president requested the administration to prepare a report on the state of corruption in Belarus and held consultations regarding the matter on 31 July. Lukashenka's anticorruption rhetoric hardened during the year, and the fight against corruption became part and parcel of his official statements, including a portion of the national address delivered in April.<sup>85</sup>

The anticorruption drive was also propelled by the upcoming presidential elections in 2015. The issue was all the more relevant in the context of increasing inflation, the external trade deficit, and the failed modernization policy, which all speak to the limits of the Belarusian economic model. At the same time, the elevation of corruption to the top of the agenda also lends doubts to the efficiency of government anticorruption efforts, which have allegedly been in the works for 20 years now.

In August, the government presented a draft bill of the new Anticorruption Law, which requires that state officials and their close relatives declare their income. When the acquisition of property cannot be confirmed, or when there is a discrepancy between the state official's income and the property's value, the property may be seized.<sup>86</sup> The president also announced his plans to adopt a decree strengthening the liability of high-ranking officials. The decree is expected to redefine pension limits and restrict access to higher office (such as heading a state enterprise or executive committee) for corrupt officials in the next five years.<sup>87</sup>

If implemented, these changes would further increase the pressure on high-ranking officials. Since, in the absence of market principles, the distribution of state subsidies has always been rather arbitrary, the new law would present an imminent risk for the officials, who could be fired for either underperformance or corruption. Such charges would hang over each official's head, ready to fall when convenient.<sup>88</sup> The accusations are not necessarily irreversible, however, as illustrated by the president's reinstatement of officials previously charged with corruption after having paid triple the total amount of damage inflicted.<sup>89</sup>

The existing practices and planned legislative changes confirm the government's agenda to identify and punish corrupt officials rather than prevent and eradicate corruption as a sociopolitical phenomenon. Showcasing arrests and rousing media campaigns overshadow efforts to prevent corruption in the first place. Internal control mechanisms, such as anticorruption commissions, continue to be ignored, despite the acknowledgement of their relevance by both independent experts and state officials, including the prosecutor general and the prime minister.<sup>90</sup> President

Lukashenka's anticorruption consultations and the planned legislative changes fail to acknowledge the importance of a transparent anticorruption policy, including the need to revise the closed court trials policy and guarantee free access to information.<sup>91</sup>

Transparency International's 2014 Corruption Perceptions Index ranks Belarus 119<sup>th</sup> out of 175 countries and territories.<sup>92</sup> Belarus's ranking improved in the World Bank's Doing Business 2015 report, primarily due to more regular tax payments.<sup>93</sup>

■ AUTHOR: ALENA VYSOTSKAYA GUEDES VIEIRA

*Alena Vysotskaya Guedes Vieira is an invited professor of Political Science and International Relations at the University of Minho in Portugal and a post-doctoral researcher at the university's Fundação para Ciência e Tecnologia.*

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<sup>2</sup> While the government expected GDP to grow by 3.3 percent, between January and September, the GDP only increased by 1.5 percent, and stopped altogether in the following months. Inflation was forecast at 11 percent, but in November the actual rate was almost double of this prevision, at 20 percent. See Dmitriy Zayats, "Какой экономический сценарий на год выборов утвердят власти?" [What kind of economic scenario the authorities approve for the election year?], *Naviny.by*, 31 October 2014, [http://naviny.by/rubrics/economic/2014/10/31/ic\\_articles\\_113\\_187437/](http://naviny.by/rubrics/economic/2014/10/31/ic_articles_113_187437/); *ibid.*, "Увеличить зарплаты белорусов могут только реформы" [Only reforms can increase Belarusians' wages], *Naviny.by*, 8 November 2014, [http://naviny.by/rubrics/economic/2014/11/08/ic\\_articles\\_113\\_187497/](http://naviny.by/rubrics/economic/2014/11/08/ic_articles_113_187497/).

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<sup>4</sup> *Ibid.*, "Natalia Petkevich relieved of post of Aide to Belarus President," 1 October 2014, [http://president.gov.by/en/news\\_en/view/natalia-petkevich-relieved-of-post-of-aide-to-belarus-president-9906/](http://president.gov.by/en/news_en/view/natalia-petkevich-relieved-of-post-of-aide-to-belarus-president-9906/).

<sup>5</sup> The Press Service of the President of the Republic of Belarus, "Alexander Lukashenko makes new appointments," news release, 14 October 2014, [http://president.gov.by/en/news\\_en/view/alexander-lukashenko-makes-new-appointments-10001/](http://president.gov.by/en/news_en/view/alexander-lukashenko-makes-new-appointments-10001/); *ibid.*, "Natalia Petkevich relieved of post of Aide to Belarus President," 1 October 2014, [http://president.gov.by/en/news\\_en/view/natalia-petkevich-relieved-of-post-of-aide-to-belarus-president-9906/](http://president.gov.by/en/news_en/view/natalia-petkevich-relieved-of-post-of-aide-to-belarus-president-9906/); "Lukashenka appoints new State Control Committee head," *European Radio for Belarus*, 14 October 2014, <http://euroradio.fm/en/new-head-state-control-committee-appointed-lukashenka/>; "Lukashenka says will pick government to work after 2015 elections," *ibid.*, 6 November 2014, <http://euroradio.fm/en/lukashenka-said-he-picking-government-work-after-2015-elections/>.

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