

### **Organization for Security and Cooperation in Europe**

The Organization for Security and Cooperation in Europe (OSCE) Office in Baku organized roundtables and sponsored a series of television and radio broadcasts on the upcoming August referendum, on human rights themes, and on reform of the electoral code, thereby creating frameworks and channels for public engagement and debate, particularly between the government and opposition, that were otherwise absent.

In a public statement the office declared that the authorities' conduct of the constitutional referendum failed the "credibility test," accused the Central Election Commission of "creat[ing] obstacles to wider observation and transparency of the process" and observed that reports of fraud and intimidation were too numerous and from such a wide variety of sources to be dismissed.

### **United States**

The State Department's *Country Reports on Human Rights Practices for 2001*, published in March, stated that the Azerbaijani government's human rights record "remained poor," and that it "continued to restrict citizens' ability to change their government peacefully." In its *International Religious Freedom Report 2002*, the State Department noted that the authorities harassed and abused some Muslim groups due to concern about their possible links to terrorism.

However, the U.S. government allowed the effect of these criticisms to be undercut as it consolidated partnership with the Azerbaijani government in energy projects and the war against terrorism.

## **BELARUS**

### **HUMAN RIGHTS DEVELOPMENTS**

Belarusian government policies in 2002 aimed to crush the political opposition and served to further isolate the country internationally. The government continued its crackdown on the opposition, nongovernmental organizations (NGOs), the independent media, and religious groups.

The September 9, 2001 presidential elections, in which incumbent President Alexander Lukashenka was the victor, received widespread criticism and briefly made the poor human rights situation in Belarus a focal point of international concern. But when the events of September 11 and their aftermath again pushed Belarus far from the international spotlight, Lukashenka did not miss the opportunity to repress civil society without fear of diplomatic consequences.

Throughout the year, Lukashenka sought retribution against those who challenged him during the election, and their supporters. Vladimir Goncharik, the

united opposition candidate in the presidential elections, had to leave his post as leader of the Federation of Trade Unions (FTU) in December 2001 after it received credible reports that Lukashenka would sign a decree nationalizing the FTU's property unless Goncharik resigned. Goncharik subsequently moved to Russia. His election campaign manager, Valentina Polevikova, was also forced to leave her job at the FTU. Members of the Belarusian Women's Party, which she chairs, received threats that they would be fired unless they left the party.

One of Lukashenka's major opponents, former Prime Minister Mikhail Chigir, was sentenced in July 2002 to three years in prison for tax evasion, with the execution of the sentence postponed for two years. In 2001, the government had prevented Chigir from running for president by launching politically motivated charges of abuse of office and imprisoning him.

Anatoly Lebedko, chair of the opposition United Civic Party (UCP), was charged in July with "defaming the Belarusian President" after he published an article citing foreign media reports that the president supplies "rogue" states with military equipment. His party also received an official warning, which put the UCP under threat of liquidation.

Harassment of youth opposition activists continued throughout the year. Two Youth Front leaders were respectively fined and briefly imprisoned for their role in organizing an unsanctioned demonstration in February. In March, members of another youth opposition movement, Zubr, were fined for "publicly insulting the president," for their street performance satirizing Lukashenka prior to the 2001 elections.

After a series of tax raids and confiscation of equipment and publications that accompanied the election campaign in 2001, Belarusian authorities moved to a new level of intimidation of the media by launching criminal libel suits against journalists. On June 24, a court sentenced Pavel Mazheiko, a journalist for the independent weekly *Pahonia* (The Emblem), and the weekly's editor, Mikola Markevich, to two and two and a half years of forced labor respectively for libeling Lukashenka; the sentences were reduced to one year on appeal. On the eve of the 2001 elections, *Pahonia* had published an article suggesting Lukashenka's involvement in the "disappearances" of political leaders. After confiscating the entire print run of the issue and giving an official warning, the authorities shut down *Pahonia* in November 2001.

On September 16, Victor Ivashkevich, editor of *Rabochii* (The Worker) was found guilty of "attempted libel and insulting the president" and sentenced to two years of forced labor. The charges stemmed from an article accusing Lukashenka and his administration of corruption.

The authorities also aggressively pursued civil defamation suits against newspapers that allegedly insulted state officials, freezing the publications' accounts, searching their headquarters repeatedly, and compelling them to pay prohibitive damages. Among the targets was *Nasha Svaboda* (Our Freedom), which a court ordered to pay U.S.\$55,000 in libel damages to a state official. The paper also had to retract the offending article, which alleged that the official had complained to Lukashenka about the prosecutor general's professional conduct. The authorities confiscated the newspaper's equipment; with its bank account frozen, the paper was not able to publish after August 6.

With the media under fire, public demonstrations remained the sole means for public critical expression. Authorities either banned protests or authorized them only in remote locations, and responded to unauthorized demonstrations with arrests and prosecutions.

On March 15, Ministry of Internal Affairs troops dispersed a march held to mark the eighth anniversary of the 1994 constitution of independent Belarus. March organizer Nikolai Statkevich, leader of the Social Democratic Party Narodnaya Hramada, was later sentenced to ten days of imprisonment.

Also in March, more than eighty people were arrested and given brief prison terms, fines, or official warnings after police broke up a Freedom Day rally. Another hundred people were arrested and about forty injured in clashes with police in April during an unauthorized protest against living conditions in Belarus. Protest organizers and participants were sentenced to up to fifteen days in jail; others were fined.

In line with its effort to control all spheres of social life, Belarusian authorities sought to restrict religious freedom. In October, Parliament adopted a new law on religion that, if signed by the president, would ban organized religious activity by communities of fewer than twenty members, and would practically outlaw religious confessions that have had representation in Belarus for fewer than twenty years. It would also introduce censorship for religious literature under certain circumstances and require the leaders of all religious organizations to be citizens of Belarus.

Meanwhile, authorities continued to persecute non-Orthodox religious groups. In August, demolition crews backed up by police destroyed a new building of the Belarusian Autocephalous Orthodox Church in a small village in Grodno province. Police violently dispersed parish members and their supporters who tried to prevent the demolition; many were arrested and sentenced to brief jail terms and fines.

Members of Hare Krishna and Hindu communities were regularly detained and fined for meditating in public places, chanting religious hymns in the streets, or protesting repeated refusals to register their community.

The 1999 and 2000 "disappearances" of opposition figures Yury Zakharenka, Viktor Gonchar, Anatoly Krasovsky and journalist Dmitri Zavadsky remained unresolved. In March, a court found two former officers of the "Almaz" special police unit guilty of abducting Dmitri Zavadsky, but the verdict did not satisfy his family, whose lawyers saw the officers as mere scapegoats for higher-level authorities involved in the "disappearance." For stating this view publicly, one of the lawyers, Igor Aksenchik, lost his license to practice, was charged with slander, and, in October 2002 was sentenced to eighteen months in prison, with the execution of the sentence postponed for two years.

Belarusian authorities also banned the broadcast of a new documentary on Zavadsky's and other "disappearances" entitled "Wild Manhunt-2," shot by Zavadsky's friend and colleague Pavel Sheremet.

In November 2002, parliament declined the request of the Belarusian Helsinki Committee to carry out parliamentary investigation into the disappearances.

For the second year in a row, Belarus received the lowest rating possible from the U.S. State Department for failing to combat trafficking in persons. The report noted that Belarus was a country of origin and transit for women and children trafficked

abroad, but that the government failed to prosecute traffickers or train law enforcement officials to recognize trafficking. Corruption also hindered attempts to implement anti-trafficking provisions in the criminal code.

## DEFENDING HUMAN RIGHTS

The authorities continued to widely use Presidential Decree No.8 (adopted in March 2001) to obstruct the work of human rights organizations. The decree bans foreign aid to organizations involved in any political activities, and requires governmental approval for the use of any foreign funding; security service and tax authorities cited these provisions in measures they took against NGOs.

On January 25, a court fined Victor Kornienko, head of a local branch of Civic Initiatives, a human rights NGO, about U.S.\$625 for alleged violation of the decree and ordered confiscation of the organization's computer equipment. In November 2001, a regional tax committee had fined it \$3,750.

Civic Initiatives may well share the fate of Vezha, a prominent human rights organization liquidated in March by a court order. Vezha had previously received two official warnings, which constitutes sufficient grounds for liquidation according to Belarusian law.

In addition to closing existing organizations, the government prevented the founding of new ones, making use of excessively burdensome registration regulations. Referring to "certain inaccuracies" in registration documents, authorities denied registration to "Association XXI," as well as other NGOs.

Activists with Viasna, another prominent human rights NGO, were repeatedly harassed throughout the year, and denied access to court hearings and detention facilities. One of them, Vladimir Malei, was sentenced to fifteen days of imprisonment in January for holding a protest commemorating the anniversary of the Universal Declaration of Human Rights the previous month.

## THE ROLE OF THE INTERNATIONAL COMMUNITY

### United Nations

In May, the U.N. Committee on the Rights of the Child examined Belarus's second periodic report. The committee recommended the Belarusian government to address the problem of increased child morbidity and HIV/AIDS among newborns; to combat violence against children; eliminate child trafficking and sexual exploitation; and to ensure that all children have access to health care, education, and other rights specified in the Convention on the Rights of the Child.

The same month, the U.N. high commissioner for human rights publicly expressed concern about the deterioration of the human rights situation in Belarus.

The U.N.'s annual Human Development Report, released in July, listed Belarus among those countries where free and fair elections are not being held and citizens are disaffected from politics.

## Organization for Security and Cooperation in Europe

Relations between the Organization for Security and Cooperation in Europe (OSCE) and Minsk further deteriorated. Belarusian authorities, long dissatisfied with the OSCE's efforts to publicize the human rights situation in the country, repeatedly accused members of the OSCE Advisory and Monitoring Group (AMG) of interfering with the country's internal affairs and called for a revision of the AMG mandate. Since December 2001, the government refused to extend visas for four AMG diplomats, thereby forcing them to leave the country. The AMG mission was effectively shut down in October 2002, after the authorities refused to extend the last remaining member's diplomatic accreditation, thereby compelling her also to leave the country. Negotiations on the further relations between the OSCE and Belarus were entered into immediately but had borne no results as of this writing.

The OSCE Parliamentary Assembly refused to restore Belarus's special guest status until the country normalized its relations with the OSCE.

## Council of Europe

A Parliamentary Assembly of the Council of Europe (PACE) delegation that visited Belarus in June expressed concern about the continuous attacks on freedom of speech and denounced the prosecution of the *Pahonia* journalists.

Noting that the conflict with the OSCE had a corrosive effect on Belarus's relations with other international institutions, the PACE announced that it would not restore the country's special guest status until its relationship with the OSCE was normalized. The PACE Committee on Legal Affairs and Human Rights also decided to establish an ad hoc sub-committee to examine political "disappearances" in Belarus.

A resolution adopted during the PACE's September session expressed "growing concern regarding freedom of expression and of the media," terming recent convictions of journalists "unacceptable," and concluded that special guest status, let alone full membership for the country, could not be considered.

## European Union

The E.U. criticized the Belarusian leadership for obstructing the work of the OSCE AMG. In August, the E.U. also urged the Belarusian Parliament not to adopt the draft law on religion, noting that it may serve as a basis for religious discrimination. A September declaration by the presidency urged the Belarusian authorities to engage in "constructive negotiations with the OSCE on the future of the AMG in Belarus," and expressed overall concern about the "situation of democracy and human rights in Belarus."

## International Financial Institutions

In April, the World Bank approved a three-year Country Assistance Strategy that envisions U.S.\$140 million in loans to Belarus. The Bank may expand lending to

\$270 million if economic reform is implemented.

The European Bank for Reconstruction and Development took a more critical stand, and in May approved a two-year country strategy that made clear that its involvement would remain limited to the private sector until the Belarusian authorities take steps to promote civil society and carry out market reforms.

### **United States**

In a number of public statements, U.S. officials condemned Belarus's role in its conflict with the OSCE, as well as the government's harassment of journalists and its restraints on freedom of expression. In numerous statements, U.S. officials also made clear that the bilateral relationship with Belarus would not move from the current standstill unless the country demonstrates its commitment to universal principles of democracy and human rights.

U.S. officials repeatedly expressed concern about reports that the Lukashenka government sold weapons and provided military training to Iraq and other states suspected of supporting terrorism.

In June, Christopher H. Smith, co-chairman of the Commission on Security and Cooperation in Europe, introduced the Belarus Democracy Act of 2002 in the House of Representatives. The bill proposes increased assistance for democracy-building activities in Belarus, suggests sanctions against the Lukashenka government, including the denial of entry into the U.S. to high-ranking officials, and encourages executive directors of international financial institutions to vote against financial assistance to Belarus.

### **Russian Federation**

Since Russia and Belarus signed a union treaty seven years ago, President Lukashenka's government has relied heavily on Russia's support both to keep the Belarusian economy afloat and to rebut criticism from the West.

In 2002, however, Russian President Vladimir Putin expressed skepticism about the future of the union and made clear that Russia would not sacrifice its economic interests to support Belarus. Instead, Putin advanced two proposals for unification—one that would effectively absorb Belarus into Russia, subjecting it to Russian economic policies and possibly removing Lukashenka from office, and the other suggesting a suprastate formation similar to the E.U.; Lukashenka rejected both proposals.