



HELSINKI COMMISSION REPORT

November 6, 2017

IN BRIEF

Belarus: 25 Years after Signing the Helsinki Final Act

Failure to Implement Electoral Reform Continues to Impede Democracy in Belarus

In July 2017, Belarus hosted the OSCE Parliamentary Assembly (PA) Annual Session. However, two decades ago, the OSCE PA refused to even recognize the legitimacy of Belarus' putative elected representatives. What has changed?

Background

Belarus became an independent state following the dissolution of the Soviet Union in 1991. It signed the Helsinki Final Act on February 26, 1992.

Since July 20, 1994, the country has been ruled by Alexander Lukashenko.¹ None of the country's elections since 1994 have been deemed free or fair, and a 1996 referendum cemented his control over the levers of power. In 1997, the OSCE Parliamentary Assembly blocked the participation of Belarus's delegation to the organization's annual meeting, viewing the so-called parliament established in the aftermath of the 1996 referendum as illegitimate.²

In January 1998, the OSCE opened an Advisory and Monitoring Group in Minsk.³ Later that year, the OSCE Parliamentary Assembly established a special working group⁴ on Belarus with the goal of promoting democracy and free and fair elections. The Helsinki Commission, which closely followed developments after the 1996 referendum, intensified its robust engagement

through hearings and briefings, as well as other forms of advocacy.⁵

At the end of 2002, the Belarusian Government forced the OSCE to scale back its Advisory and Monitoring Group in Minsk to an "Office." While still mandated to promote democratic institutions, the newly diminished Office was clearly intended to have a weaker voice and impact.⁶ Over the objection of members of the U.S. delegation and in spite of severe irregularities during the 2000 parliamentary elections, Belarus was seated again at the OSCE PA annual session in 2003.

In fact, the situation continued to deteriorate, leading then-Helsinki Commission Chairman Representative Christopher Smith (NJ-04) to introduce the Belarus Democracy Act in 2004 (Public Law 109-480) in an effort to counter the downward spiral of repression and human rights violations.⁷ Among other things, the law sought a full accounting of the disappearances of opposition leaders and journalists in Belarus, including Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky, and the prosecution of those individuals who are in any way responsible for their disappearances.

At the same time, the government of Belarus continued to introduce onerous restrictions de-



Flags flying in front of President Hotel, Minsk. Credit: OSCE Parliamentary Assembly

signed to prevent the formation of any group that might be critical of the government. In 2005, the government made it a criminal act to participate in any unregistered organization or party and banned foreign assistance for NGOs.⁸ Belarus was an early adopter of the practices since made infamous by Russia and emulated in other countries.

As a consequence, some U.S.-based organizations such as the International Republican Institute, National Endowment for Democracy, and National Democratic Institute had to suspend or limit engagement in Belarus, a situation that persists today.⁹ Those restrictions also continue to impede the work of independent civil society, including the Belarusian Helsinki Committee, the sole human rights organization allowed to register.

In 2006, the Congress passed the Belarus Democracy Reauthorization Act (Public Law 109-480) to impose further sanctions on the Lukashenko regime, including targeted visa bans, and to continue to provide federal assistance to non-governmental organizations in Belarus.

Disagreements with the United States over human rights came to a head in 2008, when Belarus expelled 30 U.S. diplomats, including the U.S. ambassador, after the U.S. imposed additional sanctions on a major Belarusian state enterprise over continued human rights violations. That move limited the U.S. presence to five diplomats, severely restricting the ability of the U.S. embassy to engage on human rights until 2014, when the Government of Belarus began to slowly lift the cap on U.S. diplomats.

In 2009, then-Commission Chairman Senator Cardin led a seven-member Congressional delegation to Minsk, which included Commissioners Wicker, Smith, Slaughter, McIntyre, Aderholt, and Senate Majority Leader Durbin. The delegation helped secure the release of American prisoner Emanuel Zeltser, who had been convicted of highly questionable charges in a closed trial. The delegation also conveyed the message that improvements in human rights and democracy were necessary to improve U.S. relations with Belarus and lift sanctions called for in the Belarus Democracy Reauthorization Act of 2006. In addition, while in Minsk the delegation met with leading political activists, sev-

eral of whom had been imprisoned for opposing Lukashenko.

With the exception of the release of Zeltser and in spite of direct engagement with Belarusian authorities by members of Congress as well as efforts by the OSCE PA working group and the OSCE mission in Minsk, Belarus did not make other significant human rights improvements.

In December 2010, the prospect that presidential elections would again be falsified triggered mass protests, which were followed by mass arrests and a brutal crackdown. At the same time, the Belarusian authorities refused to renew the expiring visas for OSCE personnel working in Minsk and eventually refused to renew the mandate for even the diminished OSCE Office in Minsk, forcing its closure in March 2011. In response to these developments, and deprived of the OSCE mission in Minsk as an avenue for engagement, the United States, joined by 13 other OSCE participating States, invoked the OSCE Moscow Mechanism.

The Moscow Mechanism,¹⁰ which allows for the establishment of a short-term fact finding mission to address a specific human rights concern in the OSCE region, provides for the selection of three rapporteurs. In this case, they were mandated to report on the independence of the judiciary, conditions of pre-trial detention, deprivation of *habeas corpus*, methods of criminal investigation relating to the use of torture, access of impartial justice for all detainees and defendants, and harassment of NGOs and mass media.

Belarus, however, blocked the appointment of two rapporteurs and denied an entry visa to the third, Emmanuel Decaux. The United States has addressed Belarus' non-compliance with the Moscow Mechanism at subsequent annual reviews of the OSCE human dimension implementation.¹¹

In a separate response to the crackdown, then-Chairman Smith introduced a third iteration of

the Belarus Democracy and Human Rights Act of 2011 (Public Law 112-82), adding additional sanctions against President Lukashenko's regime.¹² Smith also called for the International Criminal Court to indict Lukashenko for atrocities.¹³

Although Belarus made some overtures to the West in an attempt to balance Moscow's influence and diversify trade relations, it did not undertake any meaningful systemic reforms. On the contrary, perhaps out of fear of experiencing a Maidan of its own, in 2015 Belarus further restricted free speech through an amended mass media law and introduced a tax on unemployed people, often referred to as the "parasite law" in reference to similar Soviet-era criminal law.

At a 2015 OSCE meeting on freedom of assembly and association, civil society activists argued the dire circumstances in Ukraine were not simply overshadowing the situation in Belarus; they felt Lukashenko actively exploited the regional crisis to divert attention from the situation in Belarus. During the OSCE gathering, these activists called for:

- Getting the OSCE mission back in Belarus with a strong mandate.
- Continuing to seek follow up to Moscow Mechanism report on Belarus.
- Ensuring that OSCE election observation of the 2015 elections examines fully fundamental freedoms of assembly, association, and expression as components of elections.

Commission staff participated in the subsequent presidential election as part of the OSCE Election Observation Mission.¹⁴

Just prior to the elections, after years of engagement on behalf of political prisoners by the diplomatic missions of the EU, the United States, the Vatican and others, Belarus released six individuals who had been detained in violation of Principle VII of the Helsinki Final Act.¹⁵ This included every individual listed as a political prisoner by the United States and the EU, as

well as several who were not considered to be political prisoners.

While the release of political prisoners was a welcome step, the Commission continued to call for the restoration of the political rights for these and other former political prisoners. In response to the release of all of its political prisoners, the EU first suspended, and then lifted entirely its sanctions on Belarus, and the United States suspended its sanctions on nine major Belarusian state-owned enterprises, with a review of that sanctions relief scheduled to take place every six months.

Following 2016 parliamentary elections, two opposition parliamentarians were seated, but their role in parliament remains limited. Reflecting on the state of human rights and democracy in Belarus at the close of 2016, the State Department observed, “[C]itizens were unable to choose their government through elections; in a system bereft of checks and balances, authorities committed abuses; and former political prisoners’ political rights remained largely restricted while the government failed to account for longstanding cases of politically motivated disappearances.”¹⁶

Current Issues

In early 2016, Belarus offered Minsk as the venue for the 2017 OSCE PA annual meeting. Although there continued to be serious and systemic human rights problems in Belarus, convening the PA meeting there offered an opportunity to put a spotlight on those issues and push for further change.

Mass detentions that occurred in connection with nationwide protests in February and March of 2017 against the “parasite law” illustrated the need for change. In the harshest actions since the 2010 crackdown, over a dozen of those detained were held for over two months. Thirty-two journalists were arrested; many journalists were subjected to punitive fines.¹⁷ Furthermore, authorities arrested 35 members of the “White Legion,” a nationalist

What do the Minsk Agreements and the Minsk Conference Have to Do with Belarus?

Following the Russian invasion of Ukraine in 2014, authorities in Minsk, Belarus, volunteered to serve as the host for peace talks. As a consequence, the agreements brokered to bring about a cease-fire include “Minsk” in their titles.*

In addition, Minsk was the location for early efforts to address the conflict between Azerbaijan and Armenia regarding Nagorno-Karabakh. Those efforts are called the “Minsk Conference,” although the Personal Representative of the Chairperson-in-Office on the Conflict dealt with by the OSCE Minsk Conference is now based in Tbilisi, Georgia.

*Source: “The Economist explains: What are the Minsk agreements?” *The Economist*, September 14, 2016, <https://www.economist.com/blogs/economist-explains/2016/09/economist-explains-7>.

group, on charges of terrorism. In an apparent effort to discredit any further opposition to the regime and distract from Belarus’ economic woes, state media asserted the group had ties to former presidential candidate Mikalaj Statkiewicz.¹⁸

Prior to the OSCE PA meeting in July, all those detained in connection with the February-March demonstrations were released. In addition, the President suspended the parasite law. In May, the civil society organization “Tell the Truth” was finally registered (after seven years of trying to do so) as a social movement. It still has not been allowed to register as a political party.

During the OSCE PA annual session in July, civil society representatives were able to meet freely with parliamentarians during the course of the meeting. Members of the U.S. delegation met with President Lukashenko and took the opportunity to directly express their concerns about the human rights situation in Belarus, signaling that the United States was willing to take additional positive steps to improve the bilateral re-

lationship if Belarus would take action to promote human rights and democracy in Belarus.

In addition, the OSCE PA Special Representative for Eastern Europe, Kent Harstedt, facilitated a standing-room-only side event that included government, opposition, and civil society participants, as well as the UN Special Rapporteur on Belarus, Miklos Haraszti, whom Belarus had previously denied a visa. Haraszti, however, was allowed to visit Belarus as a private person and not in his official UN capacity. The event was covered by both official state and independent media, an unthinkable scenario in prior years.

Following the OSCE PA annual session, on August 22, 2017 President Lukashenko released six prisoners, including Mikaili Statkevich. Statkevich had been originally arrested by authorities in connection with the 2010 repression and released in 2015. Some activists, however, are subjected to a regime of “catch and release” – cyclical arrest, detention and release without trial and conviction.¹⁹

Looking Ahead

Belarus has signaled that it is willing to engage further on other outstanding concerns relating to human rights and democracy. As noted at the Helsinki Commission’s most recent briefing on Belarus,²⁰ the Belarus Democracy Act explicitly opens the door to the reevaluation of U.S. policy towards the Belarusian government

should it take steps toward democracy and respect for human rights.

There are several steps that would be the clearest indicators of progress. Belarus should:

- Register civil society organizations, including Vyasna.
- Register political parties, including “Tell the Truth” and the Belarusian Christian Democrats.
- Restore the civil and political rights of those who had been previously detained in violation of their Principal VII right to know and act upon their human rights.
- Repeal laws which criminalize libel and make insulting the president or other officials an offense, Articles 367, 368, and 369 of the criminal code, and laws that criminalize providing media services without accreditation.
- Repeal Article 193.1 of the criminal code which makes it a crime to participate in unregistered assemblies and association.
- Engage with the OSCE on additional electoral reform recommended by the Election Observation Mission. (Since 1994, the OSCE has not found any Belarusian elections to be free or fair. OSCE Recommendations for electoral reform have focused on three key areas: 1) formation of electoral commissions, 2) early voting procedures, and 3) the vote counting process.)

Appendix: Activities of the Helsinki Commission Related to Belarus (1994 – Present)

1994

[Publication: The Belarusian Presidential Election](#) | Wednesday, June 1, 1994

1996

[Hearing: The Legacy of Chernobyl](#) | Tuesday, April 23, 1996

[Briefing: The Current Situation in Belarus](#) | Wednesday, October 30, 1996

1998

[Briefing: Belarus Opposition Leaders](#) | Tuesday, June 16, 1998

1999

[Statement: 1999: A Critical Year for Belarus](#) | Tuesday, February 9, 1999

[Statement: Constitutional Impasse Continues In Belarus](#) | Tuesday, February 9, 1999

[Statement: Politically Motivated Arrests in Belarus](#) | Tuesday, March 9, 1999

[Hearing: Belarus – Back in the U.S.S.R.?](#) | April 27, 1999

[Press Release: Belarus' Human Rights Record, OSCE's Advisory and Monitoring Group under Fire at Commission Hearing](#) | Tuesday, April 27, 1999

[Statement: Developments in Belarus](#) | Tuesday, July 20, 1999

[Statement: OSCE PA Delegation Trip Report](#) | Thursday, July 15, 1999

[Press Release: Belarus' President Lukashenka Called on the Carpet by Helsinki Commission for Human Rights Violations](#) | Wednesday, October 20, 1999

[Statement: Crackdown in Belarus](#) | Tuesday, October 22, 1999

2000

[Hearing: Belarus at the Crossroads](#) | Thursday, March 9, 2000

[Statement: Anti-Democratic Actions in Belarus](#) | Thursday, March 30, 2000

[Statement: Suppression of Peaceful Demonstrations in Belarus](#) | Thursday, March 30, 2000

[Statement: Expressing Condemnation of Continuing Human Rights Violations of Belarus](#) | Wednesday, May 3, 2000

[Press Release: Commissioners Outraged Over Lukashenka Threats against Belarusian Opposition Leaders](#) | Wednesday, May 31, 2000

[Press Release: Senators Urge Albright Meeting with Belarus Opposition Party Leaders](#) | Tuesday, June 20, 2000

[Statement: Continuing Climate of Fear in Belarus](#) | Thursday, September 28, 2000

[Statement: Flawed Elections in Belarus](#) | Thursday, October 12, 2000

[Statement: Democracy Denied in Belarus](#) | Thursday, October 19, 2000

[S.Con.Res 153 Expressing the Sense of Congress with Respect to the Parliamentary Elections held in Belarus on October 15, 2000, and For Other Purposes](#) | Thursday, October 19, 2000

[H.Con.Res 433 Regarding Belarus](#) | Thursday, October 26, 2000

2001

[Statement: Atmosphere of Trust Missing in Belarus](#) | Tuesday, May 1, 2001

[Statement: Democracy Under Siege in Belarus](#) | Thursday, May 10, 2001

[Statement: “Disappeared” Belarusian Opposition Leaders](#) | Wednesday, July 18, 2001

[Press Release: Co-Chairman Smith Urges President to Raise Belarus Human Rights Concerns at G-8 Summit](#) | Friday, July 20, 2001

[Press Release: Statement by Co-Chairman Rep. Christopher H. Smith](#) | Friday, July 20, 2001

[Press Release: Prospects Fade for Free and Fair Belarus Elections](#) | Thursday, August 9, 2001

[Article: Helsinki Commissioners Play Key Role in United States Delegation to the OSCE Parliamentary Assembly](#) | Friday, August 24, 2001

[Article: Missed Opportunity in Belarus](#) | Friday, September 14, 2001

2002

[Statement: Belarus – Opportunities Squandered](#) | Thursday, January 24, 2002

[Statement: Introduction of Belarus Democracy Act](#) | Thursday, June 27, 2002

[Press Release: “Shock” in United States Congress as Belarus Authorities Bulldoze New Church](#) | Monday, August 5, 2002

[Press Release: Belarus Religion Law Prompts Reaction from Helsinki Commission Co-Chairman](#) | Monday, October 7, 2002

[Hearing: U.S. Policy toward the OSCE – 2002](#) | Thursday, October 10, 2002

[Publication: Human Rights and Inhuman Treatment](#) | Tuesday, November 5, 2002

[Statement: Situation in Belarus Continues to Deteriorate](#) | Tuesday, November 12, 2002

[Press Release: Co-Chairman Smith’s Submitted Statement to New Atlantic Initiative Conference on Belarus](#) | Thursday, November 14, 2002

[Publication: Democracy and Human Rights Trends in Eurasia and East Europe: A Decade of Membership in the Organization](#) | Tuesday, December 31, 2002

2003

[Statement: Introduction of Belarus Democracy Act 2003](#) | Thursday, February 13, 2003

[Statement: Belarus Democracy Act 2003](#) | Tuesday, March 25, 2003

[Press Release: Helsinki Commission Leaders Introduce “Belarus Democracy Act of 2003”](#) | Thursday, March 27, 2003

[Press Release: Belarus Democracy Act of 2003 Moves Closer to Passage](#) | Thursday, April 3, 2003

[Statement: Regime Targets Independent Media in Belarus](#) | Friday, April 11, 2003

[Press Release: Murdered and Imprisoned Journalists Remembered on World Press Freedom Day](#) | Wednesday, April 30, 2003

[Statement: Human Rights in Belarus and Russia](#) | Friday, May 9, 2003

[Hearing: Arming Rogue Regimes: The Role OSCE Participating States](#) | Thursday, June 05, 2003

[Statement: Repression Spreading in Belarus](#) | Tuesday, June 24, 2003

[Statement: Floor Statement in Support of H.R. 1950, The Foreign Relations Authorization Act for Fiscal Years 2004 and 2005 – Rep. Smith](#) | Tuesday, July 15, 2003

[Hearing: The Dutch Leadership of the OSCE](#) | Wednesday, September 3, 2003

[Hearing: Advancing U.S. Interests through the OSCE](#) | September 9, 2003

[Article: Further Assault against Activists in Belarus](#) | Tuesday, November 25, 2003

[Article: Helsinki Commission Reviews OSCE Dutch Leadership](#) | Wednesday, November 26, 2003

2004

[Statement: Belarusian Authorities Continue to Stifle Democracy](#) | Wednesday, February 11, 2004

[Statement: Opposition under Attack in Belarus](#) | Wednesday, March 24, 2004

[Statement: Urging the Government of Belarus to Ensure Democratic, Transparent, and Fair Election Process](#) | Wednesday, July 21, 2004

[Article: Helsinki Commission Leadership Engages Heads of Nine CIS Countries](#) | Wednesday, July 28, 2004

[Hearing: Advancing U.S. Interests through the OSCE](#) | Wednesday, September 15, 2004

[Speech: Helsinki Commission Chairman Delivers Remarks on Belarus, Ukraine Elections](#) | Tuesday, September 28, 2004

[Press Release: Helsinki Commission Chairman Delivers Remarks on Belarus, Ukraine Elections](#) | Wednesday, September 29, 2004

[Statement: Belarus Democracy Act of 2004](#) | Monday, October 4, 2004

[Press Release: Belarus Democracy Act Unanimously Passes U.S. House](#) | Tuesday, October 5, 2004

[Statement: Supporting Democracy in Belarus](#) | Thursday, October 7, 2004

[Article: Helsinki Commission Staff Observe Farical Belarus Elections](#) | Tuesday, November 9, 2004

[Article: Europe's Largest Annual Human Dimension Meeting Closes with Appeal from NGOs](#) |
Wednesday, November 10, 2004

2005

[Statement: Belarus: Outpost of Tyranny](#) | Friday, March 4, 2005

[Helsinki Commission Members Alarmed by Threats to "Cowshed" Church in Belarus](#) | Wednesday,
May 4, 2005

[Statement: Riding Roughshod Over Rights in Belarus](#) | Tuesday, December 6, 2005

2006

[Press Release: Helsinki Commission Turns Spotlight on Belarus](#) | Wednesday, January 25, 2006

[Briefing: Democracy in Belarus](#) | Wednesday, February 1, 2006

[Press Release: Belarus: Freedom Denied?](#) | Friday, February 24, 2006

[Hearing: Freedom Denied: Belarus on the Eve of the Election](#) | Thursday, March 09, 2006

[Press Release: Helsinki Commission Probes Belarus' Elections](#) | Friday, March 10, 2006

[Press Release: Commission Warns Belarus of Repercussions for Crackdown on Opposition](#) | Tuesday,
March 14, 2006

[Press Release: Bush Administration Report Reveals Lukashenka's Links to Rogue Regimes and Cor-
ruption](#) | Friday, March 17, 2006

[Press Release: Belarusian Election Turning into a Farce](#) | Friday, March 17, 2006

[Speech: Congratulating the Children of Chernobyl Relief and Development Fund](#) | Wednesday, April
05, 2006

[Press Release: Chernobyl: Consequences and Responses](#) | Wednesday, April 19, 2006

[Press Release: Helsinki Commission Reviews Long-Term Health and Safety Issues from Chernobyl
Disaster](#) | Tuesday, April 25, 2006

[Hearing: The Legacy of Chernobyl: Health and Safety 20 Years Later](#) | Tuesday, April 25, 2006

[Statement: Belarus Democracy Reauthorization Act of 2006](#) | Thursday, July 27, 2006

2007

[Speech: Remarks by the Hon. Alcee L. Hastings at the Conference on 21st Century Threats to Media
Freedom](#) | Tuesday, May 1, 2007

[Briefing: The Future Belarus: Democracy or Dictatorship?](#) | Tuesday, December 4, 2007

[Hearing: Examining the Prospect for Democratic Change in Belarus](#) | Tuesday, December 4, 2007

[Press Release: Hastings Outraged by Merciless Attack on Belarus' Young Front Leader Zmitser Fedar-
ruk](#) | Wednesday, December 12, 2007

2008

[Statement: Human Rights and Democracy in Belarus off to a Discouraging Start in the New Year](#) |
Tuesday, January 15, 2008

[Statement: Concern about Treatment of U.S. Citizen in Belarus Detention](#) | Thursday, May 15, 2008

[Hearing: Business as Usual: Belarus on the Eve of the Elections](#) | September 16, 2008

[Press Release: Helsinki Commission: Belarus Still Lacking Progress in Human Rights and Democracy
in Run Up to Election](#) | Wednesday, September 24, 2008

[Article: Belarus' Parliamentary Elections Fail to Meet OSCE Democratic Election Commitments](#) | Fri-
day, October 24, 2008

2009

[Statement: Belarus Imprisonment](#) | Wednesday, February 11, 2009

[Press Release: Cardin, Hastings to Lead Congressional Delegation to Balkans, Baltics](#) | Monday, June 22, 2009

[Press Release: Cardin, U.S. Delegation Secure Release of Prisoner in Belarus](#) | Tuesday, June 30, 2009

[Article: Commission Plays Leading Role at Parliamentary Assembly in Lithuania](#) | Tuesday, August 18, 2009

2010

[Press Release: Cardin, Hastings Seek to Improve International Religious Freedom](#) | Monday, October 26, 2009

2010

[Hearing: Global Threats, European Security and Parliamentary Cooperation](#) | Wednesday, June 16, 2010

[Press Release: Helsinki Commission Condemns Violence amid Elections in Belarus](#) | Tuesday, December 21, 2010

2011

[Article: Belarusian Regime Resolutely Dashes Any Hopes for Democratic Liberalization](#) | Thursday, January 6, 2011

[Press Release: Commissioners Concerned with Post-Election Repression in Belarus](#) | Thursday, January 20, 2011

[Press Release: Chairman Smith: “Belarus – ‘Europe’s Last Dictatorship’ – Must Stop Crushing the Human Rights of its People”](#) | Friday, April 1, 2011

[Press Release: Chairman Smith’s Bill on Belarus Clears Committee](#) | Friday, April 15, 2011

[Hearing: U.S. Policy and the OSCE: Making Good on Commitments](#) | Thursday, July 28, 2011

[Hearing: Belarus: the Ongoing Crackdown and Forces for Change](#) | Tuesday, November 15, 2011

[In the News: U.S. Congressman Pledges to Push for ICC Indictment of Belarusian President Lukashenka](#) | Wednesday, November 16, 2011

[Press Release: Radio Free Europe/ Radio Liberty Reports Chairman Smith’s Pledge to Push for ICC Indictment of Belarusian President Lukashenka](#) | Wednesday, November 16, 2011

[Press Release: Chairman Smith Statement on One Year since Brutal Elections Crackdown in Belarus](#) | Friday, December 16, 2011

[Press Release: Chairman Smith Calls for Final Passage of Belarus Democracy and Human Rights Act of 2011](#) | Monday, December 19, 2011

[Press Release: Chairman Smith’s Belarus Democracy and Human Rights Act of 2011 Passes, Goes to White House](#) | Tuesday, December 20, 2011

2012

[Statement: Commemoration Belarusian Independence by Fighting for Human Rights in Belarus](#) | Thursday, March 29, 2012

[Chairman Smith Responds to Release of Two Belarusian Political Prisoners – Calls for Increased Efforts to Secure the Release of Others](#) | Tuesday, April 17, 2012

2014

[Briefing: The Gang: 15 Years on and Still Silent](#) | Wednesday, December 17, 2014

2015

[Publication: Bipartisan Congressional Delegation Represents US at OSCE Parliamentary Assembly; Also Visits Ukraine, Czech Republic](#) | Monday, August 17, 2015

2017

[Publication: One Year Later: Seeking Justice for Pavel Sheremet](#) | Thursday, July 20, 2017

[Briefing: Engaging Belarus on Human Rights & Democracy](#) | Friday, July 21, 2017

[Article: Journalists Persecuted 2017: Illustrative Cases](#) | Wednesday, August 2, 2017

[Publication: Democratic Elections in the OSCE Region](#) | Tuesday, September 12, 2017

[Publication: Witness to Zapad](#) | Monday, October 2, 2017

[Briefing: Systematic Attacks on Journalists in Russia and Other Post-Soviet States](#) | Wednesday, October 4, 2017

[Article: Helsinki Commission Advisor Discusses Zapad 2017](#) | Tuesday, October 10, 2017

About the Helsinki Commission

The Commission on Security and Cooperation in Europe, also known as the U.S. Helsinki Commission, is an independent agency of the Federal Government charged with monitoring compliance with the Helsinki Accords and advancing comprehensive security through promotion of human rights, democracy, and economic, environmental and military cooperation in 57 countries. The Commission consists of nine members from the U.S. Senate, nine from the House of Representatives, and one member each from the Departments of State, Defense, and Commerce.

Learn more at www.csce.gov.

Report Contributors

- Erika Schlager, Counsel for International Law, U.S. Helsinki Commission
- Scott Rauland, State Department Senior Advisor
- Michael Newton, Intern, U.S. Helsinki Commission

Editor

- Stacy Hope, Communications Director, U.S. Helsinki Commission

¹ See “Democratic Elections in The OSCE Region Who Stays In Power The Longest And Why?”

U.S. Commission on Security and Cooperation in Europe, Sept. 12, 2017, <https://www.csce.gov/international-impact/publications/democratic-elections-osce-region>.

² The Warsaw Declaration of the OSCE Parliamentary Assembly, adopted at the Assembly’s 1997 annual session, July 8, 1997, states that the OSCE Parliamentary Assembly:

45. Appeals to President Lukashenko of Belarus to restore the rights of the parliament which, having been duly elected on the basis of democratic elections at the end of 1995, is the only rightful parliament in Belarus;

46. Welcomes and supports the establishment of an Advisory and Monitoring Office in Minsk, as agreed between the OSCE and the Belarussian Foreign Minister, and expresses its expectation that this office will focus particularly on the human rights situation, whereby unhindered cooperation with civil rights groups working on humanitarian issues must be safeguarded[.]

<https://www.oscepa.org/documents/all-documents/annual-sessions/1997-warsaw/declaration-18/182-1997-warsaw-declaration-eng/file>.

³ Decision of the OSCE Permanent Council, PC.DEC/185, Sept. 18, 1997,

<http://www.osce.org/pc/21284?download=true>.

⁴ Since April 2016, OSCE PA Vice-President and Swedish MP Kent Harstedt has chaired the working group.

⁵ See Appendix.

⁶ Decision of the OSCE Permanent Council, PC.DEC/526, Dec. 30, 2002,

<http://www.osce.org/pc/12493?download=true>.

⁷ Belarus Democracy Act of 2004, Statement of the Hon. Christopher H. Smith, United States

House of Representatives, 108th Congress Congress, Second Session, Oct. 4, 2004,

<https://www.csce.gov/international-impact/press-and-media/statements/belarus-democracy-act-2004>.

⁸ European Commission For Democracy Through Law (Venice Commission), Opinion on the Compatibility with Universal Human Rights Standards of Article 193-1 of the Criminal Code on the Rights of Non-Registered Associations of the Republic of Belarus, Adopted by the Venice Commission at its 88th Plenary Session, Venice (14-15 October 2011); CDL-AD(2011)036, Strasbourg, Oct. 18, 2011, Opinion no. 633 / 2011.

⁹ National Endowment for Democracy, *The Backlash Against Democracy Assistance*, National Endowment for Democracy, Washington, D.C., June 8, 2006, p. 22, reprinted at: <http://www.ned.org/docs/backlash06.pdf>.

¹⁰ For a fuller description of the Moscow Mechanism and its uses, see “The OSCE Moscow Mechanism Theory and Practice,” U.S. Commission on Security and Cooperation in Europe, July 18, 2017,

<https://www.csce.gov/international-impact/publications/osce-moscow-mechanism>.

¹¹ “Statement on OSCE Activities in the Human Dimension at HDIM Session 18,” As prepared for delivery by Director Michael Murphy, Warsaw, Sept. 22, 2017, 2017. <http://www.osce.org/odihr/345546?download=true>.

¹² See “Belarus: The Ongoing Crackdown and Forces for Change,” Hearing of the U.S. Commission on Security and Cooperation in Europe, Nov. 15, 2011,

https://www.csce.gov/sites/helsinkicommission.house.gov/files/Official%20Transcript_5.pdf.

¹³ Richard Solash, “U.S. Congressman Pledges to Push for ICC Indictment of Belarusian President Lukashenko,” Radio Free Europe/Radio Liberty, Nov. 16, 2011, reprinted at: <https://www.csce.gov/international-impact/press-and-media/news/us-congressman-pledges-push-icc-indictment-belarusian>.

¹⁴ OSCE election observation reports on Belarus are on the OSCE ODIHR website:

<http://www.osce.org/odihr/elections/belarus>. Helsinki Commission staff observed elections in Belarus in 2001, 2002, 2004, 2008, 2010, 2012, 2015, and 2016. They were denied visas to observe the elections in 2006.

¹⁵ “The United States welcomes the August 22 release from prison in Belarus of Mikalai Statkevich, Ihar Alinevich, Mikalai Dziadok, Evgeniy Vackovich, Artyom Prokopenko, and Yuriy Rubtsov. The release of these six political prisoners is a positive development for the people of Belarus and an important step toward normalizing relations with the United States. We reiterate our call for the Government of Belarus to restore the political rights of these six and other former political prisoners.” John Kirby, Department of State Spokesman, Statement issued on Aug. 23, 2015.

¹⁶ Department of State Country Reports on Human Rights Practices for 2016, Belarus,

<https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265398#wrapper>.

¹⁷ See, for example, information on Halina Abakunchyk, “Journalists Persecuted 2017: Illustrative Cases,” Aug. 2, 2017, U.S. Commission on Security and Cooperation in Europe, <https://www.csce.gov/international-impact/journalists-persecuted-2017-illustrative-cases>.

¹⁸ Vadzim Smok, “Was the White Legion really planning an armed Attack?,” Belarus Digest, Apr. 17, 2017, <https://belarusdigest.com/story/was-the-white-legion-really-planning-an-armed-attack/>.

¹⁹ See, for example, “Belarusian Opposition Leader Statkevich Detained Again,” Radio Free Europe/Radio Liberty, Sept. 22, 2017, <https://www.rferl.org/a/belarus-opposition-statkevich-arrested-again/28751349.html>.

²⁰ “Engaging Belarus on Human Rights and Democracy,” Briefing before the U.S. Commission on Security and Cooperation in Europe, July 21, 2017, remarks of Scott Rauland, Senior State Department Advisor, Commission on Security and Cooperation in Europe, p. 2,

<https://www.csce.gov/sites/helsinkicommission.house.gov/files/EngagingBelarus.pdf>.