



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: Hon. David Kramer

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Mr. Chairman, Members of the Commission, thank you for the opportunity to appear before you here today. This hearing comes at a critical moment, with the Belarusian presidential election less than two weeks away. Our policy toward Belarus is defined by our support for the Belarusian people and their aspirations for democracy. As President Bush stated when he signed the Belarus Democracy Act in October 2004:

At a time when freedom is advancing around the world, Aleksandr Lukashenka and his government are turning Belarus into a regime of repression in the heart of Europe, its government isolated from its neighbors and its people isolated from each other. We will work with our allies and partners to assist those seeking to return Belarus to its rightful place among the Euro-Atlantic community of democracies. There is no place in a Europe whole and free for a regime of this kind.

In the one and a half years since the President's statement, the Belarusian government has only added to its shameful record of denying basic rights and freedoms to its citizens. The President and Secretary met just over a week ago with the widows of two of the disappeared persons believed to have been murdered by the Belarusian authorities for their political views. The President gave these women his personal support for their efforts to seek justice for the disappeared and for all those who seek to return freedom to Belarus.

As Belarus approaches the presidential election March 19, the authorities there seem to be obsessed with preventing what they call a "color revolution." To that end, the regime has given itself broad new legal powers to silence dissent and targeted representatives of independent civil society with a dramatic increase in politically motivated detentions, prosecutions, beatings, harassment, and property seizures under the cover of laws passed by a parliament that does not have a single opposition member. Nonetheless, despite this government repression, it is possible to see significant positive developments within Belarusian civil society and to find active support for them by the international community. Secretary Rice has stressed the importance of "shining a bright light" on Belarus, and we are working to do that at all levels.

Mr. Chairman, allow me to offer a brief assessment of the situation within Belarus, including a description of the regime's increasingly repressive actions and its involvement in corruption. I also want to highlight the recent achievements of pro-democracy forces despite the intense pressure they face from the regime. I will then speak about what we are doing to stand together with the people of Belarus. We have coordinated closely with our European allies and partners on our approach to this election, and our unified stance has sent a strong message to the government and people of this new neighbor of the European Union.

The story of the dismantling of the democratic institutions in Belarus that began after Aleksandr Lukashenka came to power in 1994 – ironically, in the last Belarusian election that met international standards – is a familiar story to members of this Commission. Lukashenka's record is particularly stained by the disappearance of three opposition figures and a journalist in 1999 and 2000, when Lukashenka was preparing for his first run for re-election. As noted in a report by the Parliamentary Assembly of the Council of Europe, there are credible reports that high officials were involved in these disappearances and probable murders, but the authorities have utterly failed to conduct a serious investigation. In a system lacking an independent parliament and judiciary that could check executive authority or a strong civil society and independent media that could

spotlight these abuses, it isn't surprising that Lukashenka can act with such impunity. Belarus, as Secretary Rice has said, is the last outpost of tyranny in Europe.

Now, Lukashenka is running again, having engineered a fraudulent referendum in 2004 to change a constitutional provision that would have otherwise limited him to two terms. Clearly rattled by the recent democratic breakthroughs in the region, he and his government have ratcheted up pressure on the opposition, non-governmental organizations, and the independent media. They have re-written the laws to criminalize "discrediting Belarus," and they have used these and other legal provisions to punish and intimidate the people of Belarus.

There has been a surge in detentions and harassment in the last two months designed to intimidate opponents of the regime and to create a climate of fear in the run-up to the election. Opposition leaders and campaign workers have been repeatedly stopped for so-called identity checks and their materials seized. Other incidents are more serious: on February 21 the Belarusian KGB detained four civil activists, and they continue to hold them on charges under a new Criminal Code provision forbidding activity in "an unregistered organization threatening the interests and duties of the citizens of the Republic of Belarus," a crime that carries a prison sentence of up to three years. The KGB has publicly claimed that these individuals were involved in a bizarre coup plot, allegedly directed by a U.S. NGO. This claim is absurd and totally false and would be laughable if it were not for the continued, unjustified detention of these activists in a Belarusian jail. On March 2, the authorities beat and detained an opposition presidential candidate, Aleksandr Kozulin, as well as a number of his supporters and journalists. Reportedly, one of Kozulin's assailants was none other than Dmitry Pavlichenko, the notorious special forces colonel implicated in international investigations as being directly involved in the cases of the disappeared in 1999-2000.

These young people – as well as any other citizens the regime may decide to detain tomorrow or the next day – could potentially join the political prisoners currently serving lengthy sentences in Belarus, including Mikhail Marinich, Valery Levonevsky, Nikolai Statkevich, Pavel Severinets, and Andrei Klimov. It is clear that the regime has decided to create a climate of fear that it hopes will intimidate opponents during the election campaign. At the same time, the government has failed to adequately investigate the deaths of two independent journalists, Veronika Cherkasova and Vasily Grodnikov.

Because of the government's tight control over mass media in Belarus, few Belarusians are probably aware of reports linking Lukashenka and his inner circle to corruption. His Presidential Administration owns a large and ever-increasing amount of property in Belarus, including hotels and other real estate. Lukashenka and his immediate family reportedly enjoy residences and other facilities throughout Belarus. Distinctions between personal and state property are blurred, and a large Presidential Reserve Fund remains separate from and unaccountable to the main state budget.

Lukashenka once admitted that this account amounted to \$1 billion. These funds, earned from the sale of military equipment abroad, do not enter the state coffers. Lukashenka himself said that "it is hidden so well that no opposition member will find it."

Public quotes from former regime insiders offer insight: one called Lukashenka "the richest man in the CIS," explaining he had "sold weapons for astronomical amounts of money" and kept the money off official government books. Another former associate said Lukashenka was "not a poor man," adding that "one can wonder" where money from foreign arms sales went. A third explained how Lukashenko has profited from gifts – such as expensive suits and watches – from his subordinates and businessmen. These reports point to extensive allegations of abuses of public resources by Lukashenka and those around him.

The opposition asserts that the presidential fund's size is commensurate with Belarus' annual budget, and Belarusian media, citing Western experts, noted that Lukashenka has \$3 billion at his disposal. A dissident website claims Lukashenka is worth an astounding \$11.4 billion. The same website states that Lukashenka and other former government officials steal profits from

the transit of oil and gas, arms sales, confiscated goods, as well as by skimming 10% from state contracts. According to Lukashenka himself, such funds receive money from secret arms sales, the total profits of which have not been recorded in the state budget and are beyond public scrutiny.

Despite all the obstacles and uncertainties thrown up by the regime, many Belarusians have chosen to work for a democratic future for their country. These include embattled independent journalists, NGO activists, members of pro-democracy political parties, and many ordinary people who have taken simple steps like signing a candidate's ballot petition or attending a political rally. These people know they may be risking the loss of their jobs, arrest, trumped-up criminal charges, jail time, beatings, or worse. And they have achieved some successes, even in a forbidding environment: the pro-democracy opposition is more unified today than it has been in recent memory. Our proper place is standing beside these brave Belarusians, doing what we can to encourage and help them to achieve a better future for their country. Such a future will inevitably come, although we cannot predict when. Belarus is in the heart of Europe, and its democratization will be a major step in completing the democratic transformation of the continent.

The U.S. government, in close coordination with the European Union and with the invaluable help of the Belarus Democracy Act, has been a strong voice against the regime's abuses. We have sponsored successful resolutions in the UN Commission on Human Rights, issued public statements, sent messages to Belarusian officials, and taken concrete actions to hold regime officials accountable, such as the travel restrictions we announced in 2004 against government officials responsible for the disappearances and election-related abuses. In 2005 and 2006, President Bush, the Secretary of State, and Under Secretary Burns met with Belarusian democracy and human rights activists. As noted earlier, just over a week ago, both the President and Secretary met with Irina Krasovskaya and Svyatlana Zavadskaya, women whose husbands were among the disappeared of 1999 and 2000. Following her meeting with Belarusian civil society representatives in Vilnius in April 2005, Secretary Rice said publicly that we would continue "to work to support democratic development" and stressed the importance of promoting free elections and fundamental freedoms in Belarus.

For many years, we have denied most kinds of direct U.S. government assistance to the Belarusian government, with some exceptions including continuing humanitarian assistance and educational exchanges. Instead of supporting government activities, our programs have largely been aimed at furthering development of democracy, respect for human rights, and market-oriented reform. They have focused on promoting human rights monitoring and education, access to objective and independent information, independent trade unions, democratic political party development, voter education, civil society, rule of law, and electoral reform and independent oversight. We have made a particular point to focus on these elections as an opportunity to help democratic activists reach out to their constituents, to break the regime's stranglehold on information, and, as Secretary Rice has said, to shine an international spotlight on Belarus and the government's record. After the elections, we intend to continue our outreach efforts and our work to help pro-democracy forces build capacity to push for change. We understand the obstacles standing in the way of quick change, and whatever happens in this particular election, we intend to remain engaged in Belarus for the long term.

I have been very pleased with our cooperation with the European Union on a unified approach to the election. I was in Brussels for consultations with our EU colleagues and was struck by how we share the same concerns. We have made them known in joint and complementary ways: to take one example, on February 3 we took the highly unusual step of issuing statements in Washington and Brussels on our policy toward Belarus and our views on the election that were identical word-for-word. At the beginning of this year, we agreed with the EU on a joint pre-election message to the Belarusian government, and we proposed that Assistant Secretary Daniel Fried and Director General Robert Cooper travel to Minsk to deliver it. As it turned out, the Belarusian authorities refused to allow Fried and Cooper to visit Belarus simultaneously, which, needless to say, exposes as hollow their claims that they seek dialogue with the international community. This was the latest evidence demonstrating that the Belarusian government's isolation is self-imposed. The U.S. and the EU delivered the message by other means, and we remain united.

We have also taken steps over the past year to improve international coordination of our various types of assistance. We have instituted a series of donor coordination meetings with the EU and the many European countries that support programs in Belarus on a bilateral basis. We welcome the EU decision to support media programs in Belarus, including external

broadcasting, and we have coordinated closely to be sure these efforts mesh with our own in this area. Getting objective information flowing into Belarus has been one of our top priorities as a way to break through the government's stifling control over most media. Top officials of the EU and several EU member states have received opposition candidate Aleksandr Milinkevich and have used that occasion to underline their support for democracy in Belarus.

Mr. Chairman, I traveled to Minsk two weeks ago. I went for several reasons:

- 1) I wanted to reinforce the sense among the people of Belarus that despite the thwarted Fried-Cooper mission, the U.S. is still very closely following developments there and remains very engaged.
- 2) I wanted to get a feel first-hand, albeit only for two days, for the situation in Minsk and to give a boost to those fighting for democracy and freedom.
- 3) I wanted to convey directly to Belarusian officials in Minsk, rather than simply through their Ambassador here, that there will be serious consequences if the election – including the process leading up to the actual voting – remains as seriously flawed and tainted as it has been thus far. I also underscored that there will be major consequences if the government resorts to force against protestors who have a right to assemble and protest peacefully, if they so choose.
- 4) I wanted to make clear to Belarusian officials that the U.S. and European Union are completely united in our approach to Belarus, that the concerns about developments there are not simply based in Washington but are shared in Brussels and all EU capitals.
- 5) I wanted to reach out to civil society representatives, students, and the independent media as well as to those in the opposition - and what's left is brave and vibrant - to let them know that the U.S. is a friend of the people of Belarus and that the isolation of their country is a result of the decisions made by the paranoid regime there.
- 6) Finally, I wanted to give a boost to our terrific embassy employees who face increasing and outrageous harassment from thuggish authorities and state television.

When I left Minsk, Mr. Chairman, I don't think I left behind any ambiguity with the authorities there that we in the West are prepared to respond in a most serious way to fraud, abuse, and violence perpetrated by this regime. It would be a grave mistake by those in the Lukashenka regime to underestimate American and European resolve.

Both the U.S. and EU have made clear publicly that we are ready to take further measures against individuals responsible for committing fraud and violating international standards in this election. A dialogue is already underway on what these measures will be and who they will target, although obviously final decisions and public announcements will have to wait until after the results are known and the OSCE/ODIHR Election Observation Mission has offered its assessment.

Unfortunately, the election process has already been deeply flawed. Lukashenka has already tilted the playing field to assure his re-election by using state officials and police to intimidate opposition candidates, non-partisan activists, and voters. Stringent campaign rules have been applied only to the opposition. The regime has used its domination of the state media to vilify government critics with impunity. Election commissions are stacked with government supporters. Nevertheless, there is still a theoretical possibility that the government could conduct the voting and vote counting in a manner better than they have the pre-election period – and we strongly urge them to do that. But past experience gives us very little hope even for this somewhat improved but far from perfect outcome.

Mr. Chairman, the United States will be ready to respond to any result, holding accountable those responsible for abusing the rights of their fellow citizens, and continuing to help the people of Belarus in any way we can to support the transition to a free society and to consolidate democratic gains when they come. We are already making plans with the Europeans for our post-election policies toward Belarus and for continuing donor coordination meetings. We look forward to the day when Belarus takes its rightful place as a democracy in a Europe whole, free, and at peace. We appreciate continued Congressional support

and interest in Belarus. Whatever happens March 19, we should not and will not give up our support for the people of Belarus.

Thank you very much, Mr. Chairman. I would be happy to take questions.