

BELARUS: STALLED AT  
THE CROSSROADS

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HEARING  
BEFORE THE  
COMMISSION ON SECURITY AND  
COOPERATION IN EUROPE

ONE HUNDRED SIXTH CONGRESS  
SECOND SESSION

MARCH 9, 2000

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# BELARUS: STALLED AT THE CROSSROADS

MARCH 9, 2000

## OPENING STATEMENTS

	PAGE
Chairman Christopher H. Smith .....	1
Hon. Steny H. Hoyer, Ranking Member .....	5

## WITNESSES

	PAGE
Harold Hongju Koh, Secretary for Democracy, Human Rights and Labor ....	4
Ross Wilson, Principal Deputy to the Ambassador-at-Large and Special Advisor to the Secretary of State for New Independent States .....	8
Semyon Sharetsky, Speaker of the Supreme Soviet of the Republic of Belarus .....	15
Stanislav Shushkevich, Member of the Supreme Soviet and corresponding member of Belarus' National Academy of Sciences .....	18
Anatoly Lebedka, Chair of the Commission for International Affairs of the 13th Supreme Soviet and Deputy Chair of the United Civil Party .....	20
Testimony of Adrian Severin, OSCE Parliamentary Assembly's Working Group on Belarus .....	30
Testimony of Spencer Oliver, Secretary General, OSCE Parliamentary Assembly .....	32

## APPENDICES

Prepared Statement of Hon. Steny H. Hoyer .....	41
Prepared Statement of Hon. Sam Brownback .....	42
Written Submission of Harold Hongju Koh .....	43
Written Submission of Adrian Severin .....	48
Written Submission of Stanislav Shushkevich .....	56
Report on the Activities in 1999 of the Ad Hoc Working Group on Belarus of the OSCE Parliamentary Assembly .....	59
Written Submission of Semyon Sharetsky .....	71
Written Submission of Anatoly Lebedka .....	76
Written Submission of Ministry of Foreign Affairs of the Republic of Belarus .....	80

## BELARUS: STALLED AT A CROSSROAD

THURSDAY, MARCH 9, 2000

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,  
WASHINGTON, DC.

The Commission met at 10:00 a.m. in Room 334, Cannon House Office Building, Washington, D.C., the Honorable Christopher H. Smith, Chairman, presiding.

*Commissioners present:* Hon. Christopher H. Smith, Chairman; Hon. Ben Nighthorse Campbell, Co-Chairman; and Hon. Joseph R. Pitts

*Witnesses present:* Amb. Harold Hongju Koh, Assistant Secretary of State for Democracy, Human Rights & Labor; Ambassador Ross Wilson, Principal Deputy to the Ambassador-at-Large and Special Advisor to the Secretary of State for New Independent States; Anatoly Lebedka, Chair of the Commission for International Affairs of the 13th Supreme Soviet and Deputy Chair of the United Civil Party; Semyon Sharetsky, Speaker of the Supreme Soviet of the Republic of Belarus; Stanislav Shushkevich, Member of the Supreme Soviet and corresponding member of Belarus' National Academy of Sciences; Adrian Severin, M.P., Head of the OSCE Parliamentary Assembly's Working Group on Belarus; Spencer Oliver, Secretary General of the OSCE Parliamentary Assembly.

### OPENING STATEMENT OF HON. CHRISTOPHER H. SMITH, CHAIRMAN

Mr. SMITH. Good morning. Last April, the Commission held a hearing on Belarus, when we examined Belarus' track record with respect to human rights and democracy. Most of the testimony was not encouraging, although, at the time, there appeared to be some basis for thinking that there might be possible solutions to the constitutional impasse that has so damaged the democratic development of Belarus.

Unfortunately, today there appear to be even fewer grounds for optimism and Belarus appears to be stalled at the crossroads. Alyaksandr Lukashenka remains in power, beyond the expiration of his legal term on July 20, 1999. Not surprisingly, he did not acknowledge last May's alternative opposition-organized presidential elections. Instead, several individuals associated with that election have paid the price for organizing elections according to the 1994 constitution.

Former Prime Minister Mikhail Chygir, the leading candidate in the alternative elections, was detained for eight months ending November 30, and is now in the midst of a questionable trial that strongly smacks of being politically motivated.

Viktor Gonchar, who chaired the Central Election Commission for those elections, along with his friend Anatoly Krasovsky, and former Minister of Internal Affairs Yuri Zakharenka, a close associate of Chygir's, has mysteriously disappeared. There is understandable anguish and fear on the part of the family, friends, and the democratic opposition in Belarus, and grave concern from the international community. Other individuals who have opposed the regime, such as Andrei Klimov and Vladimir Koudinov, continue to suffer in detention.

Lukashenka's regime continues to clench the reins of power, stifling fundamental freedoms and violating the human rights of Belarusian citizens. Despite several false starts, it has refused to engage in meaningful dialogue with the opposition. Instead, he has played lip service to dialogue, or has used the tactics of delay and obfuscation, so reminiscent of the communist past.

To cite an example, disregarding the OSCE mediated dialogue process, the flawed electoral code recently approved by Lukashenka ignores key OSCE recommendations. Bypassing the dialogue process contradicts both the July 15, 1999, agreement with the opposition and the OSCE Advisory and Monitoring Group, as well as paragraph 22 of the Istanbul Summit Declaration which calls for progress in that dialogue.

More important, the flawed electoral code dramatically reduces the chances of a free and fair parliamentary election this Fall. I would like to think that real dialogue will begin, based on last week's round-table conference in Minsk between the Belarusian Government and the opposition and NGOs, with the participation of a joint delegation of the OSCE Parliamentary Assembly, Council of Europe Parliamentary Assembly and European Parliament.

I look forward to the testimony of Mr. Severin and Mr. Lebedka, who participated in this meeting. However, given the record of Mr. Lukashenka's broken promises, and the continued climate of repression, I am somewhat skeptical, although I would be very pleased if turns out that my skepticism was unwarranted.

Meanwhile, frustration and discontent with Lukashenka and his regime continue to grow, both domestically and internationally. Unfortunately, the regime's reaction to criticism has been to downplay, ignore or rationalize its own violations of freely undertaken OSCE and other international commitments.

Meanwhile, the situation for the long-suffering people of Belarus gets worse. Living standards are dropping. Inflation is spiraling. The legacy of Chernobyl still hangs like a dark cloud. According to a March 1 Reuters article, Belarus is experiencing soaring levels of infertility and genetic changes.

Belarusian citizens, led by the democratic opposition, will be holding large rallies in the next few weeks. We expect that there will not be a repeat of the events of last October's Freedom March in which some demonstrators were brutally beaten, and we would hope that the rights to freedom of expression, assembly and association will be unequivocally respected.

Another issue of growing concern is the Russia-Belarus Union. How can one talk about a Union when mockery is made of democratic processes? When freedom of expression is severely limited; when a legitimate parliament reflecting the electorate is cast aside; when the judi-

ciary is controlled by the executive; when freedoms of association and assembly are constrained, how can we talk of a Union? Can a genuine debate exist under these circumstances?

For that matter, can we speak of a Union when the decks are stacked against those who deeply care about Belarus' independence, and when the head of the country actively works against open debate on the subject? A momentous decision such as whether or not to unify with another country, with all the implications for Belarus' sovereignty should, as perhaps no other decision, reflect the genuine will of the people.

I am very pleased to welcome our distinguished witnesses here today, and to hear their views on the situation in Belarus and its prospects for the future. We are joined by Assistant Secretary Harold Hongju Koh, but before yielding to our first witness, I'd like to yield to my friend from Pennsylvania.

Mr. PITTS. Thank you Mr. Chairman. I don't have an opening statement. I would like to thank the Chairman for polling his support during this important hearing on this situation.

Mr. SMITH. Thank you, Commissioner Pitts.

Let me introduce our first witnesses. It is Assistant Secretary Harold Koh, the Secretary for Democracy, Human Rights and Labor, and an executive branch member of our Helsinki Commission.

Assistant Secretary Koh formerly served as a Professor of International Law at Yale Law School. He has served as a U.S. Supreme Court and Court of Appeals clerk, worked as an attorney at the Justice Department, and in private practice. Assistant Secretary Koh has authored more than 70 articles on international law, human rights, constitutional law and books on international relations, law, and human rights and yesterday, I wanted to point out to members of our Commission, went through a grueling three hours before the subcommittee on International Operations of Human Rights and, as expected, came through with flying colors. He is a man that we deeply respect on the Commission and on our committee as a stalwart in the fight for human rights around the globe.

We also want to introduce and welcome Ross Wilson, who has been Principal Deputy to the Ambassador at Large and Special Advisor to the Secretary of State for the New Independent States since 1997. Since entering the foreign Service in 1979, he has served twice as economic officer at the U.S. Embassy in Moscow, and also in Prague and Melbourne, and he has served as U.S. Consul General.

Mr. Wilson was Deputy Executive Secretary of the State Department from 1992 to 1994, and Special Assistant to the Under Secretary of State from 1990 to 1992. He has testified to this Commission, most recently in April 1999, on our hearing on Belarus. We welcome him back and applaud him for the fine work he is doing as well.

Secretary Koh, if you could begin.

**TESTIMONY OF HAROLD HONGJU KOH,  
ASSISTANT SECRETARY FOR DEMOCRACY, HUMAN RIGHTS  
AND LABOR**

Sec. KOH. Mr. Chairman, fellow members of the Commission, I am delighted to be with you this morning both as Assistant secretary of State for Democracy, Human Rights and Labor, and as the State

Department's Commissioner on the Helsinki Commission. I have a written statement which I will submit for the record, and which I'd like to summarize.

Mr. Chairman, the situation in Belarus has markedly deteriorated since the spring of 1999 when you held your last hearing on this beleaguered country. Belarus is being left behind at a time when the rest of Europe is seeking to build a common foundation of democratic governance, respect for human rights and the rule of law. Because the United States is deeply concerned about the situation in Belarus, I traveled to Minsk last November, and Mr. Wilson will be traveling there in the next few days. Before describing my own trip, let me briefly sketch the broad outlines of the democracy and human rights situation in Belarus.

There are many critical elements of democracy, but the key four are first, respect for the will of the people; second, a vibrant civil society; third, the rule of law; and fourth, and informed citizenry. In all four of these areas, Belarus now faces serious challenges.

First, in Belarus, the regime continues to try to suppress the will of the people. Besides using unconstitutional methods in 1996 to rewrite the country's constitution, and replacing the legitimate 13th Supreme Soviet with a rubber stamp parliament, Alexander Lukashenka unilaterally extended his own term of office by 2 years, until 2001. His legal term of office expired last July 20, and as a result of these actions, as well as pattern of abuse of fundamental human rights by his regime, Lukashenka has lost his democratic legitimacy and is shunned by leaders throughout most of Europe. Lukashenka also recently approved the seriously flawed electoral law for upcoming parliamentary elections.

As you pointed out in your statement, Mr. Chairman, the OSCE's Office for Democratic Institutions and Human Rights examined the new law in detail and concluded that it does not meet OSCE standards. Major problems include strict limitations on political activity which effectively prevent real campaigning from taking place, and the lack of a provision for multiparty representation on election commissions which is so vital for impartiality and public confidence in the electoral process.

The Lukashenka regime's recent announcement of plans to resume the OSCE-sponsored dialogue with the opposition must not impose preconditions that will make it impossible for the opposition to participate. Instead, it must produce real results including agreement on an electoral code that meets OSCE standards and provides an internationally acceptable framework for legitimate, free and fair parliamentary elections. Otherwise, the U.S. Government and other democracies will find it very difficult, if not impossible, to recognize the parliamentary election planned for later this year as legitimate, and Belarus will not resolve its political and constitutional crises or end its self-imposed isolation.

The second core element of democracy is a vibrant civil society. We learned long ago that democracy means far more than just holding elections or referendums, but in Belarus those who have chosen to participate in civil society by speaking truth to power, have done so at great risk to their own freedom and even their lives.

Last year marked a new low in Belarus, not only because of the expiration of Lukashenka's legitimate term of office, but also because several prominent opposition figures whom you have mentioned, former Interior Minister Yuri Zakharenka and Victor Gonchar, along with his associate Anatoly Krasovsky disappeared. A third prominent figure,

former National Bank Chair Tamara Vinikova, felt so threatened that she escaped the country by temporarily disappearing. Others, such as Simyon Sharetsky and Zianon Pazniak also fled abroad out of fear for their safety.

Former Prime Minister and candidate in the opposition sponsored 1999 presidential elections, Mikhail Chygir, and the 13th Supreme Soviet Deputies Anatoly Lebedka, Valerii Shchukin, and Andrei Klimov are only a few of the many opposition figures who have been targeted, beaten, or imprisoned for their peaceful expression of their beliefs.

Taken together, this series of disappearances, arrests and exiles has greatly exacerbated the climate of fear that exists in Belarus, and has made clear that citizens expressing opposition to the government are in great peril.

The Lukashenka regime has also sought to repress civil society by restricting freedom of assembly and association, first by its violent oppression of the October 17, 1999 Freedom March, and also of other peaceful protests. The regime has inhibited freedom of association through its restrictive law requiring NGOs, political parties and trade unions to reregister, and last week, the Ministry of Justice announced that it intends to disband 200 NGOs that the regime refused to reregister.

Registration requirements also restrict the practice of religion, despite constitutional and international guarantees of freedom of religion. This is especially true for non-Orthodox or non-traditional religions which include some Protestant faiths. In the United States, NGOs and religions may register if they wish to receive a specific tax status, but let me make it clear. Unlike in Belarus, no organization or NGO or religion is required to register to function or to hold a bank account. It is this requirement of registration that imposes the difference.

The Lukashenka regime also has restricted freedom of expression and association through harassment of free and independent trade union activities. Trade union organizations are refused registration and trade unionists are arrested for legitimate trade union activities such as distributing leaflets. Unionists and members of their families are arrested on trumped-up charges and are given unusually severe punishments for minor offenses.

The failure to protect internationally recognized worker rights has led the United States to advise the Belarusian authorities that the general system of preferences benefits [GSP] are now on the verge of being withdrawn.

A third element of any true democracy is the rule of law. Once the rule of law crumbles, accountability withers and along with it, democracy. In Belarus, those in power have sought to undermine democracy and accountability by stifling the independence of the judiciary. The legal system has become little more than a tool to advance Lukashenka's agenda. Laws have been passed not to protect, but to restrict human rights and democratic governance.

The judiciary has been used to reward loyal followers, to rubber stamp decisions, and to silence peaceful democratic opposition. Over the past few months for example, the Lukashenka regime has been conducting show trials against Mikhail Chygir and Andrei Klimov because they oppose Lukashenka's authoritarian rule.

Finally, Mr. Chairman, a genuine democracy's executive overreach is checked by a fourth key element of democratic society, namely, an informed electorate. But in Belarus, the regime continues to combat its



critics by placing extensive restrictions on independent media. In September, at the request of a libel suit by the Ministry of the Interior, the independent Newspaper *Navini* was forced out of business. That same month, the regime attempted to pull the registration for ten other papers. In January, the regime closed the daily *Kutsenya* in Orsha. The successor to *Navini*, *Nasha Svaboda* had its press run stopped last week, only on its second day of publication.

State-controlled Belarusian TV maintains a monopoly as the only nationwide television station. Even Internet access is limited to government controlled service providers. However, such measures have not stopped the courageous efforts of independent reporters and journalists such as Pavel Zhuk, the fearless editor of *Navini* and *Nasha Svaboda*.

Last November, I visited Minsk along with two members of your Commission staff, Ron McNamara and Orest Deychakiwsky, to give moral support to democracy and human rights advocates and to convey the U.S. Government's concerns to the government of Belarus.

While in Minsk, I participated in an NGO sponsored rule of law conference, the focus of which was human rights protection and the protection of human rights lawyers. I also met with members of the 13th Supreme Soviet, wives of the disappeared and detained democratic opposition leaders, human rights activists, and Ambassador Wieck, the head of Mission of the OSCE Advisory and Monitoring Group.

I also met with independent journalists and Foreign Minister Latypov and Deputy Foreign Minister Martynov, who we pressed for concrete actions including the release of Chygir, which later came about, and opposition media access.

Shortly after my trip to Belarus, I returned to Istanbul for the OSCE summit where I met first with Belarusian opposition and then with official delegations including then-presidential advisor and OSCE liaison Sazanov, who subsequently left his position and was replaced by Igor Uelichansky and Deputy Foreign Minister Jarasumavich.

Since then, I have given special focus to the Belarus issue here in Washington, participating with Deputy Secretary Talbott in a recent meeting he had with Semyon Sharetsky, Mr. Shushkevich, and Ligmila Gryazanova, and I have met with numerous NGOs, lawyers, and dissidents from Belarus.

My trip was only one of the ways in which the U.S. Government has sought to buttress our support for democracy and human rights in Belarus. We've also put in place an assistance program designed to support democracy and human rights advocates and independent media in Belarus. In fiscal year 1999, we provided more than \$8 million in democracy related assistance out of a total country budget of \$12.4 million in Freedom Support Act funds.

In other words, over two-thirds of our assistance consisted of democracy building programs, while the remaining 1/3 consisted of programs designed to promote civic empowerment through the private sector, as well as U.S.-Belarusian hospital partnerships and humanitarian assistance for victims of the Chernobyl accident.

A central component of our democracy building strategy has been the U.S. Embassy's Democracy Commission, which in the fiscal year 1999 awarded more than \$1 million in small grants to support print and electronic media, independent trade unions, youth and women's groups, human rights groups, and other democratically organized organizations.

An additional \$1 million in small grants was awarded by the Eurasia Foundation in fiscal year 1999 with funding from the U.S. Government as well as from private foundations.

Other types of ongoing U.S. Government-funded democracy programs include NGO development programs, legal assistance and education programs, political party training programs focusing especially on women and youth activists, and academic and professional exchange. I will do my utmost to ensure that U.S. core democracy programs are preserved to the fullest extent possible in Belarus in fiscal year 2000, and I will seek to identify some funding from my own bureau as well.

Let me close by saying I have been deeply moved by the courage of the members of Belarusian civil society I have met, and I am deeply committed to giving them sustained and meaningful support. The United States is well represented in Minsk by Ambassador Dan Speckhard, who is doing an outstanding job promoting democracy and human rights, and it's a pleasure to have a strong collegial relationship with my friends at the State Department, Steve Sestanovich and Ross Wilson, from whom you will hear next. We welcome your partnership in this and all we do in democracy and human rights, and look forward to your thoughts on what more we can do to promote democracy, human rights, and the rule of law in Belarus.

Thank you, Mr. Chairman.

Mr. SMITH. Secretary Koh, thank you very much for your excellent statement and for the administration's giving this such a high priority. It's a high priority shared by the Congress, Democrats and Republicans alike.

I think at a time when some things, particularly in an election year, break down over partisan differences, I think the message that we want to send, which is the true and real message of today's hearing, is that we are united in trying to promote democracy and human rights in Belarus, and that we stand with those who are being oppressed, and not with the oppressor. I want to congratulate you for the fine job that you have been doing.

We have been joined by Congressman Alcee Hastings from Florida, who is a rapporteur on the OSCE Parliamentary Assembly for the Security and Political Affairs Committee, and we are very happy to have him here today.

If you have any comments you'd like to make, Mr. Hastings?

Mr. HASTINGS. Thank you so very much for letting me come and sit in on this critically important hearing. I wish that I were going to be able to be here for all the seminars but I am not.

I know you have read, by reflecting on your statement, about the meeting that took place last week where, particularly, the OSCE Assembly was represented. I wanted to pay my respects to those that participated in that activity and be prepared from the standpoint of the committee that I serve on.

Mr. SMITH. Mr. Wilson.

**TESTIMONY OF AMB. ROSS WILSON, PRINCIPAL DEPUTY TO  
THE AMBASSADOR-AT-LARGE AND SPECIAL ADVISOR TO THE  
SECRETARY OF STATE FOR NEW INDEPENDENT STATES**

Amb. WILSON Thank you, Mr. Chairman. It is an honor to appear again before this Commission. You and Assistant Secretary Koh have spoken eloquently about the deterioration of democracy and respect for

human rights in Belarus. My comments will highlight our policy approach toward that country and steps that we're taking to try to promote democratic change there.

Our policy toward Belarus, in principle, is the same as that toward all the states of the former Soviet Union. We support Belarus' sovereignty, independence and territorial integrity, as well as its market democratic transformation and integration among the broader trans-Atlantic community of nations. Market democracy is the basis for Belarus' integration and guarantor of its independence. As long as Belarus remains under authoritarian rule of dubious legitimacy, this country will have difficulty modernizing its political and economic institutions, our ability to help it will be limited, and trans-Atlantic security on NATO's eastern flank will suffer.

Mr. Chairman, when I appeared before you last April, our ambassador had been recalled to protest his outrageous treatment at the hands of the Lukashenka regime in violation of its Vienna Convention obligations. Encouraged by the kinds of things that you said then and that others said in those proceedings, we redoubled our efforts to resolve the Drozdy affair in a way that respected the taxpayers' interest in recovering property taken from us and got our ambassador back to post.

Ambassador Speckhard and our embassy have put effective support of democratic change at the top of their agenda. They and we keep close tabs on domestic developments, meet regularly with the opposition, strongly support the work of the OSCE in Belarus, and coordinate closely with our European allies.

With the government, our approach continues to be one of selective engagement. We engage with it intensively on democracy and human rights and selectively at an appropriate level on other issues when our interests dictate. We provide no direct assistance to the government.

We speak out when particular problems arise. Assistant Secretary Koh referred to the difficulties that Viktor Gonchar had, the difficulties that Mikhail Chygir had, the Freedom March that took place last year, the expiration of President Lukashenka's term of office. On each of these occasions, we have issued strong statements and we have discussed our concerns directly with the Belarusian authorities.

Our assistance programs support and promote change through academic and professional exchanges for young reform-minded Belarusians, small grants for non-governmental organizations and independent media, and by providing access to information through the Internet and cross-border radio broadcasting, that I know is an interest of yours.

As we look to Belarus' future, we see one new concern looming that you've referred to, Mr. Chairman, and that is the prospect that the Lukashenka regime could mortgage his country's independence to Russia. This Administration's policy on integration among the former Soviet states is that it must be voluntary, mutually beneficial and erect no new barriers. The breakdown of democracy has made a voluntary decision by the Belarusian people impossible.

The Lukashenka regime long ago lost its democratic legitimacy and, in our view, lacks the authority to commit Belarus to something that could diminish the country's sovereignty and independence. Many Russians believe that Lukashenka's Belarus is no fit partner for a Russia that intends to stay on the path of democracy and market reform. We share those concerns.

It remains to be seen whether the 1999 union treaty will have any more meaning than its predecessors, but we will continue to monitor this closely and make our views about it clear both in Moscow and in Minsk.

Next week, as Assistant Secretary Koh indicated, I will be visiting Minsk. I'll be there on the eve of the first of a series of demonstrations that opposition leaders have planned for the spring. I see four key objectives:

First, to reiterate our call on the authorities to allow peaceful opposition demonstrations to proceed unimpeded. These demonstrations are an opportunity for real dialogue that should be used, not suppressed.

Second, to reinforce the message that genuine dialogue with the opposition and legitimate, free and fair elections are in the interest not only of the Belarusian people but of the Belarusian government. Only in this way can Belarus end its self-imposed international isolation and build a promising future for its people.

Third, to show support for democratic leaders and the OSCE mission in Belarus, and discuss with them upcoming plans and ways that we in the West can be supportive. We are now in the process in the State Department of finalizing decisions about our democracy and overall assistance budget for fiscal year 2000 in Belarus. I want to hear first hand what more we can do and how we can be more effective. I'll also be visiting several European capitals later in the week to coordinate with them on Belarus' policy as well.

Fourth, to restate this country's readiness for closer, more cooperative relations with a Belarus that elects its leaders and legislators, that shows respect for the fundamental human rights of its people, and that pursues responsible, cooperative policies toward its neighbors and the world.

Thank you very much.

Mr. SMITH. Thank you very much, Mr. Wilson. I appreciate the fact that you are going to be there, and that I think it is a very important and timely deployment and use of your time, to be delivering that message. I think the message should be clear that you go with a very united Congress as well, the Executive Branch, obviously, but that the Congress is behind you as well.

Let us know how we can be helpful as you dialogue with people there, including our allies in other foreign capitals in Europe, so that we can all speak from the same sheet and hopefully usher in democracy sooner rather than later.

I wanted to ask you specifically, either Assistant Secretary Koh or Mr. Wilson, what efforts do you contemplate should be taken in the next few weeks and months on behalf of the disappeared Viktor Gonchar, Zakharenka, and Anatoly Krasovsky? Are there any more plans?

I know that you have already made representations and it's an ongoing process, and we all speak again with one voice on that. Is there anything new that you are contemplating trying to end this terrible disappearance legacy?

Sec. KOH. I'll speak first and then I'll ask Mr. Wilson to make his contribution.

I think we've made it clear that we will continue to raise the disappearance issue with the government of Belarus and we won't let the issue die. We've issued statements whenever disappearances have oc-

curred, and Ambassador Speckhard and other officials have called on the Belarusian government both here in Washington and repeatedly in Minsk to account for the disappeared.

We have also made a special effort to reach out to all the families of the disappeared, who remain in tremendous distress about the situation of their relatives.

I met with the spouses of all three of the people you mentioned, Viktor Gonchar, Yuri Zakharenka, and Anatoly Krasovsky when I was there in November and I know that Ross intends to raise this when he is in Minsk later this week.

I think the basic point that we have made is that the government either needs to account for the disappeared or make it clear that it is conducting its own aggressive investigation to find out what has happened to them.

Ross?

Amb. WILSON The only thing I would say is to repeat what Assistant Secretary Koh said. I will raise this issue when I'm there. I will refer specifically to your interest and the Congressional interest here. The point I've made to Belarusian authorities that I've talked to is that no one believes the story that they peddle in trying to explain what has happened to these people. It's a tragedy.

I look forward to meeting with Mrs. Gonchar, with a number of other spouses of political prisoners in Belarus.

Mr. SMITH. Let me ask you about the talks that were held last week, the round-table talks between the authorities, opposition, and the Parliamentary Troika. What do you think, realistically, is going to come out of those talks?

How much emphasis should be placed on ensuring opposition access, for example, to the state media, and do you see anything meaningful coming out of this?

Ross?

Amb. WILSON Well, first I'd say—I understand you'll be hearing a little bit later this morning from people directly involved in the talks. I was given a lengthy report on these proceedings as I came up here, which I have not had time to look at.

Since we have repeatedly called for dialogue, we felt it was inappropriate immediately to condemn this effort or to write it off as something that will not be useful. The State Department put out a statement a number of days ago, and that statement focused on what we would like to see as key issues that the government needs to address to make this be a fruitful and useful exercise. It must include all elements of the opposition. It needs to include a strong and effective role for the OSCE. It must deal with the real issues that Belarus faces with respect to elections, with respect to the proper role of the parliament and so forth.

We also made the point in that statement, and I have made this privately to the Belarusian ambassador here, that in order for this dialogue to succeed, the government has to create a climate in which it can succeed. That means accounting for those who have disappeared. It means ceasing harassment of opposition figures. It means ending the campaign against independent media. It means ending the campaign and shutdowns of non-governmental organizations over their alleged failure to register or comply with this or that government rule or regu-

lation. It means broadly ending—moving away from a pattern of gross abuse of human rights. Those kinds of things will make this a fruitful dialogue.

Sec. KOH I would add only that we've made clear that we don't believe in dialogue for its own sake or for sham dialogue, but dialogue against the background and incorporating OSCE principals, and taking into account the factors that Mr. Wilson has mentioned.

Mr. SMITH. I'll ask one more question and yield to my friends on the Commission.

On December 8, as you know, Lukashenka signed a union treaty with Russia that calls for the establishment of a federal government consisting of a supranational Supreme State Council and having a common currency, tax, and customs and border procedures.

Could you tell us what your view—you mentioned, Mr. Wilson, the idea that anything like that would have to be voluntary, and that at this particular time that is simply impossible given the hijacking of the democracy, but how does Putin's view, differ perhaps from Yeltsin's, and is this something we need to be concerned about from a security point of view?

Amb. WILSON Let me try to make three points.

First, this is a tough, analytical problem or issue to deal with. This is the fourth union treaty in 5 years. The previous three treaties failed really to accomplish anything or be meaningful. It is not clear or obvious that the result of this treaty will be any different from its predecessors.

Second, many Russians and many Belarusians have questions, serious questions about this treaty. Russians question the suitability of Belarus as a partner, given the authoritarian government there, given the fact that it is economically bankrupt and has enormous economic and social problems. Many Belarusians question what this means for Belarusian independence, and probably with some good reason.

It is clear, as I said, that this process cannot be judged as a voluntary one. The government cannot speak for the people here, and I think one of the focuses that I have tried to take in discussing this has been the Belarusian side of the equation. The Belarusian government does not have the authority to do this.

Third, in respect to Mr. Putin, as on many other issues, I think frankly Mr. Chairman, we don't entirely know what Mr. Putin's attitude is. There has been some movement, quite a bit of movement actually, since the first of the year, to implement this treaty or to start to set up the institutions that it would establish. But it frankly remains to be seen, really, how far this is going to go. It's a subject we're watching very closely.

Mr. SMITH. Commissioner Pitts?

Thank you.

Mr. PITTS. Thank you, Mr. Chairman.

Just to follow up on that, what are some of the security implications for the United States?

Amb. WILSON Well, again I'd make the observation that we don't entirely know what that is, so that's a big, big caveat that I think limits what I can say. There is talk that one aspect of this treaty is creating a joint military zone throughout the Belarus-Russia Union, which in theory, I suppose, could move Russian forces significantly farther to the West. That could lead, I suppose, to some reconsideration

about deployments with respect to the CFE treaty and implications for the CFE treaty. A concern that I think many of us would have is if there were any revisiting by the Russians and the Belarusians of the decision to withdrawal nuclear weapons from Belarus. That would clearly have significant security implications for us.

A broader set of concerns is, I think, the implications that this development has elsewhere in the former Soviet Union. I traveled extensively last year in most of these countries and each of them asked what do we think about this treaty. They are clearly—or at that point it was not the treaty, what do we think about this movement—and they are clearly worried about what might be threats to them.

Mr. PITTS. This question is for either of you to answer. The authorities in Belarus have appeared to be keen on having delegations of U.S. officials, including members of Congress, visit Minsk. Should such delegations undertake such visits, given the poor state of democracy and human rights? Would such visits be used by Lukashenka for propaganda?

Sec. KOH I think we've made it clear that our policy is one of selective engagement. We think that going, visiting, talking straight about the situation, saying the same things in public and private are beneficial. It's a good way to keep delivering the same message, both through inside negotiations and through external pressure.

I think it's important that these not be used as occasions for Lukashenka to claim a kind of endorsement, but I think that the delegations themselves can control the message by the way in which they conduct themselves, meeting with the independent media, meeting with opposition figures, meeting with the NGO's lawyers who are being harassed, meeting with the families of the disappeared to express their concern. So there are many ways in which the message could be gotten out.

Mr. PITTS. I am particularly interested in your perception of the human rights picture in Belarus. Have you detected any changes? Is it getting worse? Is it getting better? What is your perspective?

Sec. KOH. We just issued our human rights report on Belarus and I think this is the only country yesterday that we didn't talk about with Chairman Smith at our three-hour hearing.

Mr. SMITH. I did that knowing that we would be here today.

Sec. KOH. The key paragraph says, in a nutshell, the government's human rights record worsened significantly last year, and then recounted a number of the points which I've made in my own testimony. In the last few months since the reporting period ended, namely December 1999, we haven't seen significant changes, which suggests that there is no new indication of political will to solve the problem.

There are at least five particular events since the start of the new year that are worth noting that shows continuing difficulties.

First, the preconditions that the government placed for resumption of the dialogue.

Second, the show trial, the continuing show trial of Mr. Chygir, who was released after a lot of public outcry and pressure. But as soon as he was released, he was put on trial and under quite outrageous conditions.

Third, in January, former Agriculture Minister Leonov, who had been languishing in detention, was sentenced to 4 years of imprisonment on fabricated charges.

Fourth, Mr. Lebedka, from whom you will be hearing later, sought a passport to visit the United States, and the government was initially unwilling to grant him that passport even to engage in peaceful exit.

And finally, the closing of newspapers, *Kutsenya* and *Orsa*, as I said, and then last week the stopping of the publication of a new paper right at the start of its first run. So all of these are negative developments, and quite recent ones.

Mr. PITTS. How would you compare the human rights situation in Belarus with that of other post-Soviet countries?

Sec. KOH. Well, as I said yesterday in our general Statement of Country report, we try to avoid a rank ordering. However, I would say that with regard to other countries in the Soviet Union, the former Soviet Union, the problems here have been in the four areas that I've described, rule of law, respect for the will of the people, the treatment of independent media, and then also our concerns about the state of civil society. There have also been significant concerns with regard to religious freedom.

I would say that in all of these areas there has been progress backwards, and that distinguishes it from nearly all of the other countries of the former Soviet Union.

Mr. PITTS. Thank you very much, Commissioner.

Mr. SMITH. Thank you very much. I want to thank our very distinguished panel, and say that we look forward to working with you.

Regrettably, we do have to run for a vote. We'll be back in about 10 or 15 minutes, and then we'll welcome our second panel.

The hearing is suspended for about 15 minutes.

Mr. SMITH. The Commission will resume its hearing.

I want to say for the record, and I think this is very significant because it again underscores the strong support that the leadership of both the Executive Branch and the Congress have in our solidarity with Speaker Sharetsky, Congressman Dick Armey just came over and wanted to express his solidarity with the parliamentarians and with the democracy efforts.

As you know, he is the Majority Leader of the House of Representatives. He serves from a district in Texas.

The Speaker of the House, Dennis Hastert, also called over and conveyed—he is tied up with some legislative business, but also wanted to convey his warm regards to our visiting parliamentarians and to the Speaker and to let him know that we all stand in solidarity with the opposition who is trying its level best to bring back democracy to Belarus.

So I want to make that point for the record and Congressman Armey, the Majority Leader who left a moment ago. As he told you, Mr. Speaker, he wanted you to know that he is watching these proceedings very carefully and cares deeply about what is happening in Belarus.

Let me introduce our second panel.

Semyon Sharetsky was elected Speaker of Belarus' 13th Supreme Soviet in January of 1996. The Supreme Soviet was disbanded, as we know, by President Lukashenka in November of 1996. Speaker Sharetsky lives in exile in neighboring Lithuania under the protection of the Lithuanian parliament.

He helped establish and was Chairman of the Agrarian Party of Belarus. Speaker Sharetsky has held various positions in government and academia in the areas of agricultural organization and economics and has written textbooks on these subjects.



Our second witness will be Stanislav Shushkevich who is the deputy of the 13th Supreme Soviet, and was Chairman of the Supreme Soviet of Belarus in 1991-1994 and, as such, independent Belarus' first head of state.

In December of 1991, with Boris Yeltsin and Leonid Kravchuk, he signed the agreement which brought an end to the existence of the Soviet Union.

Professor Shushkevich, who has a background in physics, has held numerous positions in government and academia and currently is a Professor of Political Science at the European Humanities University in Minsk and a Corresponding Member of the Belarusian National Academy of Sciences.

Finally, we have Anatoly Lebedka, who is a Deputy of the 13th Supreme Soviet, and serves as the Chair of the Commission on International Affairs. He is also Deputy Chair of the United Civic Party and has played a leading role in the OSCE-led discussions between the opposition and government, participating in these as recently as those talks that we had mentioned earlier in this hearing.

He has been the victim of detentions, fines and beatings as a result of his opposition to the Lukashenka regime. Mr. Lebedka is president of the Belarusian Association of Young Politicians, and the author of more than 80 publications.

Mr. Speaker, if you could begin.

**TESTIMONY OF SEMYON SHARETSKY,  
SPEAKER OF THE SUPREME SOVIET OF  
THE REPUBLIC OF BELARUS**

Mr. SHARETSKY. Thank you very much.

Thank you very much Mr. Chairman and members of the Commission.

On March 9, 1918, a second constituent charter was adopted by the Council of the Belarusian Democratic Republic. The Council of the Belarusian Democratic Republic proclaimed Belarus to be an independent state. The coincidence of these two dates, we, Belarusians consider it as a lucky omen. We hope that the cause that was launched at that time in 1918 will conclude with a victory.

First of all, I wish to express my deep gratitude to your country, the most powerful in the world and a paragon of democracy for others, for its concern with the cause of human rights in other regions of the globe and in particular, in our country. We view the present hearing in precisely this way.

We very much need and appreciate all of this because Belarus has become, since November 1996, a kind of testing ground for experimentation aimed at the restoration of the former totalitarian Bolshevik order on post-Soviet territory.

A previous session of the Supreme Council of the Republic of Belarus, well aware that the defense of human rights in each country must be valued not only from the national viewpoint but also on an international level, brought its laws into conformity with international standards and norms and devised mechanisms for their execution. These developments were in no way acceptable, first of all to the Communist elite.

Secondly, independence and democracy-building in Belarus were unacceptable to Russia's chauvinist circles, which continue dreaming about the renewal of the Russian empire. In this respect, the programs and actions of all Russian politicians, no matter of what hue or color, coincide.

Russian politicians are guided only by their own imperial interests. Vladimir Putin now uses Russia's strategic interests in Belarus as an argument for the necessity to unite Belarus and Russia. A while ago, on Russian television screens, Belarus was described as the Russian corridor into Europe.

Russia remains an empire, as demonstrated by the events in Chechnya, on whose territory an imperial policy is being conducted. I have in mind the satisfaction with which the Russian military and journalists report, for example, about the opening in Chechnya of Russian schools, in which the Chechen language is taught only as a subject.

I would especially like to stress this point, because on the territory of Belarus, there are no terrorists who would threaten Russia or its citizens. Nevertheless, and unfortunately, Russians who occupy the most important positions in the Lukashenka government—now including prime minister—conduct the same spiritual genocide or, to use a phrase from Russian soldiers, there is an open, ongoing cleansing of Chechnya from Chechens and Belarus from Belarusians.

Presently, in Belarus, there is not a single higher educational institution functioning in the Belarusian language, and not a single Belarusian school remains in the capital of Minsk. The Belarusian language has been eliminated from all government offices, despite the fact that in the territory of the Republic, as the 1999 census has shown, more than 80 percent of the population is of Belarusian nationality.

This means that the policy I mentioned constitutes a violation of the main nationality's basic constitutional right to use its native language, let alone that it fails to satisfy the needs of Poles, Ukrainians, Jews and other national minorities.

The first step toward the renewal in Belarus of the old totalitarian system, with its crude socialism and annexation of the Republic to Russia, was the removal of Stanislav Shushkevich from the position of Chairman of the Supreme Council of the Republic of Belarus. At the time, this was presumed to have been done to facilitate the presidential candidacy of Vyachaslau Kebich, who headed the government. However, the fact that the podium of Russia's State Duma, which at the time was dominated by communists, was given only to Lukashenka, one of six presidential candidates in Belarus, clearly showed who enjoyed the support of Russia in that presidential contest.

Lukashenka was also supported by the Russian leadership as its henchman during the coup d'état that he carried out in November 1996, under the guise of a national referendum.

Russian chauvinist circles need the dictator Lukashenka, who would not be a Belarusian in his mentality, and thus would contribute to further the Russification of the Belarusian people which had started under the tsars and continued during Soviet times.

Since the so-called referendum of November 1996, all division of power in Belarus has been eliminated. All branches of government are in the hands of Lukashenka. Instead of the Supreme Council elected by the

people, he created an entirely illegitimate National Assembly which by its nature and competency, is similar to the former fascist council which existed under the dictatorship of Mussolini.

All categories of prosecutors and judges are appointed and dismissed by Lukashenka only. Relationships in society, including in the sphere of human rights, have been regulated by decrees and directives or simply by oral orders of Lukashenka.

A powerful police force has been set up. There are 135,000 policemen to be supported by a population of 10 million. Moreover, he created, by decree, an anti-constitutional paramilitary force and empowered it to disregard essentially any right or law.

According to that decree, this organization has the right to break into any domicile and search it without any warrant from a judge or a Ministry of Justice official, and to arrest any individual on its own decision. Mr. Koh, in his statement, named the names of those in prison and those who disappeared without any trace.

Esteemed ladies and gentlemen, the presidential term of Alaksandar Lukashenka expired on July 20, 1999. On December 1, 1999, the Attorney General of the Republic of Belarus launched a criminal inquiry into the seizure and holding of power by unconstitutional means. Presently, the investigation continues.

All this gives us grounds to state that the signatures of Lukashenka on official documents after the above-mentioned date have no juridical validity. Indeed, I made such a statement on the eve of the signing by Lukashenka and Yeltsin of the so-called treaty on unification of Belarus and Russia into one state.

We should note that less than 5 percent of the Republic's population supports annexation of Belarus to Russia. By the way, more than 500,000 people have said that if, God forbid, this should happen, they will be ready to leave the country and seek settlement in the West. This is why we consider any attempt by the Russian leadership to annex Belarus as an aggression against our country, with all the consequences that it entails.

Here we count on the support of international organizations and the world's democratic countries, more so because when Belarus decided to give up her nuclear arms in 1994, the United States, Great Britain, and Russia guaranteed the security and integrity of the Republic of Belarus as an independent state. Today, one of these countries is infringing upon that guarantee.

In connection with this I wrote a letter to the President of the United States, Bill Clinton, Prime Minister of Great Britain, Tony Blair, and the former President of Russia, Boris Yeltsin. Regrettably, none of them responded. In the case of Mr. Yeltsin, everything is understandable. But how should we understand the other two?

As to the issue of Moscow's conspiracy against Belarus, a particular concern has been caused by the Theses of the Council on Foreign and Security Policy of Russia, published in Russian newspapers in connection with the Russian-Belarusian integration. In those Theses, inter alia, the following has been stated: "As a result of the integration with Belarus, Russia gains a series of undeniable geopolitical advantages including an increase in military possibilities in the sphere of conventional arms as a result of the integration with the Belarusian army,

which possesses a high degree of military capabilities, and the emergence of the Kaliningrad special defense region from strategic isolation.”

If, God forbid, Belarus should be annexed to Russia, then a 700-kilometer-deep wedge will be driven into Europe, and this wedge will become as follows from the above-mentioned document. Russia’s military forefront.

Then, another question becomes paramount: How will the Kaliningrad special defense region be able to emerge from isolation? Belarus, to be sure, does not border on the Kaliningrad region. Or are there some further steps planned, at which we now can only guess?

It follows from what I have said here, that the independence of Belarus and the preservation of its sovereignty, its return to a democratic way of development, and its joining of European structures, is not only necessary for the creation of normal living conditions for the 10 million Belarusian people who are European in their mindset, but it is also necessary, to guarantee the security of our neighbors and of all of Europe. Understanding that the problems of Belarus should be solved by the Belarusians themselves, I nevertheless hope that today’s hearing will serve as a reminder of this.

Thank you for your attention.

Mr. SMITH. Mr. Speaker, we thank you very much for that very eloquent statement.

I’d like to, before we go to questions, ask the remainder of our panel if they would make their presentations at this time.

Mr. Shushkevich?

**TESTIMONY OF STANISLAV SHUSHKEVICH, MEMBER OF THE  
SUPREME SOVIET AND CORRESPONDING MEMBER OF  
BELARUS’ NATIONAL ACADEMY OF SCIENCES**

Mr. SHUSHKEVICH. Thank you very much.

Mr. Chairman, excellencies, ladies and gentleman, I can considerably shorten my case and we have an agreement with a translator because in your statement, and those of Mr. Koh and Wilson, very correctly facts were stated and opinions expressed.

I would like to raise only one question. What are the reasons that in Belarus there is this regime that violates human rights? The reason is the imperial forces of Russia. I would like to say that supporters of democracy in Belarus are no enemy of Russia and have never been such. Russia does not conceal that it wants to annex Belarus to Russia.

The independence of Belarus restored *de jure* in December 1991. Belarus has removed the nuclear weapons from its territory, declared its desire for neutrality, and attempted to follow a path toward democracy, a market economy and an open society.

Supporters of Belarusian independence are no enemies of Russia. Russia on the other hand, does not conceal its intentions that it wants to swallow Belarus under the guise of unification. The Russian Federation Council on Foreign and Defense Policy declared openly that “there should not be any delay in this matter and that one should even pay a certain economic price for such a profitable geopolitical union, and that time is working in favor of the opponents of integration. So, the unification process should be speeded up.”

In short, it is necessary to expand the Russian empire by suppressing the national self-awareness of the Belarusian people, which is on the rise. Russia's "grandeur" today is based solely on nuclear weapons, not on its economic power. The maintenance and modernization of these weapons at the mutually assured destruction level rob the Russian taxpayer and it is detrimental to Russia's economy.

Vladimir Putin admitted unequivocally that the standard of living of the average Russian is ten times less than that of the average American; that the Russian Gross Domestic Product is five times less than that of China; and that under the most favorable conditions, the average Russian will reach today's standard of living of the average Portuguese in 15-20 years. However, at the same time, on January 10, 2000, Putin approved the National Security Concept of the Russian Federation, according to which Russia will oppose both the domination of the international community by Western countries, led by the United States, and attempts to ignore Russia's interests could undermine the international security and stability.

To put this statement into clearer language, Russians are lagging behind economically, but they are great in spirit, and therefore they can teach others. Yet, whoever does not understand this undermines international security.

A government which relies on such controversial postulates while maintaining the political stability in the country can only be a dictatorship.

Unfortunately, there is very little hope that, after securing his power by going through the election process, Mr. Putin will follow the path of developing a peacetime economy for the benefit of the ordinary Russian. The Belarusian experience demonstrates quite the opposite. A fairly sensible people installed a dictator in Belarus, thinking that they will serve as a "brain center" for him and that because of his poor personal knowledge, he will, with a strong hand, carry out their sensible policy. It turned out to be the opposite.

The political opposition and the independent mass media are allowed to exist nominally in Belarus, but they cannot affect the situation because the regime suppresses the democratic opposition by force, intimidation and open political terror. Belarus has become a police state.

It has the largest number of members of the police per capita in Europe. Popular political leaders are disappearing without a trace; members of the parliament with the parliamentary immunity are being arrested; independent lawyers lose their right to defend their clients in courts; and the courts have become nothing but a farce.

The economy of Belarus is in crisis. In 1999, inflation was higher than 220 percent. The Belarusian ruble, with respect to the Russian ruble, dropped in value by 225 times.

Opinion polls confirm that there is a drop in confidence for the government. The government bureaucracy itself also understands that the current economic policy leads to nowhere. Under these conditions, it would be very important for Belarus to receive help from the international community for democratic transformation.

The OSCE Advisory and Monitoring Group has been operating in Minsk since January 1998. OSCE countries have agreed that the elections in Belarus should follow the development of the climate of confidence and the approval of the election code based on the dialogue between the government and the opposition.

The OSCE rules of engagement do not permit this organization to effectively influence this regime, which does not want to carry out any democratization. The Advisory and Monitoring Group's efforts have resulted in development of a singular approach by the opposition to negotiations. These efforts, however, have diverted the attention of the opposition parties from other types of resistance, and in that sense, have thus become counterproductive.

Belarus will become a law-abiding democratic nation. It will achieve the status of a civilized society. However, the process of democratization and liberalization will be rather long without help from the countries abroad.

In summary, first, the present Russian leadership supports the existing regime in Belarus for geopolitical reasons, even though the regime in Belarus has revived communist values such as harsh government control of the economy and distribution of goods, and human rights violations.

Second, European governments are under the illusion that this type of regime is susceptible to gradual liberalization, as if the dictator could evolve into someone more humane through exposure to Western institutions. This viewpoint was held for some time by the Advisory and Monitoring group of the OSCE.

Third, the U.S. Department of State and the majority of European countries consider the present regime in Belarus anti-democratic, and support the democratic opposition in Belarus. It is hard, however, for the opposition to resist the Russian imperial onslaught because of the ceaseless disinformation of Belarus' population through the state owned mass media.

Russia spends for brainwashing of the Belarusian population, \$80 per Belarus resident, at the minimum. On the other hand, the National Endowment for Democracy is spending 14 cents a year per resident of Belarus. The support is unequal, and it is hard for the opposition to withstand such pressure.

Thank you for your attention.

Mr. SMITH. Mr. Shushkevich, thank you very much for your testimony, which is provocative and critical. I think there are questions we will get to ask you to elaborate on some of those points.

I would like to ask our final witness in this panel, Mr. Lebedka, if he would proceed.

**TESTIMONY OF ANATOLY LEBEDKA, CHAIR OF THE COMMISSION FOR INTERNATIONAL AFFAIRS OF THE 13TH SUPREME SOVIET AND DEPUTY CHAIR OF THE UNITED CIVIL PARTY**

Mr. LEBEDKA. Thank you, Mr. Chairman.

Thank you, dear colleagues.

Toward the end of the century, Belarus was twice exposed to global catastrophes. In 1986, it was the Chernobyl tragedy, which entered the homes of two million of the country's citizens. Exactly 10 years later, a legal Chernobyl took place, and the population of the whole country fell victim to it. As a result of the non-democratic referendum of November 24, 1996, political processes lost all semblance of constitutionality and legality. In other words, it was a coup d'etat.

We are grateful to the persistence of the world community, which has attempted to influence the Belarusian regime in a positive way. Nevertheless, in its goodwill, it has even gone so far as shutting one eye and one ear. The regime has taken it to be an indulgence for its old sins and as a *carte blanche* for new actions.

An obvious fact has to be acknowledged. Different, diametrically opposed approaches to solving the Belarusian problem have collided. The OSCE, the Council of Europe, and the opposition, they all propose to play chess using the well-established and generally recognized rules. The regime, sweeping the figures off the board, prefers to use it for smacking its opponent on the head. In fact, it has unilaterally stopped consultations on starting a negotiating process.

Prior to beginning the discussion, it is important to define the concept and the subject of discussion. Obviously, we cannot fail to take into account the following factors.

First, there is existence of a constitutional and political crisis in Belarus. That fact was admitted by Mr. Lukashenka himself, who signed the final document of the Istanbul summit.

Second, the international community does not recognize the outcome of the 1996 referendum and, consequently, does not accept an appointed national assembly that the people did not elect.

Third, President Lukashenka's authority expired on July 21 of last year. This is not subject to discussion. This approach was established in dozens of international political and legal documents from practically all influential international organizations.

But we can't fail to note that what is going on now is a juggling of the basic concepts that we are dealing with, and a narrowing of the problems of Belarus down to discussing only the conditions for holding elections. Free and democratic elections are, undoubtedly, an urgent task. But that is only part of the problem.

Second, there is great doubt concerning the sincerity of statements made by official Minsk. Lukashenka is drowning the world community in a sea of broken promises.

It will be useful just to pass quickly through some of the major problems this made in the last few years in written documents.

1996, Lukashenka's address to the Parliamentary Assembly of the Council of Europe, "Constitutional reforms are not aimed at curtailing parliamentary democracy, but on the contrary, at improving it."

1997, Foreign Minister of Belarus addressing the President of the European Union Council, "On behalf of President Lukashenka, I would like to announce that the President and the Government want to discuss with all the deputies of the Supreme Soviet, the question of updating the 1994 Constitution in order to establish a better balance between the functions and duties of the three branches of government, legislative, executive, and judicial."

1998, Lukashenka's letter to the European Council, "On our road to building up our statehood and sovereignty, we are firmly and steadfastly committed to development of a new Europe in close collaboration and friendship with all nations." This is a promise. But meanwhile, a diplomatic war was running parallel to these claims. Ambassadors of many of Western countries were suddenly turned into political refugees. This is an unprecedented case in the history of modern diplomacy.

1999, at the session of the UN Sub-commission in Geneva, the regime assumed a number of obligations including “to hold honest and fair elections, which presupposes giving equal access to the state-controlled mass media, as well as ensuring the freedom of assembly and the right to peaceful demonstrations.” Nevertheless, as you can see, not one of these promises has been fulfilled.

The conclusion is obvious. The declarations and promises of the Belarusian authorities are not worth the paper they were written on. This greatly worsens the actual prospects for any negotiations. It means none of them could be implemented. This was confirmed again by the regime’s refusal to implement the agreement signed last November on the opposition’s minimal access to the state-owned mass media.

Those who build castles in the air and create virtual democracies have no problem with finding building materials. They consist of lies, misinformation, fear, and the floating of one’s obligations. Neither the St. Petersburg Declaration of the OSCE Parliamentary Assembly, nor the final document of the Istanbul summit has materialized into guidelines for the regime’s actual deeds.

In contrast to the castle in the air, the language of facts is harsh and impartial: disappearances, arrests, non-registration, exile.

A free democratic parliamentary election is, no doubt, an important step. But an election, considered by itself out of the general context of the constitutional and political crisis held according to Lukashenka’s script, will not solve the problem. Seeds thrown into permafrost will never sprout. Irresponsible actions could create conditions for the weakening of Belarus’ immune system and its sovereignty.

Under these conditions, when a legitimate head of state is absent and the world community does not recognize the legitimacy of the National Assembly, not a single agreement, not a single treaty can have legal consequences. Legitimizing Lukashenka’s parliament through an undemocratic election builds a legal foundation for the annexation of Belarus. The inevitable result will be the emergence of another hot spot in the middle of Europe. Half a million people are saying they’re ready to emigrate if Belarus loses its sovereignty.

The problem of Belarus is not so much an absence of law as a lack of legality. Law is something you have on paper; legality is something you have in practice. It has been a long time since Belarus lived under the law. We see a rule by decree and edicts. For example, decree No. 40 makes it possible to convict a person and to seize property or belongings without a trial. The function of the law has been replaced in Belarus with propaganda and ideology, and it is being shown off to foreign visitors.

For 6 years now we have been in an acute crisis in our relations with the outer world and foreign policy. Lukashenka declares, “I will not lead my people by trailing right behind the civilized world.” That’s one rare promise he has kept scrupulously. A belligerent negation of the values and standards of European democracy, as well as the norms of international law, has led to political self-isolation.

It must be recognized that one of the causes of the events in Belarus is the absence of due attention to Belarus earlier in the 90’s. Investment in the development of democracy was clearly inadequate to ensure transformation. Belarus remained somewhere on the back burner of foreign policy consciousness.



Interest was focused exclusively on the removal of nuclear weapons. That was a necessary step. But after 7 years, we can state categorically that the problem was not solved. There is a real threat of nuclear weapons returning to Belarus. All the prerequisites are in place for it, so the regime's political will and the well-preserved military infrastructure are there as well.

Negotiations in the OSCE format constitute a strategic possibility, but the national public dialog a la Lukashenka is a tactical device. It creates a semblance of compliance with obligations. It's the same thing as accepting plastic flowers instead of the real thing.

Dialog is a natural state of society. In Belarus it was interrupted in November 1996 by the government's will. The current initiative of public dialog only underscores the degree of degradation and the depth of the fall. The regime acknowledges, thereby, that a struggle has been going on in the country all the time. It has been waging an informational, psychological, and other type of war instead of having a dialog.

What should be done? The intelligence of the powers that be in Belarus will be determined by the way that they solve this problem, either through talks or by force. The Belarusian regime is betting on the second option, force.

The political opposition has proceeded responsibly, with dignity. We have given no reason to doubt the sincerity and honesty of our intentions and actions. Our position contrasts favorably with Lukashenka's empty rhetoric.

We propose a real plan for resolving the Belarusian crises. It consists of three stages.

First, a negotiation process should be initiated immediately. Concurrently, the agreement on our access to mass media, already once signed by both sides, should be implemented.

The second stage is the process whereby negotiations will get started, where the following issues must be resolved, building a climate of trust. Again, equal access to radio and TV, and the functions, and competence and powers of the parliament, and thereby the holding of a democratic free election.

The third stage is the legitimization of the agreement already reached. Simultaneous ratification of the negotiations' final documents by the Supreme Soviet and the House of Representatives can become a real mechanism for implementing these agreements.

If the regime persists in playing the role of a deaf mute, the reaction of the world community must be appropriate. In this situation, an election that is not a consequence of negotiating and compromise, but that is held under deliberately unequal and discriminatory conditions cannot be recognized as democratic and legitimate.

The U.S., in coalition with the European Union, is capable of effectively influencing the situation in Belarus, using the possibilities offered by Russia for this purpose. The allocation of financial assistance to Russia should be considered in conjunction with the human rights situation in Belarus. The protection of human rights must remain one of the priorities of Western foreign policy. It must be an important factor in international stability, and consequently, in European security.

We're against the country's isolation, but we support actions directed at making Lukashenka and his henchmen feel isolated.

Before answering the tactical question of what to do about Belarus, the international community must make up its mind about its strategic objective. What kind of Belarus would you like to see? A Belarus with a velvet dictator or an unenlightened oligarchy and a helpless puppet quasi-parliament? Or an independent, democratic Belarus?

This is not only a political choice, but a moral one. Our slogan for the forthcoming march is, in English, "TALKS, CHANGES, VICTORY." Please support us in this and don't step back from your principles.

Thank you Mr. Chairman.

Mr. SMITH. Mr. Lebedka, thank you very much for that testimony.

I would like to announce that we've been joined by Congressman Sam Gejdenson, who is the ranking Democrat on the International Relations Committee, who has come by. We welcome him to the panel and I would like to yield to him for any comments he would like to make.

Mr. GEJDENSON. Thank you.

I'll make a short comment. I'm presently at another hearing and have a meeting at the state that I have to go to. But both for personal respect for my father, having grown up in Belarus and survived the war there because of the courage of particularly two families in Karfyanito; and because really, of all the Eastern former Soviet countries in some ways, the situation in Belarus is so tragic, I want to commend the Chairman for holding this hearing.

But I say to my friends in the panel that the most important thing is that the opposition cooperates and coordinate its activities. That we continue the effort. I agree, the Belarusian, Mr. Lukashenka, talks a lot and then attempts to consolidate power. Nevertheless, our goal has to be not to give into that. We want to help, but it really takes the opposition coming together, putting compromise within the opposition first to present a unified field opposing Mr. Lukashenka and his attempt to impose Stalinism on Belarus.

I applaud your courage and I tell you, on my part and I know on many of my colleagues' part here, we'll do what we can. The struggle, of course, will be up to the people of Belarus. A difficult struggle because, in particular of their history, but one that is worth fighting and one that is worth coming together in the opposition to join forces in opposition to Lukashenka and I apologize for not being able to stay.

Thank you again.

Mr. SMITH. I want to thank Mr. Gejdenson for coming by.

We do have a mark up and it may still be going on, in the International Relations Committee. I serve as Chairman of the International Operations and Human Rights Committee. As usual, many of our members have five different places to be at once.

But the importance of this hearing, and I say this to you Mr. Speaker because you know having—because of your leadership as head of a parliament, members will know about this, Sam Gejdenson and I, I'm a Republican, he's a Democrat, we are absolutely united in standing with the opposition to convey to Mr. Lukashenka our outrage at his ongoing human rights abuses, his mistreatment of a freely elected parliament. We will do everything we can with the Executive Branch.

Sam, we are very appreciative that he came by to join us.

Professor Zaprudnik? I think you had your hand up. You wanted to mention something.

Professor ZAVRADNIK. Mr. Sharetsky called my attention to the fact that I unfortunately omitted his very concluding paragraph after saying that Russia spends \$80.00 per Belarus resident to brainwash the

Belarusian population and the entities felt incensed to correct it. Mr. Shushkevich says, and I read now his concluding paragraph.

What about us? The democratic opposition of Belarus. We are there. We know what to do. We are sufficiently well organized. We are ready to cooperate with the other democratic forces everywhere. We are ready to borrow from the experience of others. We have plenty to offer. What we lack are the material resources to buy, for example, the latest communication technology, technology which would make us invulnerable to the encroachments of an authoritarian state.

Mr. SMITH. Thank you very much, Mr. Speaker.

Thank you, Professor.

Let me ask the first question. Mr. Speaker, you might want to take this, or perhaps the other members of the panel. Did you give us the specific circumstances—you know one of the things when you and I and Speaker Hastert met, the Speaker afterwards was very concerned and his staff, about—you're our colleagues. There's a collegiality. There's a friendship that extends to fellow members of other parliaments. To see arrests, to see detentions, harassment, beatings, families impoverished, is an outrage in a civilized society. What we want to do is get the most accurate accounting as to the whereabouts and the status, and this is something you might want to provide in more detail for the record, of your parliamentarians.

You conveyed to the Speaker of the House of Representatives here in the United States your concern as the head of this parliament, a heartfelt concern for those under your leadership, that their families are being hurt and harassed, not to mention the parliamentarians themselves.

If you could give us some additional insight, either now or for the record, on what is actually happening with each of those parliamentarians. Any of the other members that might want to touch on this issue.

Mr. SHARETSKY. First, all the 50 deputies who take the position to defend the independence of Belarus who did not join the parliament of Lukashenka's have no possibility to work. Moreover, there are cases where children of those deputies would be excluded from institutes. Their wives cannot work. Concerning myself and Mr. Shushkevich, he is present to mention it. There is an order that our pensions would not be increased. We receive 3.7 dollars a month for our pension. That's academicians and I don't mention the fact that their entire lives were devoted to Belarus.

Part of the pressure is concerning other members of opposition. It's a daily occurrence. Not only beatings or arrests and imprisonment, but also offenses and personal abuse.

Mr. SMITH. Commissioner Pitts.

Mr. PITTS. Thank you, Mr. Chairman.

This question is for anyone on the panel who would like to answer. The courts were very helpful in stating that the parliamentary scheduled for in the fall will be free, fair, democratic, transparent. What can be done to ensure that the parliamentary elections are legitimate?

Mr. SHUSHKEVICH. If you permit, I'll answer your question, sir.

When the election takes place according to the codes that exist now—the one that was recently adopted, and according to the false Constitution that was unlawfully adopted—so there will be no elections, but there will be legitimization of the unlawful regime.

According to the so-called Constitution of 1996, the President has in his hands all legislative, executive, and judicial power. Although these

high principles are declared, there are no mechanisms for their realization. This is confirmed by the Venetian Expert Commission and a number of other juridical commissions of Europe.

Mr. PITTS. One other question.

What can the United States do to best help the development of democracy in Belarus? Please give some practical examples.

Mr. SHUSHKEVICH. We need help to communicate among ourselves. We lack the means of communication. In reality, there are no mass media, free mass media in Belarus. There are no newspapers considered to be independent. If they publish, for example, a decision of the legal Supreme Council, the next day they will be closed. What we call independent press is under high pressure by the regime.

We are grateful for the free radio in Poland and Prague. These radio stations cover only part of Belarus and not everyone can listen to them. We would like to spread these possibilities and I would say the following.

Poland came to establish democracy in itself after one million young Poles spent some time outside the country, which took place between 1980 and 1989. Two and a half percent of young Poles received their education abroad. When Belarusians will be able to obtain four times less, I'm sure the democracy would progress.

We expect education programs to play a function, to play a role in it. We lack means to do it on our own.

Mr. LEBEDKA. I'd also like to add something to what Mr. Shushkevich is saying. First you have to obtain from the regime the implementation of the promises it has already made. The promises made at the Istanbul summit and so on. Also, the St. Petersburg Declaration of the OSCE Parliamentary Assembly.

Secondly, you also have to affect what is happening in Belarus through Russia. Human rights are not just the internal affairs of Belarus. Russia today is getting a large amount of financing from various international institutions. You have a real lever to affect the situation in Belarus and that is through your loans to Russia. You must be setting conditions to these loans to Russia and tie them to the human rights situation in Belarus.

The third point. As long as your investment in democracy in Belarus is only equal to your investment in Turkmenistan—they have the same budget this year—you're going to see the results that you'll see.

Mr. PITTS. Thank you for your statements.

Thank you for your leadership, for your courage. We look forward to working with you to establish democracy once again in Belarus.

Mr. SHARETSKY. With your permission, I would like to say a few words.

I would like to see fulfillment of what was promised Belarus in 1994, the guarantee by the three great powers including the United States, which is to preserve the security and integrity of Belarus as an independent state.

One of the three powers infringes upon that guarantee, which is Russia. That is why I wrote my letter to President Clinton, Prime Minister Blair, and why I would like to receive an answer, which shows an example in democracy. We are grateful to you for these hearings. We have to solve the main problem. The Belarusian people hope that they were not misled in 1994. We have not received a response. We are still waiting for the answer.

Mr. SMITH. Mr. Speaker, we will contact the White House as well, and the Secretary of State Madeline Albright, and ask them to respond to you as you are most deserving of a response. We do have a copy of your letter and we will do our best to try to procure you that response.

Regrettably, there is another vote on the floor. I will return and other Commissioners will return momentarily. We only have about five minutes to get over to the Capitol, so we will be in recess for approximately ten minutes, and I apologize for the delay.

(Whereupon at 12:05 p.m., off the record until 12:31 p.m.)

Mr. SMITH. Again I want to apologize to our witnesses for the delays. We've had one vote after another on the House floor and, as I think you know, you need to be physically present. We have no voting *in absentia*, so one has to go to the House floor to make that vote. So I do apologize for that.

Let me ask a question regarding the upcoming March 15 demonstrations. As we all know, the last time there was an outpouring of support for democracy and demonstrations. There were beatings. There were harassments. What is being done now with the government to try to prevent that kind of debacle from happening again? For instance, are parade routes being discussed, demonstration plans, or is it pretty much being kept close to vest, as we would say?

Are you seeking a maximum international presence to mitigate the possibility of violence by the government? I would say to the Belarusian government from this podium that all the world will be watching and will be watching with very high scrutiny and intense scrutiny as to what happens.

But what are you as the opposition party members doing to try to talk with the government on this issue?

Mr. LEBEDKA. The freedom march that took place on October 17 of last year was one of the most significant political events in Belarus. More than 30,000 people took part. Now we have irrefutable evidence that there was deliberate provocation by the authorities against these marchers.

We now have witnesses from the law enforcement agencies, including police officer Oleg Baturin. Baturin publicly spoke out about the provocations that the police performed against the marchers. Different provocateurs were infiltrated among the ranks of the marchers and they are the ones who were behind that clash. Now we're all collectively very concerned about the fate of Oleg Baturin after making his speech. We were forced to help him leave the country but his fate continues to alarm us.

Now Freedom March Two, I'm also one of the organizers. In compliance with the law, we submitted an application, but we don't have any reaction or answer yet for our application. The OSCE Mission to Minsk proposed an initiative to hold a round table with the march organizers and the city authorities to discuss the march. The opposition had no problem in supporting this initiative from OSCE but the authorities, to this day, have been silent on the question.

We've been getting some negative feedback. We can't rule out that another provocation isn't again being prepared. So your statement that officials of Washington will closely watch the events in Belarus, that's a very good sign for us.

Let me show you one example here about Freedom March One, and it's an answer to your question really. It also answers the question of how independent the judicial system is in Belarus. After the march,

they sentenced me to spend some time in jail. My trial took place October 20. Nevertheless, here is a document. This is my sentence, but it's dated October 18. Here is the court decision dated October 18, although my trial was October 20. This is the instructions to send me to jail. The trial hadn't taken place yet but the decision of the court is already prepared.

Mr. SMITH. Mr. Lebedka, if we could have a copy of that, we'd like to make that part of the record, the official record.

Mr. LEBEDKA. I cited that example to emphasize and reinforce the notion that we fear there will be a new provocation of this type. But we underscore the fact that we're for a peaceful march. And the slogan for the march is: We are for sovereignty of Belarus, independence of Belarus, and for real negotiations with the government.

Mr. SMITH. I would like to yield to Jonathan Moore who is a Congressional Fellow, but also a Special Assistant to the Speaker of the House of Representatives, who has been following and is very intimately involved with the issues relevant to Belarus and cares deeply and speaks on behalf of Speaker Hastert.

I yield to Mr. Moore.

Mr. MOORE. Mr. Chairman, thank you very much for the opportunity to join you today in this important hearing.

Chairman Sharetsky, as you know from your meeting with the Speaker, Speaker Hastert is deeply committed to seeing the restoration of democracy and sovereignty to Belarus. He is very grateful for the opportunity to have met with you and was very pleased that the Chairman was in that meeting and that has led to this hearing today on this important subject.

I don't have specific questions. I would like to echo Chairman Smith's comment from earlier also. There is no question that the conditions under which all the persons who live in Belarus are difficult. It is particularly significant to any number of people here in Washington, especially on Capitol Hill, to know more of what has happened to you and your colleagues at the 13th Supreme Soviet and your families. Recognizing that you have many tasks ahead of you and, of course, based as always on the access to information also to be considered the Lukashenka regime, if at some point it is possible for you or your colleagues to put together more comprehensive information about simply the names, the dispositions, the conditions under which the members of the 13th Supreme Soviet that have chosen not to cooperate with Lukashenka, that's very significant.

Again, not to diminish what all the people of Belarus are suffering, but to emphasize that in his disregard for democratic institutions, parliamentarians, people like you, elected democratic leaders, are suffering in the ways that you begin to see. If more details of that are possible in the future, that would be very helpful to us.

Then beyond that, I'd also like to echo Mr. Gejdenson's comments from our perspective. There is no question in the presence of all of you here today, Mr. Lebedka, Mr. Shushkevich, and Chairman Sharetsky, indicates the importance of providing a unified opposition.

We sadly see cases elsewhere in Europe where lack of unification opposition makes it very difficult for both the opposition and those people outside the country to provide them with assistance. It's important that you can work together, that you have the joint events planned and you're able to conduct them in Belarus. We wish you the best of luck to continue with those endeavors.

Thank you again, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Moore.

If our panel has no further comments, or if you do, perhaps a final comment, we will go on to the third panel. But I would like to yield to you.

Yes, Mr. Lebedka?

Mr. LEBEDKA. I do want to underscore the fact that there is a high degree of consolidation among the opposition forces now. Nine opposition parties have joined in the Consultative Council of the Congress of Democratic Forces. We also share the fear that if the opposition doesn't stay unified and if it is torn apart and atomized, that this will interfere in our success.

All the actions planned now for Spring 2000 are the fruit of cooperation that has come out of all the opposition parties working together. If we can feel the political and moral support of the international community, that will be an additional factor in unifying our opposition.

Mr. SMITH. Thank you very much, Mr. Lebedka.

Again I want to say to all three of our distinguished witnesses how grateful we are for your courage. That the Congress, in a bi-partisan way, not just this Commission but the House and the leadership of the House will be following the developments especially with the upcoming demonstrations that are planned.

We care deeply for your personal safety and for the safety of your loved ones and we'll do all that is humanly possible to make this the highest priority that it could possibly be.

From our point of view, this is why the OSCE exists. Human rights, I believe, are at the core of democracy and if they are not respected we see the kind of outrages that Lukashenka has perpetrated upon the people of Belarus. So, we will continue the effort. Your presence here today I think moves the ball forward immensely. Again, you are very courageous and we're grateful for your presence and your leadership. I'd like to thank you.

Let me ask our third panel if they would now proceed to the witness table.

Beginning first with Adrian Severin who is the head of the OSCE Parliamentary Assembly Working Group on Belarus, who just returned from government opposition talks in Belarus. He is a member of the Romanian Chamber of Deputies who serves on its Foreign Affairs Committee, and head of Romania's delegation to the OSCE Parliamentary Assembly.

Mr. Severin has served in various positions in the Romanian government, including Deputy Prime Minister and Minister of Foreign Affairs from 1996 to 1997, and Deputy Prime Minister in charge of Reform and Relations with the Parliament back in 1990 to 1991. He teaches law and is the author of books and articles on international and comparative trade law and trade arbitration.

We are also joined by an old friend of this Commission, Spencer Oliver, who currently serves as Secretary General of the OSCE Parliamentary Assembly. He was General Counsel to the House Foreign Affairs Committee. He's also served as Chief of Staff to this Commission, the Commission on Security and Cooperation in Europe, from 1976 to 1985 and has been a walking institutional memory of OSCE proceedings and work.

It's so good to have you back, Spencer, on that side of the table, to provide your insights as well.

So I'd like to ask Mr. Severin if you would proceed, and then Spencer Oliver.

**TESTIMONY OF ADRIAN SEVERIN, HEAD OF  
THE OSCE PARLIAMENTARY ASSEMBLY'S WORKING GROUP  
ON BELARUS**

Mr. SEVERIN. Thank you very much, Mr. Chairman. I want to express my gratitude to you for inviting me to give my testimony today in front of this Commission, during this very important hearing on a very sensitive topic.

You have the map of Belarus over there and everybody can see that Belarus is an important country. It is a country in the center of Europe, a country without which we cannot foresee a real united and coherent Euro-Atlantic space with secure room for all of us.

Mr. Chairman, I have already prepared and distributed a written statement, and certainly I am not going to read it to you. I have also forwarded to your committee the report we have prepared for the Standing Committee of the OSCE Parliamentary Assembly, and it is also at your disposal.

I simply want to sum up a few ideas about Belarus today and tomorrow, if we can foresee tomorrow in a clear way. Certainly afterwards I'm ready to answer your questions.

Well, to sum up the actual situation, the existing situation, I would say that one point needs to be stated clearly: Belarus, at this time, has not achieved international standards, the OSCE's standards, and consequently it didn't fulfill the commitments it undertook as a member or a participating state of OSCE. This is clear, and I don't think anybody could doubt it.

As far as the existing situation in the country, I think that it is obvious we have there a very involved controversy and a very basic crisis of a political and constitutional nature.

Number two, the country is divided over a very crucial subject which is the union between Belarus and Russia, the future, the character, the nature of this union.

Number three, there is a widespread decline in the country's economic situation. Nevertheless, as a result of my last consultation and exchange of views with the IMF, World Bank, and some other international institutions, we might assess that the country is not in a virtual state of economic collapse, in spite of the economic difficulties they are facing.

We can also say that in Belarus the attitude of the people in power is not homogenous. We can find various groups and orientations within the state structures. Some are more concerned with real democratization of the country, while others consider that Belarus should not become more democratic at this stage.

Now, Mr. Chairman, let me say that to assess is extremely important, but it is not everything. I think that it is much more important to change. From this point of view I would like to remind you of the words of Mr. Lebedka. He told us a few minutes ago that the slogan of the forthcoming demonstration in Minsk is, "talks, change, and dialogue." These are very important three words.

Talks means the political way. I think that, to change a region which is not democratic into becoming a democratic region, we have two paths—a revolutionary one and a political one. I don't think at this stage that



we can follow the revolutionary one. There are not enough elements or conditions for a revolution in this respect, but talks are the political way.

Talks, yes, but not only talks. Talks for what? Talks for change. This is extremely important. Not just mere talks, but talks which will lead us to a meaningful change, a meaningful progress toward democratization of the country.

Dialogue, the last word of this slogan, means exactly that. Changes and progress which could be reached through real political dialogue. This is, Mr. Chairman, the strategy we have followed. We have asked all political sides in the country to embark in a genuine, sincere, meaningful, and structured dialogue which should lead not only to free and fair elections, but which would give us an answer to overcome the political and constitutional crisis. But these elections must be the result of a political consensus, a political consensus which is the result of a political dialogue.

I would add that our strategy included, and we are going to continue along this line, a preoccupation for strengthening and unifying the opposition. The future of the country cannot be positive, if the opposition is divided and not credible in its approach to the problems of the country.

I think that this, if we have to assess important progress, and success, is the most important to my mind. Today the opposition in Belarus is much more united than a year ago. Today the opposition in Belarus is much more oriented toward the problems of the population and that's why it is more credible.

The second point of this strategy is to create a meaningful dialogue between the international community and the government of Belarus. We might like this government or not. We might criticize it every day. As for those who are exercising power, we have to try to exercise a certain influence on them. That is why we put in place ways and means to communicate with the representatives of the government and to establish certain arrangements which can compromise on everything but human rights or the basic rules of democracy, of a pluralistic and structural democracy.

From this point of view I might say, Mr. Chairman, that our slogan, if we have adopted a slogan would be, "Strategic Firmity and Tactical Flexibility." We want to be flexible from the tactical point of view, in order to move the process ahead, but we cannot compromise, as I said, on the strategic goals, which are a democratic Belarus.

My final point, Mr. Chairman, is about the need for coordination. We need to achieve a high level of coordination cooperation between the parliamentary dimension and governmental dimension represented on the spot by the AMG.

We have achieved an important step toward cooperation among European organizations. I'm thinking about the Parliamentary Assembly of OSCE, the Parliamentary Assembly of the Council of Europe and the European Parliament. Recently, we have formed a parliamentary Troika which is supposed to act jointly in order to give a one-voice message, a strong message in Belarus.

Certainly, we think it is important to coordinate with the neighboring countries, namely Poland, Lithuania and Ukraine and with some of the regional and global actors. I am thinking of the United States and countries like Germany, but I am also thinking certainly to Russia. That's why we think that we have to talk to Russia and to try to estab-

lish together a strategy vis-a-vis the progress of democracy in Belarus.

Mr. Chairman, I would end my introductory remarks here by saying that indeed we have at this moment some undertakings and some promises that Mr. Lukashenka and his government have made. We, in turn, always asked Mr. Lukashenka not only for promises but for deeds. But we also have to look, Mr. Chairman, and see if we are ready for deeds, and not just for protests and statements.

I think we have to prepare for ourselves a plan of deeds which should accompany the deeds on the side of the government of Belarus, in order to accompany step-by-step progress. The current process, which for the time being cannot be supported very much, we must continue to pursue since no other way currently is available to us.

Thank you very much, Mr. Chairman.

Mr. SMITH. Thank you very much.

Mr. Oliver, would you like to—

**TESTIMONY OF SPENCER OLIVER,  
SECRETARY GENERAL, OSCE PARLIAMENTARY ASSEMBLY**

Mr. OLIVER. Thank you, Mr. Chairman. I would like to thank you for your kind words of welcome.

I think that the work that Mr. Severin and his Working Group are undertaking in Belarus is a continuation of the kind of parliamentary and congressional involvement that began with the creation of this Commission more than 20 years ago with the first step in congressional and parliamentary involvement and human rights in the OSCE and the CSCE.

The creation last week of—the visit last week of this parliamentary Troika from the three international parliaments, I think sends a very effective message that the parliamentarians, or the so-called parliamentarians of a puppet parliament are not going to be legitimized or recognized by real parliamentarians around the world until they have free and fair elections.

This hearing here by this Commission and this Congress I think, coming as it does right on the heels of the tri-parliamentary troika visit to Minsk, puts an exclamation point on that message and I think it is most welcome and I congratulate you on that.

Mr. SMITH. Thank you Mr. Oliver. Thank you for your work on these issues.

Let me ask a couple of questions. This hearing, for the record, is the second in a series of hearings that will be held on Belarus. The idea is that this will not go away. It's a process, as you pointed out, Mr. Severin. Talk and dialogue is important but we want to see deeds.

When Mr. Lebedka went through his list before and his testimony, almost you could summarize it as promises made, promises broken over the last several years. It underscores that the frustration level is very high and the hope is that Mr. Lukashenka will realize that democracy has its up side even for his regime in terms of the economy, perhaps the World Bank, the IMF and others are engaging in a very real way if we could see some substantial progress on the human rights front. So there are some carrots out there that should not go unnoticed by the current regime in Belarus.

The upcoming demonstrations planned for mid-March, I know that I have great concerns and I think all of us on the Commission have great concerns about the potential of violence being initiated by, as Mr. Lebedka

called it, provocateurs who probably will seek to look and play the part of people who are demonstrating and then turn into people who actually precipitate violence.

I hope that Lukashenka is aware that nobody is fooled by those kinds of games. People do get hurt, obviously, but nobody is fooled in the Western world or anywhere else by that kind of activity. Hopefully they are unnoticed. Everyone will be watching very carefully. Our Commission will be scrutinizing this very carefully and I know the other countries in the OSCE Parliamentary Assembly and everyone else will be doing so as well. The hope is that it will be a free and unfettered demonstration without violence.

In your talks last week, were these issues raised? Do you suspect, Mr. Severin, that these issues—Mr. Lebedka mentioned that they have applied for the proper clearances and permits and have yet to hear from the government. They're trying to follow the procedure to the letter of a flawed law, and yet they still are getting a non-answer. What can we do to try to facilitate that, and did it come up last week?

Mr. SEVERIN. Certainly, Mr. Chairman, we raised this question during our meeting last week with Mr. Lukashenka. At the same time, we explained to him or we tried to pass him a clear message that he should be the person first interested in making sure that no violence or provocations will be linked with these possible demonstrations that were announced.

At the same time, as usual, we are going to scrutinize attentively the process in Belarus. We do believe that, within the kind of dialogue which has already been announced by Mr. Lukashenka, one point must be made—that the political harassment and intimidation should cease. Certainly this is all about hopes at this stage. Many times the Belarusian government has abused the benefit of doubt. But certainly we hope that a positive change could be seen in the near future.

Mr. SMITH. Let me ask you, what steps need to be taken by the Belarusians to ensure that the fall elections are legitimate, are free and fair? What are you suggesting to Lukashenka to make sure that is the case?

Mr. SEVERIN. Well, the short answer is that the electoral code should be amended in many respects. I have to say in all fairness that the law which has already been adopted is much better than the previous one, but it is also far from being at the level of our standards. So I made clear to the President that our standards are not a menu, but a package. All these standards should be respected in order to let us assess whether or not that the law is a guarantee for free and fair elections.

But, Mr. Chairman, the longer answer is that this election law is not enough. We need a political environment able to give the possibility to all candidates to run freely and with equal chances in these elections. We need also, as I said already, a law which is a result of a political consensus, of a political dialogue. We need a law which is not the American law or the French law or the German law, but a law which respects our standards and which is appropriate for that specific situation in Belarus.

Mr. SMITH. Let me ask you with regard to changes in the Kremlin, specifically Alexander Putin and the horrific and bloody war that is now under way in Chechnya, what impact have those two changes in Russian policy had on the Belarusian situation? Have you seen any change whatsoever, heads of state change and the war?

Mr. SEVERIN. Well, Mr. Chairman, we rely very much on a positive contribution from Russia to improve the democratic process which we

are trying to promote in Belarus. Certainly during the current election period in Russia, the campaign does not exercise a positive influence on our work because Russia has some other interests at this moment, but certainly they can involve themselves in discussions about Belarus in the future.

On the other hand, I think that democracy and human rights are indivisible. If human rights are breached in a certain part of the world, this could exert a bad influence in another part of the world. So, if you want me to link what is going on in Chechnya with human rights in Belarus, I would say that this is not going to encourage a better attitude vis-a-vis the human rights situation in the latter country.

So, I think we have to be in touch immediately after the elections in Russia with the Russian president and with the Russian government in such a way as to let them be involved in a positive process under the aegis of the OSCE. After all, Russia is a member of our organization.

Mr. SMITH. In his testimony, Stanislav Shushkevich made this statement, and I would appreciate your response to it. He said that the OSCE rules do not permit the organization to effectively influence the regime which does not want to carry out any democratization. AMG efforts have resulted in the development of a single acceptable approach by the opposition to negotiations. These efforts, however, have diverted the attention of the opposition parties from other types of resistance, and in that sense, have become counterproductive.

How do you assess that analysis?

Mr. SEVERIN. Well, I fully understand the bitterness of Mr. Shushkevich, and he expressed to me the bitterness of some other representatives of the opposition. To a certain extent it is our bitterness.

Nevertheless, on the other hand, we have to see in an unemotional way the situation in Belarus, because we are interested in results. This is extremely important. Protests are important, if they lead us to results. Resolutions are important, if this resolution can pave the way to some practical progress.

In this respect, we didn't identify any other practical way to make the process move along. If somebody could give us an idea about an alternative way, certainly we are going to consider it. But for the time being, to my mind, it's obvious there is no other way.

Mr. SMITH. To what extent can you cooperate with Ambassador Wieck and the OSCE Advisory and Monitoring Group? How does that work out?

Mr. SEVERIN. I would say that we have achieved an unprecedented level of cooperation between the governmental and parliamentary dimensions of the OSCE. If we were able to change something in Belarus, we must wait some time to assess whether or not the changes are far better.

But, in any case, the mere fact that we were able to change something in that country is also the result of this cooperation between the AMG representative, the governments of the OSCE, and my working group representing the Parliamentary Assembly.

Well, we have to work in this way, diplomacy and technical abilities with political involvement, with political creativity and imagination, and political vision. I think that this is a very good combination.

Certainly we cannot always reach the results we might like to achieve. That's why, if you look to the various public statements, you can see that sometimes Mr. Wieck and his group were criticized by the opposi-

tion and other times by the government. I think that this is a very difficult exercise and we have to support the presence and activity of the AMG in Belarus.

Mr. SMITH. One of Mr. Lebedka's statements, part of his testimony was the importance to negotiate access to the mass media and as a lawmaker and politician myself I've run in 11 elections and my first election I lost and lost it resoundedly. I was never in the media. Now we have a free media. They didn't think I was a viable candidate. But in a country where it is controlled by the government and by a regime that does not allow the opposition to have free access and there is no journalistic judgment being made about the newsworthiness of any given statement or event, that is press censorship.

My question is what do you think can be done, what is being done, especially with the upcoming elections, to have the ability for people to vote fairly on the day of the election, if it is fair. It's certainly not fair if everything preceding that there's been a blackout of the opposition message and the individual candidates.

What is your sense as to any progress being made in the area of access to mass media?

Mr. SEVERIN. I cannot agree with you more, Mr. Chairman, and I'm happy that you raised this question.

I think that free access to media, as long before the starting date of the election campaign as possible, is of paramount importance. This is a strategic goal. It's not just one step which should be done to have a more democratic Belarus.

I think that in this respect we can also identify steps forwards and steps backwards. A very important step forward is the fact that the opposition and the government were able to agree and to sign a protocol on free access to the media. The step backward is that this document hasn't been implemented. But at least we have now a document which we could make reference to, and we can ask for its implementation.

It was a positive signal that some leaders of the opposition were able to express themselves through the state-owned media during the last few months. This is a step forward. But the step backward is that this presence was sometimes subject to censorship, or the topics were limited in advance.

For the future, Mr. Chairman, I would say that media means, among other things, money. I was disturbed to hear and surprised to hear that, for instance, the funds given to Radio Free Europe were limited and the presence of this radio station has become, consequently, less visible in Belarus. I think that we have to increase these funds, in order to support real news coverage and a real, independent, mass media in the country.

From the administrative point of view, I think that there have been fewer pressures during the last few months, but the remaining economic constraints are substantial. This undermines the hopes for a real meaningful, free, independent media.

Mr. SMITH. I'd like to yield to Mr. Moore.

Mr. MOORE. Thank you again, Mr. Chairman.

I ask this question of you, Mr. Severin, and thank you again for your distinguished work, which is a credit both to Romania and to the OSCE. More as an OSCE frontline veteran having served in the OSCE mission in Bosnia after the date in agreement, recognizing that this might be a difficult forum in which to ask you this question, what perspective could you offer on possible improvements to the structure, the staffing, or

perhaps even the status of the AMG in Minsk?

You mentioned of course the AMG, as is inevitable in these cases, is criticized by both the government and by the opposition. But it's not a particularly large operation. Its status is of course subject to all the OSCE membership agreeing on that status.

But what might be done, perhaps through this Commission or through other means, to expand its reach or its staffing, or what other improvements might be made recognizing that Ambassador Wieck is also a very distinguished diplomat? What would you suggest?

Mr. SEVERIN. Well, to be very frank, I didn't think very much about such a project to change a structure which does not belong to the Parliamentary Assembly. I think that the numbers of staff at the AMG is quite enough for the time being, but maybe we can supplement the staff with experts on very particular subjects which might become more important in the coming months.

I hope that we approach free and fair elections in Belarus. But I also hope that, if conditions are not met, we will act accordingly. If positive steps are made, I think we will need to strengthen the AMG's expertise in some fields. I think they have good enough experts, for instance, as far as the election law is concerned.

But, at the same time, I think that time is very short. Maybe the problems could be divided, and so more experts could take a limited number of topics. Then they could be more efficient.

For the rest, you ask me to give my ideas on the general management, and this is something which I am not very ready to comment on at this point.

Mr. MOORE. I understand. Thank you very much.

Mr. SMITH. Thank you very much, Mr. Moore.

I'd like to thank our very distinguished witnesses for again appearing and say that again, this is one more hearing, but we will have additional hearings on Belarus. We're going to stay very close to this. I am looking forward to the OSCE Parliamentary Assembly in Bucharest, in your home country, in early July. I can assure you we will be very much attentive as will all the other parliamentarians.

Mr. Lebedka, I remember sitting right across from the American delegation with his folks and that's as it should be. As a freely elected member of the parliament, he should be making law and policy in Belarus and not being in exile, even internal exile.

I do have one final question if I could, Mr. Severin. Secretary Harold Koh earlier spoke of selective engagement with regards to Belarus as perhaps the way he wanted to describe U.S. policy vis-a-vis Belarus. How would you describe U.S. policy?

We heard earlier that Speaker Sharetsky was very upset that his letter had gone unanswered to the President of the United States. And certainly even if it's an answer that's not fulfilling, there at least should be an answer. We ourselves have a copy of that letter, so we know it's certainly gotten to the right quarters.

But selective engagement and your take on U.S. policy toward Belarus?

Mr. SEVERIN. Mr. Chairman, I think that my first duty as a representative of an organization where the United States are full-fledged members is to try to give expression to the policy of United States in the daily activity of our organization. What I am trying to do is to be as faithful as possible to each member state, and to bring them together into a coherent and articulate expression. So this is maybe the right angle from which I can look to this issue.

At the same time, I would say that policy, as selective as it was formulated by Assistant Secretary, I think this is a step by step policy, a stick and carrot policy. This is the understanding I give to this expression. I think this is a very appropriate approach.

The process is difficult, as I said, with ups and downs, steps backwards, steps forwards, and it is very difficult to say each day if we are moving or not. That's why I think a selective approach is to be encouraged. To me a selective approach means a step-by-step approach.

We have to establish benchmarks for the Belarusian government. But we have also to establish benchmarks for ourselves. We should ask for timetables to be respected by the Belarusian authorities, but we should have our own benchmarks. We have to work with real carrots and real sticks, not to describe the carrots as sticks or vice-versa.

We have to define a very specific policy and I do hope that we will be able to define such a policy in practical terms and not just in very vague words and terms.

Mr. SMITH. Mr. Severin, thank you very much for your testimony and for your work.

Thank you, Mr. Oliver as well.

We will be following this very closely and we will very soon be convening another hearing on Belarus and all eyes, like I said before, will be looking on the March 15 and thereabouts demonstrations to ensure that there is hopefully, God willing, no violence and that democracy will flourish someday, sooner rather than later, in Belarus.

Thank you again for being here. The hearing is adjourned.

[Whereupon the hearing was adjourned at 1:25 p.m.]

**APPENDICES****STATEMENT OF REPRESENTATIVE STENY H. HOYER**

Mr. Chairman, I believe it is important that the Commission, the Congress and our government continue to shine the light on what is going on in Belarus. I thank you for holding this timely hearing to do just that, and I welcome our many distinguished witnesses who will share their experiences in fighting for democratic reform in Belarus. Several weeks ago, the State Department released its annual human rights country report on Belarus which highlights numerous violations of human rights and underscores the Belarusian government's lack of compliance with its OSCE commitments. Among other developments in the deteriorating political and human rights situation in Belarus are the continuing show trial of former Prime Minister Mikhail Chygir, the continued detention and brutal beating by prison guards in December of political detainee Andrei Klymov, a deputy of the 13<sup>th</sup> Supreme Soviet, and the still-unresolved disappearances of opposition leaders Viktor Gonchar and Yuri Zakharenka.

Since the beginning of this year, I have had the opportunity to meet with all of our belarusian opposition leaders present here today—Mr. Sharetskiy, Mr. Shushkevych and Mr. Lebedka. All of them are at the forefront of the struggle to restore democracy to Belarus. The 13th Supreme Soviet, which they represent, was illegally disbanded by Belarusian strongman Lukashenko. In the OSCE Parliamentary Assembly, we have worked to keep faith with the Supreme Soviet, the legitimate legislature of the country, and have insisted on supporting them and not Lukashenko's pocket parliament, the National Assembly. Giving the opposition credibility is a critical thing for us to be doing in the West.

I met yesterday with Adrian Severin, my colleague from the OSCE parliamentary assembly, who was involved in talks among the belarusian government and opposition, with the involvement of the so-called troika consisting of the osce parliamentary assembly, the parliamentary assembly of the council of europe and european parliament. Seven months of on-again off-again talks between the regime and the opposition have failed to bear fruit, thanks to the intransigence of the authorities. Genuine dialogue with democratic forces is essential if Belarus is to move beyond the current period of stagnation. Access to state media by the opposition will be crucial here. And very importantly, in order to get beyond the constitutional impasse, free and democratic parliamentary elections should be held this year consistent with relevant OSCE standards and norms.

Mr. Chairman, it is important that we send a message—loud and clear—to the dictator in minsk that his government's continued abuse of human rights and violation of OSCE commitments devastates the people of Belarus and prohibits his country from taking its rightful place in a free, prosperous and democratic Europe. Ultimately, he will not prevail.

Thank you, Mr. Chairman



**WRITTEN STATEMENT OF HON. SAM BROWNBACK**

First, I would like to acknowledge the distinguished witnesses who have come to share their expertise, including Assistant Secretary Harold Koh, who recently testified for me regarding sex trafficking. The purpose of this hearing is to encourage democracy development and human rights in Belarus. Your efforts to brief us today on these subjects are greatly appreciated.

After the Wall collapsed, the nations of the former Soviet Union experienced extraordinary upheaval. Since that time, civil societies have been shaken to their core. This fragmentation among the former Soviet satellites has produced a wide spectrum of results, ranging from radically transformed societies such as the Czech Republic to the other extreme found in Eastern Europe—namely, nostalgia for the Soviet Era. Unfortunately, Belarus is known for being in the latter category.

In the initial period of independence (from 1991 to 1994), Belarus embraced a budding respect for human rights and democracy. But all this dramatically when President Lukashenka assumed power in 1995. I am sorry to say that Belarus is continuing to resurrect the destructive policies of the Soviet Era.

Once again, Lukashenka has implemented central control and state ownership. Once again, he has curtailed privatization and restricted the formation of small and medium-sized businesses. As a result, the situation in Belarus is deteriorating rapidly, with inflation rapidly spiraling downward.

Their human rights record is flawed, in light of the basic standards expressed in the Helsinki Accords, which Belarus has signed. There are politically motivated trials, among other failures of fundamental civil rights. And now, Lukashenka continues in his position as president of the country even though his legal term expired in July, 1999 last year. Thus the president of Belarus presently lacks democratic legitimacy.

It would be relatively simple for Belarus to begin to reform its poor reputation. This can be accomplished by beginning to implement some of the reforms which will be discussed here today. In particular, we are hopeful that the parliamentary elections scheduled for the Fall will be free, fair, democratic and transparent. Also, real effort should be made by the government to enter into a dialogue with the opposition parties, with the help of the OSCE, if needed.

I hope that the exposure of these trends will open a door of freedom for those who seek to usher their country into a better era marked by freedom, economic reform, and democracy. So many of the countries in Central and Eastern Europe are beginning to achieve these goals. Towards this end, we hope that the democracy forces in Belarus will be strengthened and encouraged by this hearing today.

**WRITTEN SUBMISSION OF HAROLD HONGJU KOH,  
ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN  
RIGHTS & LABOR**

Mr. Chairman, fellow members of the commission, I am delighted to be with you this morning, both as Assistant Secretary of State for Democracy, Human Rights, and Labor, as well as the Department of State's commissioner on the Helsinki Commission. Mr. Chairman, the situation in Belarus has markedly deteriorated since the spring of 1999, when you held your last hearing on this beleaguered country. Belarus is being left behind at a time when the rest of Europe is seeking to build a common foundation of democratic governance, respect for human rights, and the rule of law. The United States is deeply concerned about the situation in Belarus, and that is why I traveled to Minsk last November. Before describing that trip, let me outline how we see the democracy and human rights situation in Belarus.

There are many critical elements of democracy, but the key four are respect for the will of the people, civil society, the rule of law, and an informed citizenry. First, the will of the people: As we in the United States know from our own country's hard experience, democratization is a long and complex struggle, which does not come easily. As Secretary of State Madeleine Albright has noted, "[D]emocracy must emerge from the desire of individuals to participate in the decisions that shape their lives. Unlike dictatorship, democracy is never an imposition; it is always a choice." In Belarus, the regime continues to try to suppress the will of the people. In addition to using unconstitutional methods in 1996 to rewrite the country's constitution, and replacing the legitimate 13th Supreme Soviet with a rubberstamp parliament, Aleksandr Lukashenko unilaterally extended his term of office by two years, until 2001. His legal term of office expired last July 20. As a result of these actions, as well as a pattern of abuse of fundamental human rights by his regime, Lukashenko has lost his democratic legitimacy and is shunned by leaders throughout most of Europe.

Lukashenko also recently approved a seriously flawed electoral law for upcoming parliamentary elections. The OSCE's Office for Democratic Institutions and Human Rights examined the new law in detail, and concluded that it does not meet OSCE standards. Major problems include strict limitations on political activity which effectively prevent real campaigning from taking place and the lack of a provision for multi-party representation on election commissions, which is so vital for impartiality and public confidence in the electoral process.

Democratic legitimacy only can be restored through free and fair elections in which all citizens and candidates can participate on an equal basis and by restoring the necessary checks and balances among the branches of government. The Lukashenko regime's recent announcement of plans to resume the OSCE-sponsored dialogue with the opposition must not impose pre-conditions that will make it impossible for the opposition to participate. It instead must produce real results, including agreement on an electoral code that meets OSCE standards and provides an internationally acceptable framework for legitimate, free and fair parliamentary elections. Otherwise, the U.S. and other democracies will find it very difficult if not impossible to recognize the parliamentary elections planned for later this year as legitimate, and Belarus will not resolve its political and constitutional crisis or end its self-imposed isolation.

The second core element is civil society. Democracy means far more than just holding elections or referenda. The slow development of democracy in some states has demonstrated that elections must be regarded not as an end in themselves, but as the means to establish a political system that fosters the growth and satisfaction of its citizens by promoting and protecting their political and civil rights.

Democracy also requires the full flowering of civil society—the broad array of political parties, independent labor unions, independent media, non-governmental organizations, womens' groups, and societies and clubs that encourage political and social participation. Such groups serve as an important conduit by which individuals may freely express their dissatisfaction with “politics as usual.” It is precisely because of the potential power of civil society that so many governments—including the Lukashenko regime—seek to limit or quash its influence.

In Belarus, those who have chosen to participate in civil society by speaking truth to power have done so at great risk to their freedom, and even their lives. Last year marked a new low in Belarus not only because of the expiration of Lukashenko's legitimate term of office, but also because two prominent opposition figures—General Yuri Zakharenko and Viktor Gonchar, along with his associate Anatoliy Krasovsky—disappeared. A third—former Central Bank Chair Tamara Vinnikova—felt so threatened that she escaped the country by temporarily disappearing. Others, such as Semyon Sharetsky and Zenon Poznyak, also have fled abroad out of fear for their safety.

Former Prime Minister and candidate in the opposition—sponsored 1999 presidential elections Mikhail Chigir and 13th Supreme Soviet deputies Anatoly Lebedko, Valery Shchukin, and Andrei Klimov, are only a few of the many opposition figures who have been targeted, beaten, or imprisoned for the peaceful expression of their beliefs. Taken together, this series of disappearances, arrests, and exiles has greatly exacerbated the climate of fear that exists in Belarus and made clear that citizens expressing opposition to the government are in great peril.

The Lukashenko regime also has sought to repress civil society by restricting other fundamental freedoms such as freedom of assembly and of association. The regime's restrictions on freedom of assembly were manifested by its violent repression of the October 17 Freedom March, as well as of other peaceful protests. It has inhibited freedom of association through its restrictive law requiring NGOs, political parties and trade unions to re-register. Just last week the Ministry of Justice announced that it intends to disband 200 NGOs, that the regime refused to reregister.

Registration requirements also restrict the practice of religion, despite Constitutional and international guarantees of freedom of religion. This is especially true for non-Orthodox or “non-traditional” religions, which include some Protestant faiths. Mr. Chairman, sometimes we are asked by representatives of other governments whether the U.S. requires NGOs or religions to register. The bottom line is this: NGOs and religions may register in the U.S. if they wish to receive a specific tax status. But—unlike in Belarus—they are not required to register in order to function or hold a bank account.

The Lukashenko regime also has restricted freedom of association through harassment of free and independent trade union activity. Trade union organizations are refused registration and trade unionists are arrested for legitimate trade union activities such as distributing leaf-

lets. Unionists and members of their families are arrested on trumped up charges or given unusually severe punishments for minor offenses. The failure to protect internationally recognized worker rights has led the United States to advise the Belarusian authorities that Generalized System of Preferences (GSP) benefits are on the verge of being withdrawn.

A third element of any true democracy is the rule of law. Genuine democracy requires that democratic institutions and officials be guided by and constrained by the law—that is, a government accountable to the law, not above it. Governments committed to the rule of law respect individual rights, rule through a body of laws that are transparent, predictable, based on popular will, and fairly and equitably applied. Mature democracies have a fair and efficient legal system led by an independent and professionally competent judiciary that acts as a final arbiter of the law and is not subject to pressure by the Executive Branch. They respect international human rights standards.

Absent an independent judiciary and the rule of law, democracies seldom remain democratic for long. History shows that a strong rule of law helps to assure sustainable economic development, to combat corruption, to support social stability and peace, and to carve out necessary space for individual political and economic activity. It also provides the average citizen with the capacity to hold leaders and institutions—in both the public and private sector—accountable.

But once the rule of law begins to crumble, accountability withers and along with it democracy. In Belarus, those in power have sought to undermine democracy and end accountability by attacking the rule of law and stifling the independence of the judiciary. The legal system has become little more than a tool to advance Lukashenko's agenda. Laws have been passed not to protect, but to restrict human rights and democratic governance. The judiciary has been used to reward loyal followers, to rubber stamp decisions, and to silence peaceful, democratic opposition. Over the past few months, for example, the Lukashenko regime has been conducting show trials against Mikhail Chigir and Andrei Klimov because they oppose Lukashenko's authoritarian rule. Such actions represent the rule of might, not the rule of law.

In genuine democracies, executive overreach is checked by a fourth key element of democratic society: an informed electorate. Only free media—whether print, broadcast, or electronic—can guarantee that citizens have access to the information they need to make political decisions. If a government can control information or limit press freedom, it can usually preordain elections, stunt civil society and manipulate the judiciary. In Belarus, the regime continues to combat its critics by placing extensive restrictions on the media.

The regime has increased harassment of the independent press. In September, through a questionable libel suit by the Minister of Interior, the independent newspaper *Naviny* was forced out of business. That same month, the regime attempted to pull the registration for 10 other papers. In January, it closed the daily *Kutseyna* in Orsha. The successor to *Naviny*, *Nasha Svaboda*, only on its second day of publication had its press run stopped just last week. State-controlled Belarusian television and radio maintains a monopoly as the only nationwide television station. Even internet access is limited to government-controlled

service providers. However, such measures have not stopped the courageous efforts of independent reporters and journalists such as Pavel Zhuk, the fearless editor of *Naviny* and *Nasha Svaboda*.

In light of the seriousness of the situation in Belarus, I visited Minsk on members of the Helsinki Commission staff, Ron McNamara and Orest Deychakiwsky, following the OSCE review conference in Istanbul. My purpose was to give moral support to democracy and human rights advocates, and to convey the U.S. government's. While in Belarus, I participated in an NGO—sponsored rule of law conference, the focus of which was human rights protection and the protection of human rights lawyers. I was very impressed by the participants at the conference, especially the enthusiastic young lawyers. I also met with Members of the 13th Supreme Soviet, wives of the disappeared and detained, democratic opposition leaders, human rights activists, the

OSCE Advisory and Monitoring Group head of mission Ambassador Wieck, independent journalists, and Foreign Minister Latypov and Deputy Foreign Minister Martynov, whom we pressed for concrete actions including the release of Mikhail Chigir and opposition media access.

Shortly after my trip to Belarus, I returned to Istanbul for the OSCE Summit. I met first with the Belarus opposition, and then with the official delegation, including then—Presidential Advisor and OSCE liason Sazanov, who subsequently left this position and was replaced by Igor Velichansky, and Deputy Foreign Minister Gerasimovich. Since then, I have given special focus to the Belarus issue: I participated in Deputy Secretary Strobe Talbott's meeting with Semyon Sharetsky, Stanislav

Shushkevitch, Ludmila Grazyanova, and continued the meeting with them in my office; I have met with lawyers, NGO reps, and dissidents, and continue to follow the situation in Belarus closely.

My trip was but one of the ways in the U.S. Government has sought to buttress our support for democracy and human rights in Belarus. We also have put in place an assistance program designed to support democracy and human rights advocates and the independent media in Belarus. In FY 1999, we provided over \$8 million in democracy-related assistance to Belarus, out of a total country budget of \$12.4 million in FREEDOM Support Act funds. In other words, over two-thirds of our assistance consisted of democracy-building programs, while the remaining one-third consisted of programs designed to promote civic empowerment through the private sector, as well as U.S.-Belarusian hospital partnerships and humanitarian assistance for the victims of the Chernobyl accident.

A central component of our democracy-building efforts has been the U.S. Embassy's Democracy Commission, which in FY 1999 awarded over \$1 million in small grants in support of print and electronic media, independent trade unions, youth and women's groups, human rights groups and other democratically oriented organizations. An additional \$1 million in small grants was awarded by the Eurasia Foundation in FY 1999, with funding from the U.S. Government as well as from private foundations. Other types of ongoing U.S. Government—funded democracy programs include NGO development programs, legal assistance and education programs, political party training programs (focusing especially on women and youth activists), and academic and professional exchange programs. I will do my utmost to ensure that

United States core democracy programs are preserved to the fullest extent possible in Belarus in FY 2000, and I will seek to identify some funding from my own Bureau as well.

Let me close by thanking you for the opportunity to participate in your hearing. I have been deeply moved by the courage of the Belarusian civil society members whom I have met, and I am deeply committed to giving them sustained and meaningful support. The U.S. is well-represented by Ambassador Dan Speckhard in Minsk who is doing an outstanding job promoting democracy and human rights, and it is a pleasure to have a strong collegial relationship with Steve Sestanovich and Ross Wilson on Belarus. We welcome your thoughts on what more the U.S. Government can do to promote democracy, human rights, and rule of law in Belarus

**WRITTEN SUBMISSION OF ADRIAN SEVERIN,  
HEAD OF THE OSCE PARLIAMENTARY ASSEMBLY'S  
WORKING GROUP ON BELARUS**

Just over one year ago, the OSCE Parliamentary Assembly ad hoc Working Group on Belarus undertook its first visit to Minsk to assess the political situation and to explore avenues for resolving the parliamentary crisis. Now, many missions later, we stand at a crossroads in Belarus where some issues have been resolved, but serious questions remain. Across the past year, the OSCE Parliamentary Working Group has created a strategy and pursued a policy designed to promote dialogue between the opposition and Government of Belarus. This strategy has also been adopted and promoted by the OSCE Advisory and Monitoring Group in Minsk, in a unique combination of international parliamentary and governmental cooperation. It was hoped that, with international guidance, all sides of the Belarusian political process could be involved in resolving the political issues which have stalemated the democratic development of the country. I have just returned from Minsk representing one side of a parliamentary Troika of international organizations which has been recently formed as an extension and further internationalization of this dialogue process. I would like to begin by summarizing the current state of affairs.

**CHARACTERISTICS OF THE CURRENT SITUATION**

A Constitutional and political crisis still exists and divides the country between those who support the 1994 and 1996 Constitutions. Although it is difficult to ascertain how much the average citizen identifies with this issue, the possibility of a union with Russia does have a deeper resonance with some people in the countryside but also divides the country politically. Whereas the political debate on constitutionality and legitimacy may not have a serious impact on day-to-day life, a political and/or economic merger with Russia is seen as a positive move by some citizens (mostly for economic reasons) and a loss of sovereignty and individuality by many others.

In addition, declining economic standards are pervasive throughout Belarus and are a major factor in the political dynamics of the country. Though international experts point out that the country is not in a state of complete economic collapse, inflation, unemployment and declining living standards are all aspects of every day life in Belarus that must be accounted for by the Government. Often the blame for this is officially placed on Western countries which have "isolated" and applied "double standards" to Belarus. Alexandr Lukashenko is portrayed in the State press as someone defiant and willing to stand up to this international "pressure." Nonetheless, at some point, it would seem logical that increasing numbers of the population would begin to question the country's leadership.

Within the internal circle of power in the administration, it has become apparent to our Working Group that some leaders disagree on what course of action to follow, either economically or politically. Many within Government are opposed to a political merger with Russia. Many also see the only hope for the country's economic development coming through access to Western capital and technology. Others favor a closer alliance with Moscow for political and strategic reasons. This schism in the inner circles of Belarusian power has led to a number of resigna-

tions and reappointments in the recent past. Those in favor of closer relations with Russia appear now to have gained the upper hand in this ideological and tactical struggle.

The OSCE's parliamentary and governmental strategy to promote dialogue between the opposition and Government has met with acceptance by virtually all camps in the Government and in the opposition. All sides of the political equation have spoken in favor of dialogue. However, because of the past history of mistrust, or due to fundamental differences of interest, some have sought to avoid engaging in dialogue.

The question of trust weighs heavily over the political spectrum in Belarus as the human rights situation in the country has deteriorated seriously in the last two years. Opposition leaders and members have been subject to arrests, detentions, and various highly questionable practices. Some have even disappeared. Whereas many opposition leaders have continued their activities unabated, there is nonetheless a chilling effect over the opposition's ability to promote its ideas and programs.

The result of all these factors is a democratization and Western integration process that is characterized by ups and downs. We have seen across the past year a number of steps forwards and steps backwards. However, we are by no means at the same point of departure as we were last year. A number of events and changes in the political system have changed the course of politics. The OSCE's strategy of promoting dialogue has been a key influence on this process of change. I would now like to summarize the major aspects of our strategy.

#### STRATEGY

The ad hoc Working Group of the OSCE Parliamentary Assembly has from the very beginning sought to overcome the constitutional and political crises in Belarus through a political dialogue that would include the Government, the opposition and NGO's. The dialogue concept has centered around the question of holding free and fair parliamentary elections in Belarus in the year 2000. As the mandates of both the 13<sup>th</sup> Supreme Soviet, recognized by the OSCE Parliamentary Assembly as the legitimate Parliament of Belarus, and the operational legislature are set to expire with this next round of elections, this political event was believed by Working Group members and the OSCE Advisory and Monitoring Group (AMG) to provide a solid foundation for a possible discussion and compromise. However, one aspect of the dialogue that has been of crucial importance to the opposition has been related to the kind of Parliament that was to be elected. Would it have real power and perform a democratic role as a check and balance to the executive?

One preliminary factor in the parliamentary effort was to try and unite the opposition into a more cohesive, coherent and credible negotiating partner. Against a unified, official representation, the stratified and divisive opposition political parties were unable to enunciate or argue for any clear demands. To augment this process, the OSCE AMG also worked on a regular basis to promote the creation of a positive, political program and platform. A major reason for the creation of this platform was to direct the opposition's attention towards the real problems of the country and to appeal directly to voters. One of the major, official criticisms of the opposition in Belarus has been that the country's political parties are not organized and do not represent any real con-



stituency. Although important, the continual and strict reliance on the question of constitutional legitimacy, appeared to the Working Group members as too limited for rallying the opposition's support.

Another aspect of the Working Group's strategy has been to enhance communication channels between the OSCE and the Belarusian authorities. Through steadfast support of the AMG, and through a series of high-level contacts of its own, the OSCE parliamentary dimension sought also to broaden and strengthen avenues for dialogue and discussion at the governmental and inter-parliamentary levels. To maintain this channel of communication, the Working Group decided it was necessary to have Parliamentary Assembly representatives present at times of crisis in Belarus and when windows of opportunity presented themselves. Numerous visits of the OSCE Parliamentary Assembly Working Group have been conducted in the past year to defuse situations and to facilitate further communication.

While trying to be politically pragmatic, the Working Group consistently promoted the notion that democracy is not just elections, but also tolerance, equal opportunities for all to participate, respect for the rule of law and accountability. On these points, the Working Group sought to maintain tactical flexibility, but strategic rigidity.

Through the development of these forms of enhanced communication, the strategy then sought to involve the opposition and Government in activities which promoted common interests and goals (thereby learning how to work together). The Working Group and AMG also felt at this point that NGO's should also be involved as third parties in the dialogue process, as many NGO's were better structured and more developed than their party counterparts.

In pursuing a strategy working with political parties and NGO's, the Assembly Working Group and the AMG focussed not just on Minsk-based organizations, but also with local and regional NGO and party structures. As these groups often enjoyed better credibility with the population at large, this aspect of the strategy also concentrated on the creation of an emerging political class unburdened by the political events of the recent past which focussed instead on traditional bread and butter voter issues.

In order for this kind of strategy to succeed, it was necessary for the Parliamentary and Governmental sides of the OSCE to agree and to coordinate their own activities. The linkage between the OSCE Governmental approach (diplomatic/technical) and the Parliamentary approach (political flexibility) proved a useful and powerful combination. The Parliamentary Assembly also sought to coordinate activities with other international actors and governments and sponsored a meeting in Copenhagen for this purpose which was then followed by a series of other, smaller international coordination meetings. Early this year, a parliamentary troika was formed between the groups with responsibilities relating to Belarus from the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament, in order to reinforce the international community's support for efforts to promote free and fair parliamentary elections in Belarus.

Another of the key aspects of the Working Group's efforts has been in seeking to coordinate its own policy with those of neighboring states (Poland, Ukraine, and Lithuania), as well as regional and global actors (Germany, Russia, and United States). In this regard, a number of

high-level meetings were held and OSCE Working Group representatives travelled to national capitals to discuss the situation and developments in Belarus.

#### ACHIEVEMENTS OF THE PARLIAMENTARY ASSEMBLY STRATEGY

Perhaps the most visible achievement of the Assembly's strategy has been a much more unified opposition. Although some parties and organizations continue to prefer confrontation with the administration and condemnation of any efforts at negotiation, most political parties have agreed to work together to promote a dialogue with the Government on free and fair elections. An intrinsic part of this dialogue process includes access for the opposition to the State-controlled media and a number of other basic issues. The unification and strengthening of the opposition, as well as its credibility, has also resulted in a unified message oriented to the needs of voters and the nation. The unification process was initiated during a Working Group meeting for political party members and NGO's held outside of Bucharest. Governmental representatives, though invited to attend, declined to go.

The Bucharest process as it became known promoted a format for the mediation dialogue of "2+1+1" (Parties and NGO's, the Government and OSCE). The overall process promoted consensus on confidence-building measures (the release of some political prisoners, as well as opposition access to State-controlled media), but later was to include a roundtable dialogue on the preparation for the elections (from both the legal and political point of view) and the functions of the future Parliament.

Another significant achievement was the media agreement guaranteeing opposition access to State press that was signed by both opposition and State representatives, though it has yet to be implemented. Whereas there appeared some resistance in the Governmental administration to implementation of the media agreement *per se*, the Parliamentary Assembly Working Group made an interim proposal to allow a controlled and phased access of the opposition to the media which appears to have been accepted. Since this proposal was made, there have been appearances of opposition representatives on State TV and Radio, as well as the publication of opposition viewpoints in the State print media on a limited basis.

Some prominent political prisoners (Chigir, Statkevich, Lebed'ko, etc.) were released, after repeated efforts by the OSCE and high-level visits by the Chairman of the OSCE Parliamentary Working Group. In a similar vein, the registration and re-registration of some independent newspapers, as well as some political parties and NGO's was also achieved after repeated visits and mediation efforts. Most of these accomplishments can be attributed to the establishment of relatively permanent and stable communication between the Parliamentary Assembly representatives and the authorities of Belarus, as well as the Working Group's efforts to reinforce the OSCE AMG, its work and its reputation.

The open recognition of the opposition's existence by Mr. Lukashenko and the Belarusian authorities, as well as the tacit recognition of the need for dialogue with the opposition and society in general, is a very significant accomplishment of this strategy. Prior to these efforts, the Government generally refused to even recognize the existence of an op-

position in the country. The adoption of the dialogue concept by the Government also pays tribute even at the most minimal level to the importance of public participation in the governing process.

A related accomplishment of the Working Group strategy has been the creation and organization of permanent structures within the Government's inner circle of power for a national dialogue. Originally these structures were related to the OSCE-moderated dialogue, but are now associated with the dialogue taking place under Mr. Lukashenko's aegis. Relatedly, there appears to be a greater appreciation in the inner circles of power in the Belarusian administration that blanket arrests and detention of the opposition is counter-productive to the process and to the country's already-tarnished human rights record.

Although an election code was passed by the operational legislature and signed by Mr. Lukashenko, he and his administration have stated clearly that amendments can be made to the election code based upon the national dialogue. It should be noted that the new election code is an improvement over its predecessor, though still features a number of deficiencies. The OSCE has raised a number of technical issues and cited areas in need of improvement, some of which have been made. The elimination of administrative sanctions as a means of prohibiting candidates from competing in the elections was a primary concern raised by the Parliamentary Working Group representatives and has been removed from the current code. Though still insufficient to meet OSCE commitments, the apparent willingness to amend the code leaves some room for optimism.

One other key achievement of the Parliamentary Assembly's strategy was the creation and the recent visit of the Parliamentary Troika to Minsk, which included representatives of the three international parliamentary organizations. This international body represents a coordinated parliamentary-international policy vis-a-vis Belarus and also signifies the commitment of the international community towards Belarus. During this visit, the Troika group expressed its dismay at the interruption of the process leading up to the dialogue, but also was encouraged by the expressed intentions of all sides to find solutions through dialogue.

#### **STRATEGIC GOALS STILL TO BE ACHIEVED**

Though the OSCE Parliamentary Assembly Working Group on Belarus strategy has been very successful, the political environment in Belarus is very dynamic and fluid. There remain some goals which have yet to be reached so far. Foremost among these is the establishment of a permanent, meaningful dialogue on the election system and a consensual election code. It is hoped that the current official proposal for dialogue, sponsored by Mr. Lukashenko, will serve this purpose, but this has yet to be proven. A major expectation for such an inclusive dialogue would be a consensual election code that would then be adopted simultaneously by the legitimate and operational parliaments, thereby avoiding certain legitimacy questions for some electoral participants.

As the current election code was adopted unilaterally by the National Assembly and signed by Mr. Lukashenko, it was not a product of dialogue and does not address some of the opposition's concerns. Any national dialogue in Belarus needs to try and address the concerns of the opposition. One of their greatest concerns is that the electoral code is not currently in full compliance with international commitments. A

number of issues, including media access for the opposition, the composition of election commissions, campaign finance provisions, domestic observation, etc., still need to be addressed. In this regard, the implementation of the signed media agreement would be a positive step in addressing some of the concerns of both the opposition and the international community.

Working Group members and the OSCE AMG also still hope to achieve an agreement on the functions of the future parliament. In terms of democratic development and international support, it is believed that the newly elected legislature must have real powers and perform a meaningful role. One avenue towards achieving this goal could be the repeal of all presidential decrees which limit the authority of the legislature.

Another goal of the Working Group has been to secure the release of all political prisoners, and for harassment and intimidation of individuals and organizations to cease. In order to create a positive electoral environment, it is important for all aspects of Belarusian society to have an unimpeded ability to compete in the electoral process, without fear of repercussion.

Finally, the Parliamentary Assembly Working Group hopes to influence a change in the official Governmental rhetoric which has been consistently anti-opposition and sometimes anti-Western. Again, in order to build a constructive relationship, more positive rhetoric, stressing areas for mutual cooperation, would seem beneficial.

#### FUTURE

Given the limited time remaining before elections will be held in Belarus (although a date has not officially been set, expectations are that the elections will be held in the Fall), a number of issues remain as priorities:

- First is to encourage the opposition and NGO's to enter Mr. Lukashenko's proposed national dialogue. The short-term benefit of this would be to transform an amorphous dialogue into a structured, meaningful and inclusive exchange of ideas. The longer-term goal would be to reach consensus between the Government and the opposition on the election legislation. Ideally this agreement would reflect international standards, include access of the opposition to the State-controlled media and would also include an agreement on the functions of the new parliament.
- On the other side of the equation, the Working Group also believes a major priority is to continue to encourage the Government to include the opposition in the national dialogue, and to make the dialogue an inclusive, meaningful process.
- Continued emphasis on the need for the respect of human rights and increased tolerance in Belarus is also necessary at this point. Freedom of expression and respect for rule of law is controlled by the Government. If the dialogue process is to be successful, it must reflect a *real* consensus. Even a good election law that does not respect this fundamental aspect of democracy would be insufficient.

- The Working Group also believes it necessary to define a step-by-step process for international organizations regarding the provision of technical and other assistance, as well as tangible incentives and rewards for a gradual implementation of reform in Belarus. Though a “carrot and stick” policy has been advocated for Belarus by some governments and international organizations, Working Group members believe there need to be carrots as well as sticks.
- Similarly, the international community needs to be better organized in order to provide assistance for the forthcoming elections. This particularly relates to the creation of an agreed-upon, coordinated approach for the provision of technical assistance and observation. An international conference seems an ideal venue to agree upon minimal standards and improvements necessary for international observation to take place, as well as standards of compliance necessary for the eventual recognition of the election results. During such a conference the specific competencies of different assistance organizations should also be identified and coordinated, so as to avoid duplication of function and to streamline efficiency.
- The OSCE Parliamentary Assembly Working Group also firmly believes that international contacts with Belarus should be maintained, even during difficult periods in its political development process. The democratization process in Belarus has been characterized by steps forward and backward. Isolation and a continued eastward drift of the country will not serve any long-term interests.
- Finally, an international plan between Russia, the United States and European powers should be created to assist, encourage and promote the democratization process in Belarus. Through the concerted efforts and interests of major governments, the rewards of democratization can be emphasized and highlighted.

### CONCLUSIONS

The political situation in Belarus is currently a virtual stalemate. The opposition by itself has little ability to influence or have an impact upon the current political situation. However, by boycotting the current dialogue process, the opposition can condemn the process itself and the results to be one-sided and exclusive. The Government, on the other hand, has the ability to involve the opposition and to make the political development process in Belarus inclusive and democratic. This would send a strong signal to a number of governments and international organizations. Both sides stand at a crossroads and must decide whether it is more beneficial to create and participate in a truly democratic process, or to maintain their separate positions and thereby guarantee that the electoral process will not be inclusive, democratic or internationally acceptable.

In the long term, the democratization process in Belarus and its evaluation will be complicated and will require time to evaluate the actual results. With the current political situation as fluid and subject to change as it is, it is difficult to assess and interpret events in terms of their ultimate impact on the overall development process. Is an isolated event an indication of a positive or negative shift by the Government or the opposition? Time is needed to evaluate each development, and knee-jerk

responses by governments or international organizations can and have been counterproductive to the conflict-resolution process currently being undertaken by the OSCE.

To those who have been involved in seeking to find a way out of the political stalemate, there is no other way to achieve democratization goals except through an internal, political dialogue and with non-violent political action. Sensitivities are high on all sides of the political spectrum, and trust is difficult to achieve. Past human rights violations have clouded and jaded many as to the possibilities for any positive democratic development in the country. However, only through a stable and gradual process of dialogue can the necessary trust be secured, and individual issues be addressed.

The current situation in Belarus does not give much reason for enthusiasm. There have been a number of setbacks to the democratization process and to the efforts of the OSCE Parliamentary Assembly Working Group and the OSCE AMG to create an inclusive political dialogue on elections. The date for these elections is drawing near with many necessary issues yet to be resolved. However, some hope still remains. The Government has recognized the need for a national dialogue and has instituted its own process. The opposition has expressed a willingness to participate in any meaningful dialogue which will work towards the resolution of their differences with the Government. Whereas confidence and trust are still lacking in this new process, it is imperative that all sides try to make the effort a successful one.

The OSCE Parliamentary Assembly Working Group encourages the OSCE Advisory and Monitoring Group to observe the development of this dialogue and to provide such assistance as it is able to on a daily basis, in order to facilitate a meaningful exchange of ideas and a consensual outcome. The OSCE Parliamentary Assembly ad hoc Working Group on Belarus will maintain its commitment to the process and provide support and assistance as needed. The Parliamentary Troika of representatives from the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament has expressed its commitment to the process as well, and will also add its political support to a positive outcome. The key issue is that time is short and much needs to be done in order for free, fair and recognizable elections to take place in Belarus this year.

## WRITTEN SUBMISSION OF STANISLAV SHUSHKEVICH

BELARUS IN THE SYSTEM OF THE INTERNATIONAL  
COOPERATION AND SECURITY

Geopolitical interests of Russia are the main obstacles on the path of making Belarus a democratic, law-abiding, neutral nation, an important element for stability and security in Europe.

The independence of Belarus was restored *de jure* in December 1991. Belarus has removed nuclear weapons from its territory, declared its desire for neutrality, and attempted to follow a path toward democracy, a market economy and open society.

Supporters of the Belarusian independence in Belarus are no enemies of Russia. They understand that Russia is more democratic than Belarus is today and that Russia's economy is more liberal. But they also realize that to follow the path of reforms together with an unpredictable Russia is similar to that of following a herd of horses, speeding along without knowing where they might turn next.

Russia does not conceal its intentions that it wants to swallow Belarus under the guise of "unification." The Russian Federation Council on Foreign and Defense Policy declared openly that the unification must be used "to oppose the expansion of NATO to the East;" "remove the potential threat of creating the so-called Black-and-Baltic Sea Belt which would isolate Russia"; "improve our military potential by integrating with the Belarusian army"; "remove the Kaliningrad special defense region from military and strategic isolation"; "ensure the integration of the two armies into a single system with a single command and control structure"; and "develop a unified, powerful military industrial complex." Even more cynically, the Council also declared that there "should not be any delay in this matter" and that "one should even pay a certain economic price for such a profitable geopolitical union." And "since the processes of restoring national self-consciousness are being accelerated in Belarus, time is working in favor of the opponents of "integration." So, the unification process should be sped up." It has also been suggested to utilize the main sources of anxiety among the Belarusian people, such as the low economic security, increase in crime, and the consequences of the Chernobyl disaster, because they "divert the attention of the people from the essence of the integration process."

In short, it is necessary to expand the Russian empire by suppressing the national self-awareness of the Belarusian people, and utilizing the state of poverty in Belarus. There is no mention of the fact that one of the causes of poverty in Belarus is Russia itself, because it supports the illegitimate regime, a regime that ruins the economy by employing its communist methods of management.

Russian politicians are convinced that they represent an empire, or superpower, and that they have the right to dictate the direction that other countries should follow. They "forget" that Russia's "grandeur" today is based solely on nuclear weapons, not on its economic power and that the maintenance and modernization of these weapons at the mutually assured destruction level robs the Russian taxpayer at the expense of the economy.

In his New Year's article, Vladimir Putin admitted unconditionally that the standard of living of the average Russian is ten times less than that of the average American, that the Russian GDP is five times less

than that of China, and that under the most favorable conditions the average Russian will reach today's standard of living of the average Portuguese in 15-20 years. But, at the same time, on January 10, 2000, Putin approved the National Security Concept of the Russian Federation, according to which Russia will oppose both the domination of the international community by Western countries, led by the United States, and the attempt of ignoring Russia's interests which "can undermine the international security and stability." To put this statement into clearer language: Russians are lagging behind economically, but they are great in spirit and, therefore, they can teach others. And those who do not understand this, undermine international security.

A government, which relies on such controversial postulates while maintaining the political stability in the country can only be a dictatorship.

Unfortunately, there is very little hope that, after securing his power by going through the election process, Mr. Putin will follow the path of developing a peace-time economy for the benefit of the ordinary Russian. The Belarusian experience demonstrates quite the opposite. A fairly sensible people installed a dictator in Belarus, thinking that they will serve as a "brain center" for him and that, because of his personal narrow-mindedness, he will, with a strong hand, carry out their sensible policy. It turned out to be the opposite.

The regime established in Belarus is a dictatorship in spite of the fact that the so-called "1996 Constitution" speaks about the "parliament," "legal opposition," "freedom of speech" and even "the principle of the existence of different branches of government."

The political opposition and the independent mass media are allowed to exist nominally in Belarus, but they cannot affect the situation because the regime suppresses the democratic opposition by force, intimidation and open political terror. Belarus has become a police state. It has the largest number of members of the police per capita in Europe—125,000 militiamen in a country of 10 million people. Popular political leaders are disappearing without a trace; members of the parliament with the parliamentary immunity are being arrested; independent lawyers lose their right to defend their clients in courts, and the courts have become nothing but a farce.

The Russian leadership, in spite of its own economic difficulties, supports all this. The activity around the absorption of Belarus became only one factor that united the opposing Russian political forces. A set of six treaties which, in effect, were statements of intent and were signed between April 1996 and December 1999, on the unification as well as on the creation of a confederation, and, finally, on the union between Belarus and Russia, demonstrates that Russia supports the illegitimate regime. The treaties also blunt the suffering of the Russian population caused by the war in Chechnya and economic hardships.

The economy of Belarus is in crisis. In 1999, inflation was higher than 220 percent. The Belarusian ruble, with respect to the Russian ruble, dropped in value by 225 times. The statements issued by the regime about the rise of its GDP and the reduction in the number of people with the required minimum living income are nothing but a bluff. The minimum monthly income per capita was \$2.00 in 1998, while the average income was \$37.00; in comparison, in neighboring Lithuania, these figures were \$105.00 and \$256.00 respectively.



Opinion polls confirm that there is a drop in confidence for the government. The government bureaucracy also understands that the vain economic attempts made by the regime have no future. The bureaucracy does not feel that it is being protected. At the whim of the dictator any bureaucrat can be handcuffed or lose his job and all means for his survival. The regime promotes its international isolation and without any outside aid, Belarus will not be able to get out of the crisis. The majority of the government bureaucracy is, therefore, interested in the collapse of the dictatorship. This is also true for members in the power authorities. If the opposition would stir up the active part of society while the bureaucrats realize that the regime is unstable and begin to think about their own future, then, with their help, the situation may change drastically. Under these conditions, it would be very important for Belarus to receive help from the international community in its democratic transformation.

The OSCE Advisory and Monitoring Group (AMG) has been operating in Minsk since January 1998. OSCE countries have agreed that the elections in Belarus should follow the development of the climate of confidence and the approval of the election code based on the dialogue between the government and the opposition. The international community does not recognize the elections if there are no independent election commissions, which can also be created as a result of negotiations.

But the authorities, supported by Russia, have become even more impudent. As a result, on February 22, 2000, 12 opposition parties refused to participate in the so-called elections. They considered the election law, created by the puppet parliament, antidemocratic

However, the OSCE rules do not permit the organization to effectively influence the regime, which does not want to carry out any democratization. The AMG efforts have resulted in the development of a single, acceptable approach by the opposition to negotiations. These efforts, however, have diverted the attention of the opposition parties from other types of resistance and, in that sense, have thus become counter-productive.

The formation of a nation, which has its own language, its own culture, literature, traditions, including the tradition of statehood, cannot be stopped. Belarus will become a law-abiding democratic nation. It will achieve the status of a civilized society. However, the process of democratization and liberalization will be rather long without the help from the countries abroad, in particular, without the support of the enlightening and educational programs by the outside world.

Belarusians are aware of the length of time required for them to get out of this dead end. They understand that the rapid development of the country can only be accomplished with the aid of foreign investments. From the excellent geographic location to its inexpensive, highly qualified and disciplined labor force, Belarus has plenty of factors favorable for making profitable investments. The political forces inside the country supported by the enlightening and educational aid from the West and, most of all, from the United States, should ensure the transition to democracy and political stability in Belarus. We may then try to convince the United States and Europe to initiate a new Marshall Plan.

**REPORT ON THE ACTIVITIES IN 1999  
OF THE AD HOC WORKING GROUP ON BELARUS  
OF THE OSCE PARLIAMENTARY ASSEMBLY**

**14 JANUARY 2000**

*CONTENTS OF THIS REPORT*

Mandate of the OSCE PA Ad Hoc Working Group on Belarus  
Summary of Activities  
Overview of Work  
Next Steps Analysis  
Annex 1: St. Petersburg Resolution  
Annex 2: Istanbul Summit Declaration

**MANDATE OF THE WORKING GROUP**

The President of the OSCE Parliamentary Assembly, Mrs. Helle Degn (MP, Denmark), appointed to the Group:

Mr. Adrian Severin (MP, Romania), Chairman of the Working Group  
Mr. Ihor Ostash (MP, Ukraine), Vice President of the OSCE PA  
Mr. Gert Weisskirchen (MP, Germany), Chair of the Third Committee  
Mr. Kimmo Kiljunen (MP, Finland), Chair of the First Committee  
Mrs. Nino Burjanadze (MP, Georgia), Rapporteur of the Third Committee

on the occasion of the Assembly's Annual Session in Copenhagen on 7 July 1998. The Group is assisted by OSCE Parliamentary Assembly Director of Programs Dr. Eric Rudenshiold.

Through its repeated visits to Belarus and other activities, the OSCE Parliamentary Working Group seeks to engage the different political factions in Belarus and to develop a dialogue on a number of crucial constitutional, parliamentary and electoral questions. Working Group members have made a special point of meeting with parliamentarians of the 13th Supreme Soviet, leaders from political parties, as well as representatives from the Republic of Belarus and other political forces in the country. During all of its meetings, the Group has stressed the importance of participation in the OSCE process and of the need for finding peaceful, inclusive solutions to the country's various political problems.

**SUMMARY OF ACTIVITIES**

**17–20 January 1999:** First Assessment Visit of Working Group to Minsk

The ad hoc Working Group on Belarus of the OSCE Parliamentary Assembly visited Minsk from 17-20 January 1999, at the invitation of the OSCE Advisory and Monitoring Group in Belarus (AMG). The Parliamentary Group met with officials and representatives from the Presidential administration, Government and parliamentary officials, opposition representatives, members of the diplomatic corps, as well as with members of non-governmental organizations and the media.

The purpose of the visit was to study the political situation and to investigate the outlook for democratic transformation in Belarus. The OSCE Parliamentary Working Group focused its efforts on a number of pending constitutional and parliamentary questions in the country and sought to directly engage and deepen dialogue between parliamentarians of the 13th Supreme Soviet, political parties, the Government of Belarus and other political forces in the region. During its meetings with the various political factions in Belarus, the Group also stressed the importance of participation in the OSCE process.

**19–22 March 1999: Finnish Election Observation Program**

The OSCE Parliamentary Working Group organized, in cooperation with the Finnish Parliament and Ministry of Foreign Affairs, the OSCE AMG, and the United Nations Development Program, to have six individuals from Belarus observe the Finnish elections on 21 March, as part of the Group's efforts to build a dialogue on elections between the Belarusian Government and opposition groups. Those individuals from Belarus who participated in the election program were chosen from various institutions and organizations and represented a broad diversity of official and unofficial political opinions. During their program in Finland, the Belarusian electoral observers witnessed political campaigning, met with press officials and representatives from different parties, observed voting and polling procedures, as well as the final vote tabulation.

The Finnish program participants later expressed to the Working Group representatives their appreciation for having been afforded the opportunity to observe the Finnish elections, and they commented on having had a number of opportunities to discuss their own electoral problems during the Finnish program. These same Belarusian participants later made a presentation on what they observed to the Bucharest meeting of political representatives from Belarus in the Spring.

**March 1999: Working Group Consultations**

Also in March, the Chairman of the Working Group, Mr. Adrian Severin, met with representatives of the U.S. Helsinki Commission and the Department of State in Washington, D.C., and also with the Speaker of the Russian Duma, Mr. Gennady Seleznev, and representatives of the Ministry of Foreign Affairs in Moscow, to discuss the current situation in Belarus. During his meetings in Washington, the Working Group Chairman discussed possible ways for re-integrating U.S. activities in Belarus, as well as the means to identify and support the development of democratization in the republic. While in Moscow, Mr. Severin expressed his gratitude to Mr. Seleznev for the Duma's interest in the Working Group's activities in Belarus, and asked for their continued support. The Working Group Chairman also met with a number of Russian Federation officials while in Moscow to solicit their opinions on the developing crisis in Belarus.

**2-6 April 1999: Second Assessment**

Visit Coinciding with Belarusian Local Elections Representatives of the ad hoc Working Group on Belarus of the OSCE Parliamentary Assembly visited Minsk from 2-6 April 1999, coincidentally with the AMG's assessment of the Local Elections in Belarus. Although it was not a formal election observation exercise, since the election law had been

determined by the OSCE not to be in compliance with international commitments, the Working Group delegation participated in the election evaluation exercise in order to gain a closer insight on the various kinds of electoral issues that Belarus must overcome in practice. The Parliamentary Group also met with officials and representatives from the Presidential administration, Government and parliamentary officials, opposition representatives, members of the diplomatic corps, as well as with members of non-governmental organizations and the media.

The primary purpose of the visit was to assist the AMG in its electoral assessment, to follow up contacts made during the first visit of the Working Group to Belarus, to gauge the level of political tension in the republic, and to make preparations for future Working Group activities. Another major aim of this visit was to augment support for the work of the OSCE Advisory and Monitoring Group, headed by Ambassador Hans-Georg Wiek.

22–23 April 1999: Working Group Meeting in Copenhagen at Expanded Bureau Meeting

The members of the ad hoc Working Group on Belarus held a meeting of its membership to discuss their findings from previous visits to Belarus and to analyze the current political situation in the Republic. The Group members also discussed various possible areas for concentration and possible strategies. An agenda of forthcoming activities was also discussed and agreed upon by all Group members. The Group Chairman, Mr. Severin, made a progress report to the Expanded Bureau Meeting.

14–18 May 1999: Working Group Visit Coinciding with Opposition Presidential Elections

Representatives of the ad hoc Working Group on Belarus of the OSCE Parliamentary Assembly visited Minsk from 14-18 May 1999, timed to coincide with the presidential elections being organized by opposition forces on 16 May. The Working Group delegation unofficially observed voting in the elections that were supported by the 13th Supreme Soviet and opposition political parties, and held in accordance with the expiration of the presidential mandate as called for in the 1994 Constitution. The Working Group stated that the elections constituted an important step towards the needed political dialogue between government and opposition.

The Parliamentary Group also again met with the Minister of Foreign Affairs of Belarus, a number of Government and parliamentary officials, opposition and political party representatives, members of the diplomatic corps, as well as with members of non-governmental organizations and the media. Another purpose of the visit was to continue preparations for a meeting to be held in Bucharest for representatives from the government, the opposition and the non-governmental sector to explore ways and means that could bring about democratic elections in Belarus which would be acceptable to all sides.

10–14 June 1999: Bucharest Meeting of Belarusian Opposition and NGO's

The OSCE Parliamentary Assembly ad hoc Working Group on Belarus held a meeting regarding forthcoming elections for members of Belarusian political parties, non-governmental organizations and trade unions on 11-13 June outside of Bucharest, in conjunction with the OSCE Advisory and Monitoring Group in Minsk. The meeting initiated a dialogue between participants in order to investigate common grounds for free and fair elections that could be participated in and recognized by all political forces in Belarus. The purpose of the meeting was to start a discussion on common denominators that could bring together a consensus for political participation in democratic elections.

The Bucharest Meeting was a three-day series of closed-door talks which also sought to further the coordinated effort of the OSCE parliamentary and governmental sides to engage the various Belarusian political factions in discussions related to free and fair elections in the transitional republic. Although participants were divided on some subjects that were discussed, a number of areas of agreement were noted. Foremost among the concerns of all participants was to gain access to the state-run media, particularly television. Another concern was the creation of an election law which was in line with OSCE commitments. After this meeting, the Working Group and AMG sought to broaden the "Bucharest Process" by engaging official Belarusian institutions on the issues which were discussed in Romania.

6–10 July 1999: St. Petersburg Annual Session

The Working Group held a meeting and discussed its recent activities and future plans and Mr. Severin reported these to the Standing Committee. A Resolution calling for free and fair parliamentary elections in Belarus to be held in the year 2000 in accordance with OSCE commitments was unanimously adopted during the St. Petersburg Annual Session of the OSCE PA in July. The Resolution also called for political parties and opposition groups to have access to state-owned media. (See Annex 1)

14-18 July 1999: Working Group Visit and Meeting with President Lukashenko

From 14-18 July 1999, Mr. Severin had substantive talks on a number of political issues with then President Aleksandr Lukashenko and other key political figures in Belarus. Mr. Severin and President Lukashenko met for more than two hours in Minsk on 15 July, and discussed the St. Petersburg Resolution, the progress of the Working Group and the situation with regard to political prisoners. The Belarusian President stated his commitment to the holding of free, fair and recognizable parliamentary elections in 2000, as well as his support for a political dialogue ("National Round Table") on elections to be held between the Government and the opposition, with broad media coverage of the talks. The President further declared the participation of OSCE in this process indispensable. He also stated to the Working Group Chairman that Mr. Lukashenko considers himself personally involved in this national political project. In their talks with Mr. Severin, representatives from the political opposition also expressed their readiness to engage in dialogue with the Belarusian authorities, but underlined the need for deeds to confirm good intentions. They also emphasized the need for firm commitments by all sides entering such negotiations, access particularly to electronic media for all participants in the negotiations, and a political climate free of fear and politically motivated prosecution.

This was the fourth visit of Mr. Severin as Chairman of the OSCE Parliamentary Assembly (OSCE PA) ad hoc Working Group on Belarus to have political consultations with the Belarusian leadership and opposition. During his talks with the President, Mr. Severin discussed the recently adopted OSCE PA Resolution on the Situation in Belarus, which calls for free and fair parliamentary elections to be held next year in the Republic in accordance with OSCE commitments. The Resolution, unanimously adopted during the St. Petersburg Annual Session of the OSCE PA, also calls for political parties and opposition groups to have access to state-owned media.

The Working Group talks concentrated on the implementation of free and fair parliamentary elections in Belarus in the year 2000, which need to be recognizable both domestically and internationally. In order to bring about nationwide political support for such elections, as well as international observation, the Parliamentary Working Group and the Advisory and Monitoring Group in Belarus promoted the concept that meaningful dialogue and substantive negotiations with all political forces of the country must be undertaken. Mr. Severin stressed that free and fair elections involve—according to the conviction of OSCE Governments and Parliaments—unimpeded access of the opposition to the media, in particular the electronic media, and an understanding about the role of a meaningful parliament in a democratic state. The Working Group Chair also stated that such understandings in Belarus have to be reached by dialogue between the government and the opposition, and with the support of and consultations with non-governmental organizations. Given the protracted nature of the political conflict over the past few years in Belarus, the joint OSCE parliamentary and governmental effort stated that trust must be re-established between political actors in the country.

The OSCE PA Working Group and the OSCE Advisory and Monitoring Group (OSCE AMG) stated this trust could only be achieved if dialogue replaced the current situation of administrative restrictions, political intimidation and inflammatory rhetoric. The pre-trial detention of opposition personalities on questionable legal grounds was one example raised by the Working Group Chairman as further exacerbating political tensions. The OSCE was deeply concerned at this time as there was no apparent legal need, under Belarusian law, for particular investigations to continue while the individuals were incarcerated and stated that their release would be an important and positive signal.

Mr. Severin also discussed the results of the Bucharest Meeting between the various political, non-governmental and civic forces of Belarus, which took place on 11-13 June upon invitation by the OSCE Parliamentary Working Group. The meeting helped to improve communication between the various participating civic forces of Belarus and initiated a dialogue, which has since come to be known as the “Bucharest process.”

13 September 1999: Working Group Meeting for International Organizations

On 13 September, the Working Group hosted a Co-ordination and Strategy Meeting on Belarus for International Organizations and Governments at the Assembly's International Secretariat in Copenhagen. The purpose of the Meeting was for the participants to exchange ideas and to develop and co-ordinate strategies. The main policy goals were considered to be holding internationally-recognizable parliamentary elec-

tions and pursuing the opportunities presented by the National Round Table, of which, under the aegis of the AMG, five preliminary and organizational meetings had already been held. A show of public and unified support for the OSCE process regarding the National Round Table, the correlation of timetables between international organizations and cross participation for various initiatives and programmes were deemed important. Furthermore, it was agreed that the International Secretariat would act as a clearing house and information unit for activities and occurrences regarding Belarus, and that human rights should remain at the top of the negotiations agenda.

The meeting was chaired by the Head of the Working Group, Mr. Adrian Severin (MP, Romania), and representatives from a number of organizations were present, including the Parliamentary Assembly of the Council of Europe, the European Parliament, the European Commission, and the NATO Assembly. Also in attendance was Ambassador Hans-Georg Wieck, Head of the OSCE Advisory and Monitoring Group in Minsk (AMG), who described recent developments which have taken place in Belarus as a result of the combined effort of the Assembly's Working Group and the AMG.

October 1999: Chairman's Meeting with Belarusian Leader

From 27-31 October, Mr. Severin visited Minsk and had a constructive three-and-a-half-hour meeting with Aleksandr Lukashenko concerning developments in Belarus and the arrests of certain key, opposition leaders. The two also discussed the issues needing to be resolved prior to the beginning of the round table discussions on elections. Mr. Severin stressed the primary importance of releasing political prisoners and providing the opposition access to the state-controlled media as confidence-building measures, prior to the start of negotiations. Since the meeting those arrested at the 17 October opposition-organized "freedom march" were released. Former Prime Minister Mikhail Chigir was also released and a media access agreement was signed (but not implemented).

4 November 1999: Working Group Chair Address OSCE Permanent Council

Mr. Adrian Severin (MP, Romania), Chairman of the OSCE Parliamentary Assembly ad hoc Working Group—"Democracy Team"—on Belarus, addressed the OSCE Permanent Council on 4 November 1999, on developments related to the establishment of round-table talks between the opposition and Government of Belarus. Mr. Severin informed the Permanent Council about the Assembly's involvement in seeking to find a resolution to the political impasse that exists in Belarus. He also described the strong, working partnership that has been forged between the governmental and parliamentary sides of OSCE in this regard.

17 November 1999: Working Group Meeting at Istanbul Expanded Bureau Meeting

The OSCE Parliamentary Assembly ad hoc Working Group on Belarus held a working meeting in conjunction with the Assembly's Expanded Bureau Meeting and the subsequent Istanbul Summit to discuss developments in Belarus. The Group members discussed their forthcoming plans and activities and met with Belarusian participants in the forthcoming round table talks. Mr. Severin reported to the Expanded Bureau on the work of the Group.

#### 18–19 November 1999: Istanbul Summit Meeting of Participants in Roundtable Talks

The Assembly's Working Group invited the government and opposition teams for the planned round table talks to come to the Istanbul Summit for preparatory talks designed to reduce problems for beginning negotiations. During their meetings with Working Group members, opposition political party representatives were unanimous in their concerns and tactics regarding the up-coming talks. The governmental representatives agreed that certain confidence-building measures needed to be implemented by the Government before the talks could successfully begin. All participants were also encouraged to meet with other interested OSCE Delegations attending the Summit.

#### 11–15 December 1999: Working Group Consultations in Minsk

On 11-15 December, Mr. Adrian Severin visited Minsk for the sixth time in 1999 as Chairman of the OSCE Parliamentary Assembly ad hoc Working Group on Belarus. Mr. Severin sought to continue consultations with the Belarusian government and opposition in order to facilitate the opening of the roundtable meetings designed to bring about free and fair elections in Belarus which are acceptable both internationally and domestically. Mr. Severin focused his attention on the issues preventing the implementation of the already-signed agreement on access for the opposition to the state-controlled mass media. He also sought to emphasize the need for implementation of human rights confidence-building measures by the government and for the need to begin election negotiations in the near future.

During this visit to Minsk, Mr. Severin met with the Deputy Prime Minister and Foreign Minister, as well as with a number of governmental specialists and officials. He also met with the Presidium of the 13<sup>th</sup> Supreme Soviet, the advisory council of opposition political parties, NGOs and several research institutes. Mr. Severin additionally met with former Prime Minister Michael Chigir and with the families of political prisoners.

### OVERVIEW OF WORK

The OSCE PA Working Group on Belarus has made a number of visits to Minsk since the last Vienna Standing Committee Meeting, and organized a number of meetings and consultations, in order to meet with various Belarusian individuals and organizations. The Parliamentary Group has sought to investigate the elements of the political stalemate which has existed in Belarus already for several years, and to suggest possible avenues for discussion and cooperation between governmental and opposition political forces. Early on in the past year, political tensions increased in Belarus, and the OSCE Parliamentary representatives were continually aware that, while relations between the opposition and authorities were deteriorating, the potential for heated conflict was also rising. One indicator of the escalation was that a complete set of parallel legal and political structures exists in Belarus, including legislative bodies, Constitutions, and executive structures.

In order to approach and discuss with these parallel bodies, it should be noted that, during this past year, the Working Group has enjoyed a unique relationship with the OSCE Advisory and Monitoring Group in



Belarus (OSCE AMG), which has provided an important example of cooperation and solidarity between the parliamentary and governmental sides of OSCE in the face of this political stalemate.

Though several other international efforts have failed to achieve results in the Belarusian conflict, from its first meeting in Minsk, the OSCE PA Working Group has sought to engage all sides of the Belarusian political spectrum in the hopes of finding common ground for dialogue and the eventual development of a strategy to resolve at least some aspects of the internal political conflict. During numerous meetings with Belarusian politicians and representatives, many concerns and obstacles to cooperation were raised by all sides. However, some possible areas for dialogue and even compromise seemed possible to the Working Group representatives. It has been in these areas that Group activities and discussions have been focused, and where some dialogue between Belarusian political actors has been initiated. However, there has been and remains a deep mistrust between the various political forces in Belarus which makes any level of discussion extremely difficult.

The meeting in Bucharest, organized by the Working Group with the assistance of the OSCE AMG, was a prime example of the fragility of confidence in the existing situation. Although the closed-door meetings, held from 11-13 June, were originally agreed to be between governmental, opposition and NGO representatives, the majority of Belarusian participants from *official* structures canceled their plans to attend at the last minute. Many opposition and NGO representatives also questioned the need for dialogue with the other sides that were invited to Bucharest. However, opposition and NGO representatives, along with a representative from the official trade unions, did travel to Bucharest, and did engage in discussions on grounds for participation in common elections that could be mutually recognized. During the intensive discussions, all Bucharest participants agreed that an election law which is in keeping with OSCE Commitments needs to be adopted and implemented. All participants also agreed that opposition groups need access to state-owned and -controlled media, particularly television. Whereas a number of Constitutional, legal and procedural issues divided the Bucharest participants, the Working Group members sought to challenge participants to explore new ideas and options. As the three-day series of meetings progressed, a number of proposals and suggestions were made by all participants. The lively and collegial discussions which took place were regarded by organizers and participants as a success in initiating a constructive dialogue on elections and possible next steps.

The Working Group and AMG has since sought to broaden the "Bucharest Process" by engaging official Belarusian institutions. Working Group members visited Minsk again and met with the President of Belarus in mid-July to discuss possibilities for implementing possible agreements and areas of compromise. Since that time there has been a commitment to dialogue voiced by the Government and some confidence-building measures implemented to build trust where little exists. Unfortunately, human rights violations and imprisonment of opposition leaders increased, as well as a series of disappearances of some key political figures.

Nevertheless, the Working Group continued to push for the process of dialogue and to work with the AMG to prepare all sides for impending negotiations, once the Government had instituted the confidence-build-

ing measures. The Working Group also sought to increase coordination between international organizations and governments from the Euro-Atlantic region regarding sharing information and the provision of future technical assistance in Belarus.

As members of the Parliamentary Working Group have learned, the process which should lead toward the democratization and development of a free and open society in Belarus is long and complicated. There are no spectacular or immediate solutions to the issues which make up the political stalemate. However, the Working Group representatives believe that some progress has been made to date, and that the groundwork for further progress towards democratic elections and further democratization in Belarus have been made. The need for a steady and coordinated approach from the international community, which emphasizes the importance and wisdom of adhering to OSCE and other international principles, must be continued, if there is to be a successful outcome.

#### NEXT STEPS ANALYSIS

##### *Major Political Issues to be Resolved Regarding Elections in Belarus in 2000 (After Confidence-Building Measures in Place)*

A political decision by the Belarusian authorities to accept the following five points is urgently needed to resolve potential conflict areas, to build transparency and efficiency into the elections process, and to speed the ability of Belarus to meet its electoral commitments.

1. Central Election Commission (CEC), and regional and local commissions--All political parties should be represented at all levels of election commissions. The CEC should act independently and have full authority to run the elections process, with domestic and international observation.
2. There should be no exclusion of candidates under administrative investigation or with records of administrative sanction.
3. The electoral threshold should be reduced to 25 percent for the first round (and no threshold for a second round).
4. The election law should promote a mixed electoral system ( percent proportional and percent majoritarian).
5. Regarding the issue of registration of parties at local addresses, the law should be suspended or enforced only after 1 January 2001. There is currently not enough commercial property available in some regions of Belarus to make this feasible at this point in time.

The rest of the issues (the authorities of the Parliament, equal budgetary subsidies for all candidates, equal and open campaign conditions, simplification and transparency of the registration procedure, etc.) related to the election are more technical in nature and should be discussed in the direct negotiations of the National Round Table, based upon the agreements above.

The forthcoming election law must be achieved by negotiations between the opposition and the government, in order for the resulting elections to be recognizable, either domestically or internationally. Pressures by some political institutions in Belarus to adopt a non-negotiated election law will only result in further alienating opposition groups from

the political process thereby making the resulting electoral procedure unacceptable to important constituents in the Belarusian political spectrum. This is an unacceptable situation, particularly so when the Government of Belarus has shown a willingness to negotiate with the opposition.

However, the OSCE Parliamentary Assembly ad hoc Working Group has a number of other concerns at this point:

- Little progress has been made recently towards the activation of the Round Table process.
- Time delays exacerbate tensions and reduce trust in the political system.
- Time delays favor a non-negotiated situation, or a “solution” which allows little to no time for alternatives to be discussed between the government and opposition.
- Confidence-building measures have only been partially implemented: former Prime Minister Chygir has been released from prison, but still faces a trial that has already had sessions conducted behind closed doors; a signed media agreement, giving access to the opposition, has yet to be employed.

Despite assurances to the contrary, the Working Group has become increasingly alarmed at the lack of overall progress on the Government's part in creating a situation conducive for negotiations. Delays reduce the ability of achieving a mutually acceptable agreement on holding free, fair and recognizable elections in the year 2000. Delays in implementing the media agreement also indicate a measure of bad faith on the Government's part, though its leaders have indicated a commitment to the process of dialogue.

Opposition parties have organized and unified their efforts to negotiate with the Government and shown a strong willingness to compromise and work towards a mutually acceptable solution. The 13th Supreme Soviet has also shown a desire to negotiate and flexibility over its positions in January of 1999. The Government, on the other hand, has recently sent mixed signals and appears unable to act on or implement the words of its leaders.

Given this apparent impasse, particularly regarding the underlying concerns over implementation of the media agreement, the Working Group suggests an interim solution of partial implementation. Some air time for opposition people on television and radio could be provided, via a single, regular program that would be taped (in order to give all sides the chance for editorial security) and broadcast later. Fixed subjects of discussion could be agreed to in advance, again as a measure for all sides to gain experience and confidence in working together. Partial steps, such as this, could serve to break the ice on further implementation and to build confidence that both the governmental and opposition sides will act responsibly.

It is a concern to the OSCE PA Working Group on Belarus that agreements, such as the Russia-Belarus Union Treaty have been ratified by an unrecognized institution, and thereby cannot be recognized by the OSCE Parliamentary Assembly. Pressing these issues to the fore, prior to legitimate elections, only further serve to exacerbate the existing political tensions in Belarus and to raise legitimacy questions that could be solved by a new, democratically elected legislature.

At the same time, the Working Group believes that there should be a strengthening of coordination vis-a-vis Belarus between international organizations and Governments. The Working Group will continue in its efforts to try and increase this form of coordination, so as to avoid contradictory and overlapping approaches. In a related vein, the Working Group also believes there currently needs to be a mobilization of available tools to assist in developing democracy in Belarus. In particular, the Group calls upon Russia to provide such assistance as to raise the level of democratic development in Belarus at least to the level that Russia itself has achieved. The European Union has both the economic and political means to influence and encourage positive processes, calling upon the deep democratic roots and traditions of its members.

The OSCE Parliamentary Assembly ad hoc Working Group on Belarus believes there is still time to enter into negotiations between the opposition and government, and to achieve a meaningful dialogue and negotiation on acceptable elections. However, should this dialogue not take place, the Working Group questions whether the outcome of the resulting elections could be recognized in the future.

#### ANNEX 1:

##### ST. PETERSBURG RESOLUTION CONCERNING THE SITUATION IN BELARUS

The OSCE Parliamentary Assembly:

1. Recalling its concerns regarding the situation in Belarus, as stated in the Sixth Annual Session Warsaw Declaration;
2. Noting the continued existence of serious differences between political forces in Belarus;
3. Considering the forthcoming parliamentary elections scheduled for the year 2000;
4. Remembering the expiration of mandates of the 13th Supreme Soviet and the operational legislature in the year 2000;
5. Recognizing past deficiencies in the Belarusian electoral system;

The OSCE Parliamentary Assembly,

6. Urges all political forces in Belarus to co-operate in constructive talks and to look for solutions to the political impasse;
7. Continues to support the work of the OSCE Advisory and Monitoring Group in Belarus (AMG), particularly with respect to its monitoring of human rights issues and the political situation in Belarus;
8. Directs the OSCE Parliamentary Assembly ad hoc Working Group on Belarus to:
  - a. continue its efforts to engage all sides in a meaningful dialogue on elections, as begun during the recent Bucharest Meeting;
  - b. broaden the political dialogue within Belarus, in order to hold elections under conditions agreeable to all political sides and which will produce mutually acceptable results; and

- c. work towards the co-ordination and reintegration of other international organizations in Belarus, particularly with respect to the provision of technical assistance in preparation for the forthcoming elections (election law drafting assistance, media observation and development, election commission training, domestic observer training, etc.);
9. Calls upon the Government of Belarus to:
- a. agree to elections procedures and the conduct of the elections in accordance with OSCE Commitments, and to
  - b. provide political parties and opposition groups with access to time on State-owned Television and Radio;
10. Requests that OSCE Governments and international organizations express their support for the development of a democratic election process in Belarus and to provide such assistance as appropriate and necessary.

**ANNEX 2:  
ISTANBUL SUMMIT DECLARATION  
CONCERNING THE SITUATION IN BELARUS**

22. We strongly support the work of the Advisory and Monitoring Group in Belarus, which has worked closely with the Belarusian authorities as well as with opposition parties and leaders and NGOs in promoting democratic institutions and compliance with OSCE commitments, thus facilitating a resolution of the constitutional controversy in Belarus. We emphasize that only a real political dialogue in Belarus can pave the way for free and democratic elections through which the foundations for real democracy can be developed. We would welcome early progress in this political dialogue with the OSCE participation, in close co-operation with the OSCE Parliamentary Assembly. We stress the necessity of removing all remaining obstacles to this dialogue by respecting the principles of the rule of law and the freedom of the media.

**WRITTEN SUBMISSION OF SEMION SHARETSKI**

Mr. Chairman, Members of the Commission:

First of all, I wish to express my deep gratitude to your country, the most powerful in the world and a paragon of democracy for others, for its concern with the cause of human rights in other regions of the globe and, in particular, in our country. We view the present hearing in precisely this way. We very much need and appreciate all of this, because Belarus has become, since November 1996, a kind of testing ground for experimentation aimed at the restoration of the former totalitarian Bolshevik order on post-Soviet territory.

A previous session of the Supreme Council (Soviet) of the Republic of Belarus, well aware that the defense of human rights in each country must be valued not only from the national viewpoint, but also on an international level, brought its laws into conformity with international standards and norms and devised mechanisms for their execution. First of all, these requirements were taken into account during the preparation of the Constitution and its adoption on March 15, 1994. Moreover, from the beginning of the Republic of Belarus to November 1996, much was done to democratize the system of government in practical terms. Increasingly, Belarus was striving not only to become independent and sovereign, but also to be an equal member among the European structures.

These developments were in no way acceptable, first of all, to the communist elite. The programs of the communist parties, at least those of the Russian Federation, Belarus, and Ukraine, envision as one of their main tasks the renewal of the Soviet Union, with its militaristic ways. Secondly, independence and democracy-building in Belarus were unacceptable to Russia's chauvinist circles, who continue dreaming about the renewal of the Russian empire, whose successor was the Soviet Union. And, in this respect, the programs and actions of all Russian politicians, no matter of what hue or color, coincide. Generally speaking, where international matters are at play, there end the democratic tendencies of all Russian politicians. This was demonstrated by the events in Yugoslavia; this is evident from their attitude toward the settlement of the Chechen problem; and this is exemplified by their views on the independence and sovereignty of the Belarusian state. In all such cases, Russian politicians are guided only by their own imperial interests.

Unfortunately, another example of the same type is exhibited by the presidential nominee of the Russian Federation, Vladimir Putin, who uses Russia's strategic interests in Belarus as an argument for the necessity to unite Belarus and Russia. At the same time, he does not even intend to ask Belarusians: what are their own strategic interests. A while ago, on Russian television screens Belarus was described as the Russian corridor into Europe. Incidentally, Russia does not pay a single kopeck to Belarus, either for the oil and gas pipes which cross our territory, or for the railroads and air space, or for the maintenance of its military installations. Namely, here lies one of the main reasons why the attempt to restore the former Russian empire starts with Belarus. Russia remains an empire, as demonstrated by the events in Chechnya, on whose territory an imperial policy is being conducted. I do not refer here to the fight against terrorism. Such a battle, indeed the most aggressive, must be waged. I have in mind the satisfaction with which the Russian military and journalists report, for example, about the open-

ing in Chechnya of Russian schools in which the Chechen language is taught only as a subject. I would especially like to stress this point, because on the territory of Belarus, there are no terrorists who would threaten Russia or its citizens. Nevertheless and unfortunately, Russians, who occupy the most important positions in the Lukashenka government (now including prime minister), conduct the same spiritual genocide, or, to use a phrase from Russian soldiers, there is an ongoing cleansing of Chechnya from Chechens and Belarus from Belarusians.

Presently, in Belarus, there is not a single higher educational institution functioning in the Belarusian language, and not a single Belarusian school remains in the capital of Minsk (there are only a few Belarusian-language classes). The Belarusian language has been eliminated from all government offices, despite the fact that, in the territory of the Republic, as the 1999 census has shown, over 80 percent of the population are of Belarusian nationality. This means that the policy I mentioned constitutes a violation of the main nationality's basic constitutional right to use its native language, let alone that it fails to satisfy the needs of Poles, Ukrainians, Jews and other national minorities. Everyone is being forcibly converted into a Russian.

The first step toward the renewal in Belarus of the old totalitarian system, with its crude socialism and annexation of the Republic to Russia, was the removal of Stanislau Shushkevich from the position of Chairman of the Supreme Council of the Republic of Belarus. At the time, this was presumed to have been done to facilitate the presidential candidacy of Vyachaslau Kebich, who headed the government. However, the fact that the podium of Russia's State Duma, which at the time was dominated by communists, was given only to Lukashenka, one of six presidential candidates in Belarus, clearly showed who enjoyed the support of Russia in that presidential contest. Lukashenka was also supported by the Russian leadership as its henchman during the coup d'etat that he carried out in November 1996, under the guise of a national referendum.

However, one cannot correctly label as a referendum, an undertaking which was carried out by bringing to Minsk more troops than the city had seen since the end of the Second World War. Armored cars were put on the streets of the city and the building of the Central Electoral Commission was occupied by armed presidential guardsmen who refused entry to anyone, thus creating every opportunity to blatantly falsify the results of the referendum. Voting bulletins were printed and distributed to localities by presidential teams, without any control. Incidentally, the bulletins contained a note stating that the submitted proposals regarding the amendments to the constitution were of a consultative nature, to be considered by the Supreme Council. After the referendum, Lukashenka decreed its results to be mandatory as to all proposals. Also, thousands of violations of law were committed during the voting process in the various localities, and this was documented. I myself forwarded to the Republic's Attorney General, documents on more than one thousand such infringements, but no reply was ever received.

The fact that a number of KGB officials were awarded personalized arms and other rewards for a "successful" organization of the so-called referendum (1996) testifies that coercion was committed.

All these facts were well known to the leadership of the Russian Federation, including Messrs. Yeltsin, Chernomyrdin, Stroyev and Seleznev. As to Yeltsin personally, he agreed to dissolve the Soviet Union not because he became such a democrat, ready to assist other peoples in establishing their own national states on the basis of the former Soviet republics, but because only through such a maneuver did he see a real chance to gain supreme power, at least in Russia itself. At that time, there was no way whatsoever for him to become president of the Soviet Union. However, after he was elected president of the Russian Federation, Yeltsin was no longer reluctant to start restoring the former Russian empire. And in this respect his strivings coincided with those of the communists. This is exactly why he supported Lukashenka.

Russian chauvinist circles need the dictator Lukashenka, who by anti-constitutional means paralyzed the functioning of Belarus's democratic organs—the Supreme Council and the Constitutional Court—which stood firmly for preservation of independence and national sovereignty for the Republic of Belarus and for furtherance of market economy reforms. They needed a dictator in Belarus who would not be a Belarusian in his mentality and thus, would contribute to further the russification of the Belarusian people which had started under the tsars and continued during Soviet times. They also must have a dictatorial regime in Belarus which can establish a monopoly over the mass media and suppress dissent in order to remove obstacles along the road of their chauvinist policy. To create conditions for carrying out such a policy, Russian chauvinist circles are ready not only to close their eyes to the flagrant violations of human rights and liberties in Belarus by the Lukashenka regime, but also to forgive the dictator for the offenses he has been allowing himself toward Yeltsin and other Russian politicians, as well as Russia as a whole.

Since the so-called referendum of November 1996, all division of power in Belarus has been eliminated. All branches of government—legislative, executive, and judicial—are in the hands of Lukashenka. Instead of the Supreme Council, elected by the people, he created the entirely illegitimate National Assembly, which by its nature and competency is similar to the former fascist council which existed under the dictatorship of Mussolini. All categories of prosecutors and judges are appointed and dismissed by Lukashenka only. Relationships in society, including in the sphere of human rights, have been regulated by decrees and directives, or simply by oral orders of Lukashenka. His decrees revoked many laws that had previously been adopted. A powerful police force has been set up—there are 135,000 policemen to be supported by a population of ten million. Moreover, he created by decree an anti-constitutional paramilitary force and empowered it to disregard essentially any right or law. According to that decree, this organization has the right to break into any domicile and search it without any warrant from a judge or a ministry of justice ministry official, as well as to arrest any individual on its own decision. The lawlessness has reached such a point that, under arrest and now in prison, in violation of their constitutional rights, are Supreme Council deputies Uladzimir Kudzinou (Vladimir Kudinov) and Andrei Klimau (Klimov), the latter of whom was up recently beaten. A show trial is currently being conducted against former prime minister Mikhail Chyhir (Chigir), who refused support to Lukashenka before the November 1996 referendum. No one among the authorities will provide an answer as to where the following have disap-



peared: former minister of the interior Yury Zakharenka, First Deputy of the Supreme Council Viktor Hanchar (Gonchar), and businessman Anatol Krasouski.

Along with the state budget, which, by the way, the above-mentioned National Assembly literally approves within few hours, Lukashenka has his own budget which is beyond oversight, and which is replenished in part by criminal means, including uncontrolled selling of arms. The government has not only monopolized the electronic mass media and over 90 percent of the print media, but practically prohibits mass meetings and assemblies, as well as strictly controlling the activities of all political and social organizations.

Esteemed ladies and gentlemen!

The presidential term of Alaksandar Lukashenka expired on July 20, 1999. On December 1, 1999, the Attorney General of the Republic of Belarus launched a criminal inquiry into the seizure and holding of power by unconstitutional means. Presently, the investigation continues. All this gives us grounds to state that the signatures of Lukashenka on official documents after the above-mentioned date have no juridical validity. Indeed, I made such a statement on the eve of the signing by Lukashenka and Yeltsin of the so-called treaty on unification of Belarus and Russia into one state.

The majority of the population in Belarus as of now does not support Lukashenka. It is only the all-around support by Russia of the Lukashenka regime which enables the dictator to disrespect the constitution of the Republic of Belarus and flagrantly violate the laws and liberties of people, in disregard of appeals by international organizations and parliaments of democratic countries for the Belarusian government to return to a lawful sphere and start real negotiations with the representatives of the democratic opposition.

Instead of creating conditions for real negotiations with the opposition, with participation by OSCE representatives, whose present position and work we fully support and highly appreciate (although we occasionally polemicize with them), Lukashenka attempts to introduce new phony proposals that only complicate and aggravate the situation in the Republic. But then, this is understandable, inasmuch as he nowadays has support only from groups created and financed by him, who are designed to substitute the genuine opposition.

As to the aforementioned treaty, it should be noted that less than five percent of the Republic's population supports annexation of Belarus to Russia. By the way, over 500,000 people have said that if, God forbid, this should happen, they will be ready to leave the country and seek settlement in the West. This is why we consider any attempt by the Russian leadership to annex Belarus as an aggression against our country, with all the consequences that it entails. And here we count on the support of international organizations and the world's democratic countries, the more so because, when Belarus decided to give up her nuclear arms in 1994, the United States, Great Britain, and Russia guaranteed the security and integrity of the Republic of Belarus as an independent state. Today, one of these countries is infringing upon that guarantee. In connection with this I wrote a letter to the President of the United States—Bill Clinton, Prime Minister of Great Britain—Tony Blair and the former President of Russia—Boris Yeltsin. Regretfully, none of them responded. In the case of Mr. Yeltsin, everything is understandable. But how should we understand the other two? Incidentally, following

their silence, my appeal to them was published in some Belarusian newspapers. So now, a reply from high places is being awaited by the entire Belarusian population, who hope that they were not misled in 1994.

As to the issue of Moscow's conspiracy against Belarus, a particular concern has been caused by the Theses of the Council on Foreign and Security Policy of Russia, published in Russian newspapers in connection with the Russian-Belarusian integration. In those Theses, *inter alia*, the following has been stated: "As a result of the integration with Belarus, Russia gains a series of undeniable geopolitical advantages..." including "an increase in military possibilities in the sphere of conventional arms as a result of the integration with the Belarusian army, which possesses a high degree of military capabilities, and the emergence of the Kaliningrad special defense region from strategic isolation." Further, it was stated even more clearly that, "the unification of Armed Forces of the two countries significantly strengthens the grouping, especially ground forces, in the region and does not require restructuring of the system of leadership of the united armies."

In light of the statements quoted above, the only question remaining is: what advantages from this integration are there for Belarus, which has many times been victimized by Russia's chauvinist policy?

If, God forbid, Belarus should be annexed to Russia, then a seven-hundred-kilometer-deep wedge will be driven into Europe and this wedge will become, as follows from the above-mentioned document, Russia's military forefront. And then, one more question becomes paramount: how will the Kaliningrad special defense region be able to emerge from isolation? Belarus, to be sure, does not border on the Kaliningrad region. Or are there some further steps planned, at which we now can only guess?

It follows from what I have said here, that the independence of Belarus and the preservation of its sovereignty, its return to a democratic way of development, and its joining of European structures, is not only necessary for the creation of normal living conditions for the ten-million Belarusian people who are European in their mindset, but it is also necessary in order to guarantee the security of our neighbors and all of Europe. Understanding that the problems of Belarus should be solved by the Belarusians themselves, I nevertheless hope that today's hearing will serve as one more reminder of this.

Thank you for your attention.

Excerpt from Ambassador Daniel Speckhard's speech given at the presentation of the Annual Country Reports at the U.S. Embassy in Minsk on February 28.

**WRITTEN SUBMISSION OF ANATOLY LEBEDKA**

Mr. Chairman, dear colleagues,

It is a great honor for me to be at the U.S. Congress, one of the cradles of world democracy, and to take part in hearings on the situation in Belarus. At the same time, I feel an enormous responsibility. Our task is simple and, at the same time, exceedingly complicated. We must create a pro-Belarusian lobby in the U.S. Congress. We have the obligation to find the words and proof that Belarus is not a black hole in the center of Europe, but a place for profitable investments in democracy.

Believe me, the people of Belarus deserves living in their own home; they deserve being always remembered on Capitol Hill and in the White House. We paid a heavy price for the right to live in an independent country, a free society, and rich and respected state. Hundreds of thousands of our compatriots went through the guillotine of Stalin's repression. One third of the population of Belarus perished in World War II.

Toward the end of the century, Belarus was twice exposed to global catastrophes. In 1986, it was the Chernobyl tragedy, which entered the homes of 2 million of the country's citizens. Exactly 10 years later, a legal Chernobyl took place, and the population of the whole country fell victim to it. It was as a result of the non-democratic referendum of November 24, 1996, that political processes lost all semblance of constitutionality and legality. In other words, a coup d'etat occurred in the country.

We give credit to the tolerance of the world community, which has been making numerous attempts to influence the Belarusian regime in a positive way. In its goodwill, it even went as far as shutting one eye and one ear. The regime took it to be an indulgence for its old sins and as a *carte blanche* for new actions.

An obvious fact has to be acknowledged. Different, diametrically opposed approaches to solving the Belarusian problem have collided. The OSCE, the Council of Europe, and the opposition suggest playing chess using the well-established and generally recognized rules. The regime, sweeping the figures off the board, prefers to use it for smacking its opponent on the head. In fact, it has unilaterally stopped consultations on starting a negotiating process.

Prior to beginning the discussion, it is important to define the concepts, terminology, and the subject of discussion. Obviously, we cannot fail to take into account the following factors. First, there is the existence of a constitutional and political crisis in Belarus. The fact was admitted by Mr. Lukashenko himself, who signed the final document of the Istanbul summit. Second, the international community does not recognize the outcome of the 1996 referendum and, consequently, does not accept an appointed national assembly that the people did not elect. Third, President Lukashenko's authority expired on July 20, 1999. This is not subject to discussion. This approach was laid down in dozens of international political and legal documents from practically all influential international organizations.

But we cannot fail to note that an attempt is underway to substitute the concepts and to narrow the problem down to discussing only the conditions for holding elections. Free and democratic elections are, undoubtedly, an urgent task. But that is only a part of the problem. Second, there is great doubt concerning the sincerity of statements made by official Minsk. Lukashenko has drowned the world community in a sea of verbal promises. It will be useful and timely to refresh our memory.

Let's turn to documents and facts. It is 1996. This is Lukashenko's address sent to the President of the Parliamentary Assembly of the Council of Europe, Leni Fischer. "Constitutional reforms are not aimed at curtailing parliamentary democracy, but on the contrary, at improving it..." That's what he promised. And what did take place, in fact? In November of the same year, Lukashenko forcibly dismisses the legally elected Supreme Soviet; he abolishes the principle of parliamentarism; then he appoints by decree 110 persons whom he calls parliamentarians, and constitutes a national assembly, which does not have even a payroll division of its own.

It is 1997. Antonovich, Foreign Minister of Belarus, addresses Mr. Mierlo, President of the European Union Council, on April 10. I would like to announce that the President and the Government want to discuss with all the deputies of the Supreme Soviet of the 13th session the question of updating the 1994 Constitution in order to establish a better balance between the functions and duties of the three branches of government—legislative, executive, and judicial. This was put down in the final document of the mission of the European Union and the Council of Europe, which had responded to Lukashenko's appeal for help to update the Constitution. The group declared the dialog a failure, and blamed the Government.

The following year. This comes from A. Lukashenko's letter sent July 12, 1998 to the President of the European Union Council, W. Schüssel. "On our road to building up our statehood and sovereignty, we are firmly and steadfastly committed to development of a new Europe in close collaboration and friendship with all nations." This is a promise. But a diplomatic war is running a parallel course full swing, and as a result, the ambassadors of a whole number of countries were turned into political refugees. This is an unprecedented case in the history of modern diplomacy.

It is 1999. At the session of the UN Subcommission for the Promotion and Protection of Human Rights, which took place in Geneva on August 20, the regime assumed a number of obligations, including the one "to hold honest and fair elections, which presupposes giving equal access to the state-controlled mass media, as well as ensuring the freedom of assembly and the right to peaceful demonstrations." As you can guess, not a single one of the Geneva promises has been fulfilled.

The conclusion is obvious. The declarations and promises of the Belarusian authorities are not worth the paper they were written on. This greatly worsens the prospects for any negotiations, and does not guarantee the implementation of any agreements. This was confirmed by the regime's refusal to carry out the agreement that it signed last November on the opposition's minimum access to state-owned mass media.

Those who build castles in the air and create virtual democracies have no problem with building materials. They are lies, misinformation, fear, and ignoring one's obligations. Neither the Saint-Petersburg Declaration of the OSCE Parliamentary Assembly, nor the final document of the Istanbul summit has materialized into guidelines for the regime's activities.

The language of facts is harsh and impartial. At the 55th session of the UN, Belarus was officially included in the list of the 13 worst violators of human rights. This is a list of national disgrace. Victor Gonchar

and Yuriy Zakharenko disappeared without a trace. Paradoxically, in Belarus today a public politician feels safer in prison than when he is free.

In the near future, the role of a political hitman with regard to former prime minister Mikhail Chygir will be devolved to a court, which, in fact, is taking over the functions of the former President's administrative office. Political trials masquerading as criminal cases are very popular in Belarus today.

A policy of erecting artificial barriers for the registration of the regional bodies of political parties and trade unions is being pursued.

The current President of the Supreme Soviet, Sharetsky, has to reside in neighboring Lithuania because there are no guarantees for his personal safety.

Supreme Soviet deputies V. Kudinov and A. Klimov are still in prison.

Within the framework of the present political system, the majority of citizens have no possibility of expressing their will. The relevant institutions and mechanisms have been eliminated. Not only the rights of individuals, but those of a whole nation are violated.

A free democratic parliamentary election is, no doubt, an important step forward. Nevertheless, an election, if considered by itself, out of the general context of the constitutional and political crisis, and held according to Lukashenko's script, will not solve the problem of Belarus. Seeds thrown into permafrost will never sprout. Irresponsible, ill-conceived actions could create conditions for the weakening of the immune system of Belarusian sovereignty. In today's conditions, when a legitimate head of state is absent and the world community does not recognize the legitimacy of the National assembly, not a single agreement, not a single treaty can have legal consequences. A legitimization of Lukashenko's parliament through an undemocratic election builds up a legal foundation for the annexation of Belarus. The inevitable result will be the emergence of another hot spot on the map of Europe. And then, half a million people are declaring their readiness to emigrate if Belarus loses its sovereignty.

The problem of Belarus is not so much an absence of law as a deficit of legality. Law is something you have on paper; legality is something you have in practice. It has been a long time since Belarus lived according to laws; now it lives according to decrees and edicts, which are vested with the highest legal authority. For example, decree No. 40 makes it possible to convict a person and to seize property or belongings without a trial. The function of the laws in Belarus is propaganda and ideology, more than anything else. They are being shown off to foreign visitors.

For nearly six years the country has been going through an acute crisis in its relations with the outer world, and in its foreign policy. People in the wake of the civilized world, Lukashenko. And this is one of those rare promises he has been carrying out very scrupulously. A belligerent negation of the values and standards of European democracy, as well as the norms of international law, has led to political self-isolation of the country, which could not have but affected the people's standard of living.

It must be recognized that one of the causes of the things going on in Belarus today is the absence of due attention to Belarus on the part of the international community in the early 1990s. Investment in the development of democracy was clearly inadequate to ensure transforma-

tion and change. Belarus remained somewhere in the back of foreign policy consciousness. Interest was focused exclusively on the problem of withdrawing nuclear weapons from Belarus: 81 SS-25 missiles and 1141 tactical missiles. This was surely a necessary step. But after 7 years can we state categorically that the problem was solved? No. Today, there is a real threat of nuclear weapons returning to Belarus. All the prerequisites are in place for it, and so are the regime's political will and the well-preserved military infrastructure.

Negotiations taking a format agreed upon with the OSCE constitute a strategic prospect. Social dialog a la Lukashenko is a tactical device directed at creating a semblance of compliance with obligations. This is about the same thing as coming to a florist's and being offered a plastic imitation of flowers instead of the real thing.

Dialog is a natural and constant state of society. In Belarus it was interrupted and definitely stopped in November 1996 by the government's will. The current initiative of social dialog only underscores the degree of degradation and the depth of the fall. The regime thereby acknowledges a struggle has been going on in the country all this time; it was an informational, psychological, and other similar type of war instead of a dialog.

What should be done? The intellect of powers that be is determined by the way they solve a problem, either by talks or by force. The Belarusian regime is betting on the second way. The political opposition has proceeded responsibly and in dignity. We have given no reason to doubt the sincerity and honesty of our intentions and actions.

Our position contrasts favorably with Lukashenko's empty rhetoric. We propose a real and specific plan for resolving the Belarusian issue. It consists of three stages. First, a negotiation process should be initiated immediately. Concurrently, the agreement on the opposition's access to mass media that both sides signed should be implemented.

The second stage is the process of negotiations proper, where the following issues will be resolved: building a climate of trust, equal access to radio and TV, the functions and competence of the Parliament, and holding a democratic free election.

The third stage is the legitimization of the agreements reached. Concurrent ratification of the negotiations' final document by the Supreme Soviet and the Chamber of Representatives can become its real mechanism.

If the regime persists in playing the role of a deaf mute, the reaction of the world community must be appropriate. In this situation, an election that is not a consequence of negotiation and compromise, but that is held under deliberately unequal and discriminatory conditions, cannot be recognized as democratic and legitimate.

The US, in coalition with the European Union, is capable of effectively influencing the situation in Belarus, using the possibilities offered by Russia for this purpose. The allocation of financial assistance to Russia should be considered in conjunction with the human rights situation in Belarus. The protection of human rights must remain one of the priorities of Western foreign policy. It must be an important factor in international stability, and consequently, in European security.

We are against the country's isolation, but support actions directed at making Lukashenko and his henchmen feel isolated.

Prior to answering the tactical question of what to do, the international community has to determine its strategy of choice. How would it like to see Belarus? Sporting a regime of velvet dictatorship? Headed by an unenlightened oligarch and a puppet quasi-parliament without any rights? Or being an independent democratic state? This is not only a political, but also a moral choice.

Our priorities are firm: statehood, democracy, human rights and freedoms. We intend to protect the sovereignty of Belarus; we are ready to fight for freedom and democracy. The philosophy of Freedom March 2, which will be taking place on March 15, 2000, is: Negotiations, Changes, and Victory. Our cause is just, and our success is inevitable.

Rumors that Slobodan Milosevic is the last European dictator are exaggerated. As long as totalitarianism and neototalitarian ideologies like Lukashism remain, as long as there is impunity for crimes against humanity, as long as unscrupulousness and conformism exist, favorable soil for the emergence of new fuhrers and authoritarian rulers will remain.

**WRITTEN SUBMISSION OF  
THE MINISTRY OF FOREIGN AFFAIRS  
OF THE REPUBLIC OF BELARUS**

The Government of the Republic of Belarus sees as its major task the creation of favorable conditions for transition to the market economy in Belarus, improvement of the system of governance in accordance with the internationally recognized principles of democracy and supremacy of law, comprehensive realization of human rights. The essential prerequisite of this task is the consolidation of the independent Belarusian statehood. Democratic, independent and prosperous Belarus has become the basic value for the majority of the Belarusian people and the foundation for a broad consensus in the society. Ways and means needed to achieve this objective continue to be under discussion in the Government and in the society at large and will be a major subject in the upcoming parliamentary elections in Belarus in the year 2000.

Although enjoying wide—and sufficient for effective and good governance—support of the people the Belarusian authorities believe that any effort bringing a broadest public consensus on the topical issues of the day is important for the success of the Belarusian reform. Hence the renewed support of the Government for a broad dialogue of all political forces of the society.

Should some disagreements persist, they can be brought to the public to make its judgment at the elections. Nothing else but concerted efforts of Belarusians themselves—with all respect to the concerned assistance of our foreign partners—could determine the most effective political and economic strategy of reform in Belarus and rally the necessary public support.

It is in this spirit and in a hope for an unbiased and accurate consideration of the hearing's agenda that the Ministry has the honor to offer the following comments on some of the more prominent issues related to Belarus and attracting particular public attention and concern.

**INTERNAL PUBLIC DIALOGUE**

The discussions and consultations of the last few days in the Government and political quarters mark an important new stage in a broad public pre-electoral dialogue. A working formula of such a dialogue has been developing since last year. Recently the Head of State expressly pronounced the Government's active participation in such a dialogue. The President himself is willing to participate in public discussions. No political or social organization is barred from taking part in the dialogue. There are no forbidden subjects for the discussion now or in the future. In the process of the dialogue the Government is ready for constructive cooperation with all interested international organizations—the OSCE continues to be a part of the process of the dialogue. Legislative initiatives may result from the process of the dialogue. This formula of the dialogue advanced by the Government is in full conformity with the obligations undertaken by Belarus in the OSCE Istanbul Declaration (paragraph 22).

The long-awaited appointment of the head of the Government's working group for the dialogue and the high level of the appointee (Ul. Rusakevich, First Deputy Head of the Presidential Administration) are important clear signs that the authorities are seriously interested to ensure a successful dialogue.



The tactics of biased and unconditional criticism of the Government's efforts to arrange for the fruitful public discussion cannot be regarded as productive. Initiatives, proposals and concrete steps on the part of all participants in the dialogue are much welcome. In particular, a joint initiative group to advance the dialogue has been formed by a number of public associations of various political affiliations.

#### **ELECTORAL CODE**

The first draft of the Electoral Code was sent by the Belarusian Government for a legal analysis to the OSCE and the Council of Europe. In October 1999 the experts of the Venice Commission of the Council of Europe concluded that the draft code 'can certainly be used for reasonably fair elections'. Sharp negative comments received much later on the same early draft from the OSCE Human Rights and Democracy Bureau demonstrated how easily the problem could be politicized. Yet most of the remarks conveyed to the legislators by the Advisory and Monitoring Group of the OSCE were taken into account. A new, much improved text or the code was adopted in February 2000.

The fact that the Electoral Code was adopted does not precludes the possibility of introducing amendments and changes into the document at any stage. Adoption of the Code at this time was necessitated by the need to provide for the preparations to hold parliamentary elections not later than the fall of 2000, in accordance with the Constitution.

The text of the adopted Electoral Code is being circulated by the Government among the leading European institutions for additional expert study. The Government hopes that these conclusions will be made on the merits of the law, free from politicized and partisan bias.

#### **PARLIAMENTARY ELECTION**

The Government or the Republic of Belarus affirms its readiness to ensure strict fulfillment of its international obligations with respect to holding free and fair elections to the national Parliament in the year 2000 according to the highest international standards. The constitution of Belarus provides for general, equal, fair, secret, free, open elections. The President of Belarus invited international observers to monitor the process of preparation for the elections and the electoral procedure itself.

#### **PROMINENT CRIMINAL CASES**

In Belarus there are cases of criminal prosecution of formerly notable public figures (M. Chygir, A. Klimau, UI. Kudzinou). They are prosecuted through the courts of law not for their political activity but for their concrete illegal wrongdoings. Corruption, its scale and corroding impact on the society is only too well known in post-Soviet and other states. Political stature of any person does not and should not ensure immunity from the law. It is appropriate to recall that in Belarus there were also a number of cases of high-level government officials prosecuted and convicted on corruption charges. Whoever transgresses the law has to be held responsible before the law.

#### **DISAPPEARANCES**

The competent government agencies are undertaking all possible measures to investigate the disappearances of Yu. Zakharenka and V. Ganchar. They did the same in the case of T. Vinnikava. The Govern-

ment welcomes any assistance, including the United States, in tracing the location of the missing persons. It also has every right to regard politicized accounts of these disappearances as irresponsible.

A cause for concern is the attitude of some foreign authorities which blame—openly or implicitly the Government of Belarus for the disappearances yet do not display required cooperation, transparency and responsibility as far as assistance in establishing location of the missing persons is concerned. The fake disappearance of T. Vinnikava who recently ‘surfaced’ in the West—apparently not without knowledge of some European national and international law enforcement authorities—is a very eloquent example of employment of the double standards tactics.

#### MASS MEDIA

In Belarus there are more than 1 thousand printed periodicals. Less than 20 percent of these are state-owned. The state distribution network carries independent publications. There are non-government owned electronic media in the country (on TV and radio).

The last few weeks saw a significant increase in the number of appearances of prominent political opposition figures on state-owned TV, which testifies to the effort of the dialogue. With the formal start of the election campaign access of the candidates to the electronic and printed media will be regulated by the Electoral Code, which ensures equal access for all registered candidates.

Recently much publicized case of refused registration of the ‘Kuceyna’ newspaper has a clear legal explanation. The ‘Kuceyna’ editors had to reregister their publication like hundreds of other printed media successfully did in 1999 in the framework of a general procedure. The set of documents submitted by the paper for consideration to the State Press Committee was incomplete. As soon as the editors submit the missing document required by the law the newspaper will be reregistered without delay.

Many problems of media will find their solution in the new amendments to the law on the media in Belarus, which are now being drafted in a tripartite consultation effort (government—-independent journalists—OSCE).

#### RELATIONS WITH THE RUSSIAN FEDERATION

The Treaty on the Creation of the Union State signed in December 1999 directly and unequivocally provides that both Belarus and Russia preserve their state sovereignty and independence within the new integration format. The relations the Republic of Belarus is currently developing with the Russian Federation follow in all essential aspects the established pattern of integration of sovereign European states within the European Union and do not threaten sovereignty or territorial integrity of Belarus.

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