

## INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

### BELARUS UPDATE

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--HUMAN RIGHTS AND OPPOSITION NEWS --

#### BELARUS STRONGMAN TIGHTENS RULES ON FOREIGN AID TO NGOS

In yet another serious blow to civil society in Belarus, the Lukashenko regime imposed a new obstacle to carrying out activities of nongovernmental organizations (NGOs) in the country. On November 28, the Belarusian authoritarian ruler issued Decree No. 24 "On Receiving and Use of Foreign Humanitarian Aid," which "further develops the provisions" of Decree No. 8 on "Several Measures on Improving Distribution and Use of Foreign Humanitarian Aid," originally issued on March 12, 2001, reported BelTA. The notorious No.8 essentially banned foreign donations to local NGOs involved in any political activities or even election monitoring, and was universally condemned by local and international human rights community (see Belarus Update, Vol. 4, Nos. 11-14).

The League notes that currently the activities of Belarusian NGOs are financed by four major sources: NGO members and their voluntary fees; direct partner cooperation with foreign NGOs through unification of human and financial resources for specific projects; financial and technical support from foreign organizations and foundations; and the provision of professional services. Nevertheless, most NGOs in Belarus rely almost exclusively on technical and financial assistance from Western governments and organizations to sustain their activities. Financial viability appears to be one of the main issues Belarusian NGOs are struggling with, primarily because of the limited diversification of available sources, the lack of information available, and deficiency of experience and knowledge of how to apply for foreign grants. The Law on Public associations does not differentiate between for-profit and non-for-profit NGOs and charitable funds. Non-profit NGOs are not granted any special tax privileges. There are no tax incentives for contributions by private businesses to support NGOs. Government procurement opportunities for NGOs and non-for-profit organizations are nonexistent. (BeITA, ILHR, December 1)

#### NGO LIQUIDATION SPREE CONTINUES

On November 27, the Belarusian Supreme Court ordered the liquidation of Ruka Pomoshchi (The Helping Hand), a Belarusian charitable foundation, [www.belngo.info](http://www.belngo.info) reported. Calling the order “illegal,” Vlasta Aleksyuk, NGO chair, pointed out that the court based its decision on Art. 57(2)(2) of the Belarusian Civil Code (liquidation of legal entities) rather than on the Law on Public Association. The Justice Ministry alleged that the group failed to update its legal address information on file with the Ministry, failed to register its logo with the State Heraldic Registry and failed to meet the corporate seal regulations of the Interior Ministry. (see Belarus Update, Vol.6, No.6). ([www.belngo.info](http://www.belngo.info), November 27)

#### OPPOSITION PARTY WARNED

On November 26, the Justice Ministry issued an official warning to Narodnaya Hramada, Belarusian Social Democratic Party (BSDP), in which it required the Brest regional chapter of the party to be liquidated, RFE/RL's Belarusian Service reported. The warning was prompted by an article published in *Narodnaya Volya*, independent daily. According to the Ministry, the article “Without Compass Ship Will Never Arrive,” written by Anatoly Liaukovich, Brest chapter leader, “insulted dignity and reputation of Alexander Lukashenko and of other member of the Belarusian government.” The Ministry advised the BSDP to dissolve its Brest chapter because the article was allegedly expressing the opinions of the entire branch and not simply those of its leader. (RFE/RL, November 27)

#### HUMAN RIGHTS JOURNALIST DETAINED, FINED

On November 27, the Polotsk Region Court fined Valery Schukin, prominent human rights journalist and a founder of the European Coalition Free Belarus (ECFB), 165,000 Belarusian

rubles (\$80), Charter 97 reported. Judge Natalia Abramova found him guilty of violation of Art. 166 (disobeying the police) and Art. 156 (hooliganism) of the Administrative Offences Code. On November 26, Valery Schukin was detained at the Polotsk City Executive Committee when the journalist attempted to meet with Vladimir Naumov, Internal Affairs Minister, who was meeting with Polotsk residents at the time. Because Schukin's name was not on the official list, two police officers grabbed him as soon as he entered the Executive Committee building and took him to the Polotsk City Department of Internal Affairs, where he was kept for three hours. (Charter 97, November 27)

#### MONTH IN JAIL FOR LEAFLET DISTRIBUTION

On November 27, Artur Finkevich, activist of Malady (Youth) Front, was sentenced for another 15-day jail term, Viasna Human Rights Center reported. As we reported in previous issues, on November 11 and 12, police in Minsk arrested Artur Finkevich and other Malady Front activists for distributing leaflets urging people to attend a rally to protest Lukashenko's possible third term in office (see Belarus Update Vol.6, Nos. 4-6). On November 13, Artur Finkevich, 18, was charged with violation of Art. 167 (1)(2) of the Administrative Offences Code and sentenced to 15 days in jail for the November 12 offense. The November 27 sentence, handed down by Judge Ruslan Kazaraev, Sovetsky District Court in Minsk, was apparently based on the November 11 offense. (Viasna, November 27)

#### INTERNATIONAL CONFERENCE ON PRISON REFORM HELD IN MINSK

Experts from Belarus, Kazakhstan, Latvia, Poland, Russia and the USA discussed alternatives to prison sentences at a conference that took place in Minsk on November 26-27, OSCE reported. "From the human rights perspective, non-custodial measures help to prevent violations, because obviously people are less vulnerable when they are not in a closed institution," said Cynthia Alkon, head of the Rule of Law unit of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR). The conference was organized by the Committee of Punishment Execution of the Ministry of Internal Affairs of Belarus, ODIHR, the OSCE Office in Minsk, the Central European and Eurasian Legal Initiative of the American Bar Association (ABA/CEELI) and the Moscow office of Prison Reform International. (OSCE Office in Minsk, November 24)

#### ODIHR IN DIALOGUE WITH OFFICIAL MINSK

Amb. Christian Strohal, ODIHR Director, expressed satisfaction at the "constructive dialogue" held with the Belarusian authorities during his first working visit to Minsk on November 25-26. During his trip, Amb. Strohal discussed the issues of population registration (propiska), freedom of association, elections, and alternative sentencing. Addressing an international conference on civil registration, Amb. Strohal commended the authorities for steps they have taken to modernize the system of registration in Belarus. "It is to Belarus's credit that it is moving away from the Soviet-era propiska system and toward a system of civil registration. Such a system enables every citizen to exercise the constitutional right to freedom of movement and choice of

place of residence,” he said. Amb. Strohal also praised the discussion on legislative reforms regarding alternative sentencing that took place at an OSCE/ODIHR seminar, also held in Minsk on November 26.

“Both events are a positive and practical step towards fulfilling general human rights standards and human rights commitments in Belarus. Such an approach is essential to addressing necessary amendments to the Electoral Code in time for elections next year,” he said, during a meeting with Lydia Yermoshina, Head of the Central Election Commission. “Measures to increase transparency and confidence in the voting are key elements. These include early voting, the composition of election commissions, the rights of observers, and the complaints and appeals processes,” he added. (OSCE, November 26)

#### U.S. HELSINKI COMMISSION: ASSAULT ON OPPOSITION ACTIVISTS CONTINUES

On October 11-15, Ronald McNamara, Deputy Chief of Staff, and Orest Deychakiwsky, Staff Advisor, of the U.S. Helsinki Commission (a.k.a. the Commission on Security and Cooperation in Europe) visited Grodno and Minsk to meet with government officials, opposition and independent trade union activists, NGO representatives, independent journalists, and wives of the disappeared. According to the November 25 press-release, the visit has proved that Lukashenko has “further tightened his grip on independent elements of Belarusian society, using the full force of the state to repress dissent.” Read the full story at [www.csce.gov](http://www.csce.gov).

The U.S. Helsinki Commission, an independent federal agency created in 1976, monitors and encourages progress in implementing provisions of the Helsinki Accords. The Commission, currently chaired by Rep. Chris Smith (D – NJ) and Sen. Ben Nighthorse Campbell (R-CO), is composed of nine Senators, nine Representatives and one official each from the Departments of State, Defense and Commerce. (U.S. Helsinki Commission, November 25)

#### EUROPEAN COALITION FOUNDER LOSES JOB

Nina Stuzhynskaya, a co-founder of the European Coalition Free Belarus and leader of the Belarusian Women’s League, an independent NGO, has been recently fired from the Institute of History at the National Academy of Sciences, where she has been working for 23 years, Charter 97 reported. According to Stuzhynskaya, she was fired for running in the 2003 local election and publishing a book on the anti-Soviet movement in Belarus. (Charter 97, November 26)

#### WIFE OF DISAPPEARED SEEKS JUSTICE

At a briefing organized by the Washington office of Radio Free Europe/Radio Liberty, Irina Krasovskaya, the wife of Anatoly Krasovsky, a missing Belarus opposition leader, said that she has dedicated herself to uncovering the facts behind her husband's disappearance and bringing those responsible to justice, RFE/RL reported. Krasovskaya noted that members of the opposition “are continually being attacked” and that “there are many different ways of

intimidating” them. Krasovskaya considers the disappearances to be a warning by the government of Belarusian strongman Alexander Lukashenko to his opponents, among them political activists, businessmen, and ordinary citizens: “There is a lot of opposition--but no action, because of fear.” She refused to speculate, however, about any specific recent violent actions by "death squads" that are alleged to exist in Belarus. She advocates that the West enact a stricter policy towards Lukashenko’s regime, stating: “The only way you can talk to a dictator is in the language of force.” (RFE/RL, November 26)

-- MEDIA FREEDOM IN BELARUS --

EDITOR: “NEWSPAPER WILL BE PUBLISHED”

Chief Judge Mikhail Ardyaka of the Minsk City Court stayed for 30 days the Court’s November 17 decision ordering *Narodnaya Volya*, largest independent daily, to pay 50 million Belarusian rubles (US \$23,500) in libel damages (see Belarus Update, Vol.6, No.6), RFE/RL's Belarusian Service reported. Iosif Seredich, *Narodnaya Volya*’s editor-in-chief, said that if the Chief Judge Ardyaka eventually affirms the decision, the newspaper will appeal to the Belarusian Supreme Court. Regardless of the case outcome, Seredich said, the newspaper “will be published.”

Separately, Heidi Smith, OSCE Minsk Office spokesperson, told a press-conference held in Minsk on November 28, that the OOM closely monitors the developments in the *Narodnaya Volya* case, Belapan reported. (RFE/RL, Belapan, November 27-28)

INDEPENDENT NEWSPAPER CAN’T FIND PRINTER

Belarusian publishing houses refuse to publish *Den* [the Day], independent newspaper, RFE/RL's Belarusian Service reported. Although the newspaper is officially headed by Genadzi Barbarych, a Minsk-based journalist, it is primarily based on Grodno materials and Mikola Markevich, former editor-in-chief of *Pahonia*, a Grodno-based Belarusian-language weekly shut down by the authorities in November 2001 (see Belarus Update, Vol. 4, No. 46), is listed as one of its founders. In his interview to RFE/RL, Markevich stressed that the founders intend to file a formal inquiry with the Information Ministry concerning the Belarusian publishing houses’ inexplicable refusals to print the newspaper. (RFE/RL, November 26)

EXILED EDITOR DENIED PAROLE

Victor Ivashkevich, ex-chief editor of *Rabochy*, an independent newspaper, who is serving a two-year internal exile term in Baranavichy, Brest Region, (see Belarus Update, Vol. 5, No.51) was recently denied parole, Viasna Human Rights Center reported. He was sentenced for allegedly slandering Lukashenko in 2002. Because of the 2003 general amnesty, however, Ivashkevich’s term was reduced by one year and he will be released on December 16, 2003. (Viasna, November 25)

-- RELIGIOUS FREEDOM IN BELARUS --

#### RELIGIOUS FREEDOM CURTAILED BY AUTHORITIES

In its November 2003 survey of the religious freedom situation in Belarus, Forum 18 News Service, a religious freedom watchdog based in Oslo, Norway, describes the various ways in which the Belarusian government curtails religious freedom. These include denial of state registration, breaking up home worship meetings, restrictions on religious events held in public, refusal of permission to build, purchase or reclaim premises, and restrictions on the right to invite foreigners for religious work. According to the survey, despite a strong Soviet-era tradition of state hostility toward religion in Belarus, however, government officials currently seem willing to extend support to the Belarusian Orthodox Church. See the full article at [www.forum18.org](http://www.forum18.org) (Forum 18, November 24)

--TRADE UNION NEWS--

#### NATIONAL STRIKING COMMITTEE ESTABLISHED

On November 25, a national striking committee (NSC) was created in Belarus, Charter 97 reported. Assisted by the Belarusian entrepreneurs' striking committee and headed by Valery Levonevski, the NSC intends to defend human rights through protest actions against poverty. (Charter 97, November 26)

-- BROTHER SLAVS --

#### WAVE OF FREEDOM TO ROLL OVER BELARUS AND UKRAINE IN 2004

On November 23, Vladimir Kobets, coordinator of Zubr Youth Movement, and Vladislav Kaskiv, coordinator of the Ukrainian Public Associations Coalition Freedom of Choice, met in Kiev, Ukraine, to launch a joint Ukrainian-Belarusian youth campaign titled "The Wave of Freedom," to promote integration of the two countries into the European Union. The campaign will start in May 2004, when several neighboring countries will officially join the EU. (Zubr, November 23)

#### FOUR STATES TO CREATE COMMON ECONOMIC SPACE

Russia, Ukraine, Belarus and Kazakhstan achieved considerable progress in working out measures to create a common economic space, Nikolai Azarov, Ukrainian Vice-Prime Minister and Finance Minister, said to Itar-Tass, Russian news agency. Summing up the results of the first stage of the 9th session of the high-level group in Kiev on November 29, Azarov stressed that "some important problems have been coordinated and the sides have no principle disagreements." The Ukrainian vice-prime minister added that the sides will continue their work

in Moscow on December 18-19 as part of the Economic Council of the Commonwealth of Independent States. (Itar-Tass, November 29)

-- AT HOME IN BELARUS --

-- ELECTION 2004 --

#### ECFB: PARLIAMENT'S LEGITIMACY MUST STEM FROM FAIR ELECTIONS

The National Rada [Governing Council] of the European Coalition Free Belarus (ECFB) appealed to the international community to urge the Belarusian authorities to fulfill the international obligations on carrying independent parliamentary elections. The Coalition believes that the issue of legitimacy of the Belarusian Parliament and its status at the Parliamentary Assembly of the Council of Europe (PACE) can only be considered after a truly democratic parliamentary elections are held in Belarus. (Charter 97, November 28)

-- INTERNATIONAL NEWS --

#### BELARUSIAN HUMAN RIGHTS DEFENDER MEETS PRESIDENT CARTER

Galina Drebizova, a prominent civil rights lawyer and ECFB founder, attended an international conference titled "Activities of Rights' Defenders" organized by Jimmie Carter's Center on November 10-14 in Atlanta, USA. At the conference, attended by 40 human rights activists from all over the world, Drebizova spoke about the current NGO liquidation campaign in Belarus and state's continuing harassment of independent mass media. According to Drebizova, ex-President Carter, a Nobel Peace Prize laureate, expressed a great interest in the situation in Belarus. (Charter 97, November 25)

-- NOTABLE QUOTES --

"[Belarusian] mass-media is funded by the state and therefore should serve the country," Alexander Lukashenko. (BelTA, November 28)

"Russian and Belarusian democrats now have a common goal – not let Lukashenko serve a third term," Boris Nemtsov, a leader of Russian democrats in Duma, Russian Parliament, at a meeting with Belarusian opposition in Minsk on November 29. (Belapan, November 29)

-- UPCOMING EVENTS --

December 10 – International Human Rights Day

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The Belarus Update is a weekly news bulletin of the Belarus Human Rights Support Project of the International League for Human Rights, [www.ilhr.org](http://www.ilhr.org). The League, now in its 62nd year, is a New York-based human rights NGO in consultative status with the United Nations, the Council of Europe, and the International Labor Organization. Visit [www.belarusupdate.org](http://www.belarusupdate.org) for back issues, analysis, and links to news sites and NGOs in Belarus. Letters to the Editor: [vcole@ilhr.org](mailto:vcole@ilhr.org), subscription services: [otarasov@ilhr.org](mailto:otarasov@ilhr.org)

The Belarus project was established to support Belarusian citizens in making their case for the protection of civil society before the international community regarding Alexander Lukashenko's wholesale assault on human rights and the rule of law in Belarus.

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