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Edited by Nate Young
www.belarusupdate.org

League Condemns Crackdown Against Civil Society and Free Press

May 19, 2004

Dear President Lukashenko:

The International League for Human Rights, an international non-governmental organization with special consultative status at UN ECOSOC, expresses its deep concern about the latest wave of government harassment and intimidation against independent media, political opponents, and civil society groups in Belarus.

On April 26, State Security Committee (KGB) officers arrested Mikhail Marinich, former Belarusian government minister, ambassador, and leader of For Belarus' European Choice, a popular opposition movement. Marinich, who ran in the 2001 presidential elections, was charged with stealing classified government documents and unlawful possession of firearms.

A week later, during a May Day rally of Belarusian businessmen, the KGB arrested Valery Levanevsky, leader of the National Strike Committee of Belarusian Entrepreneurs and a member of the European Coalition Free Belarus, a prominent pro-democratic opposition party. Levanevsky was detained after passing out leaflets urging businessmen to participate in the May Day rally. The leaflets also contained a poem allegedly libeling the Belarusian president. Levanevsky served 14 days in Grodno city prison, but on May 14 the KGB extended his term by three more days, citing the need "for clarification of details." He was expected to be released sometime this week. However, Levanevsky was officially charged with libeling the president and will be held in Grodno detention center for two months.

On May 11, KGB officers stormed the offices of cultural organizations *Batskaushchyna* and Belarusian Language Society, and where the popular independent newspaper *Den* is located. According to witnesses, the search lasted three hours and ended with the seizure of four computers. Police also seized over 4,800 latest copies of *Den*, which is forced to publish in Smolensk, Russia after a printing house in Minsk dubiously broke its contract with the paper in November, 2003.

Mikhail Markevich, the paper's editor-in-chief and leading advocate of press freedom in Belarus, believes the search and seizure was just part of the latest campaign by government authorities to stifle independent media and NGO activity. The League notes that the newspaper has been subject to months of escalating administrative obstruction to its publication.

The raid against *Den* and the two cultural NGOs is believed to be connected to the criminal libel case against Levanevsky. According to an article by Charter 97, a Minsk based NGO, a KGB investigator informed Markevich that members Belarusian Language Society were in touch with Levanevsky and could have helped him print the copies of the leaflets authorities deemed defamatory against the president.

Also this week, Svetoch, a Minsk publishing house, refused to print the newspaper *Novaya Gazeta Smorgnani*, which was to resume publication after being ordered to stop seven months ago by order of the Belarusian Information Ministry. According to the newspaper's founder

Ramuald Ulan, the paper was forced to suspend publication after local authorities deprived him of registration as an entrepreneur. Finally, on May 14, in Mogilov, Vladimir Shantsev, regional representative of the United Civil Party, was detained after distributing copies of the independent newspaper *Vremya* (Time). 100 editions of the paper were also confiscated by the police.

The League notes that the latest string of arrests and harassment against political opponents and independent newspapers comes just months before fall parliamentary elections. Independent, non-governmental organizations and media outlets are invaluable sources of information, vital to helping ensure a pluralistic, free and fair electoral climate. Yet these damaging actions of the Belarusian government represent, once again, the unwillingness of your administration to take seriously several resolutions and measures adopted over the past year by the Council of Europe, the OSCE, and the United Nations Human Rights Commission which condemn the repression of civil society and free speech in the country.

Thank you for your attention. We await your response.

Sincerely

Louise Kantrow
Executive Director

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DOMESTIC

1. Minsk Doesn't Intend to Alter Electoral Law

The Belarusian government does not plan to change the Electoral Code ahead of parliamentary elections in October 2004, announced OSCE press-secretary Heidi Smith in a meeting with journalists on May 11. "The Belarusian government has no wish or willingness to amend the electoral legislation. Now it has become perfectly clear that it will not happen prior to the parliamentary elections in October," [translated back into English from Russian source- Ed.] underscored the OSCE representative.

The OSCE's Bureau for Democratic Institutions and Human Rights (ODIHR), which visited Belarus in early April, once again reminded Minsk about the necessity of introducing changes to the Electoral Code on three fundamental points. However, the Central Election Committee did not respond to a single recommendation made by the OSCE office to conduct a series of seminars on improving the electoral legislation.

Belarusian Central Election Commission Secretary Nikolai Lozovik does not believe it necessary to change the legislation, especially ahead of the campaigns. "All necessary conditions in our legislation have been foreseen in order to allow all subjects who have the right to participate in the elections to realize their rights. The other issue is to what extent the fulfillment of the available opportunities is supported (in the framework of existing legislation). Now and then the issue will arise not about the perfection of the legislation, but rather the flawlessness of rights in practice, that is, using this legislation by the participants in the electoral process," Lozovik underscored. The official is convinced that "today there is no need for an expansion of rights of political parties to participate in the commission—they already have such a right, and it needs to be realized."

Lozovik holds the same opinion with regard to the requirement to expand the rights of election monitors. "Election observer rights prescribed in the legislation are also complete enough: the observer has the rights to observe the electoral process in its entirety, beginning with early voting, voting at home, voting at the polling station and ending with the counting of votes. The introduction of some new norms are perhaps not necessary. What is needed is to follow the law more closely and treat these norms which have been signed more respectfully," Lozovik noted in an interview with PRIMA-News.

Meanwhile, OSCE spokesperson Heidi Smith expressed hope that in the coming months the ODIHR mission will come to Belarus to conduct evaluation assessments of the electoral preparation process. [translated from the Russian by the Editor]

Source: Prima News Agency; May 14, 2004; www.prima-news.ru

2. Regions Are Trying to Make Round Table For Opposition

On May 14, in Minsk, consultations between Minsk region representatives of the European coalition Free Belarus and the People's Coalition Five Plus took place. The European coalition was represented by Dmitry Borodka, member of the election bloc Free Belarus, the head of the Minsk regional branch of the Social Democratic Party (Narodnaya Hramada) Konstantin Moroz, the head of the public association *Talaka* (Maladzechna) Andrei Asmalovsky. The People's Coalition Five Plus was represented by the head of the Minsk regional branch of the United Civil Party Marina Badankevich, the leader of the public association Run Pyotr Golasov, the head of Minsk regional branch of the Party of Belarusian Communists Valery Ukhnyalou. At the meeting an evaluation of the situation before the parliamentary elections was made. The working group on carrying out a round table of a wider format has been created. Also planned was to invite all candidates and representatives of all democratic forces in the country. At the round table plans were made to discuss the issues of vote observation, nomination of election commissions members, the question of regional branch work relating to the danger of the referendum for prolonging the presidential power of Aleksandr Lukashenko. [text revised by the Editor]

Source: Charter 97; May 17, 2004; www.charter97.org

3. Public Campaign for Change of Preventive Punishment for Marynich Starts

On May 12, representative from the Republican Public Association Alternative-21 Sergei Balykin and Valery Fadzev, chairman of the Republican Public Association Legal Initiative, and former deputy chairman of the Constitutional Court, signed and handed to the lawyer of Mikhail Marynich, Vera Stremkovskaya, a petition about releasing Mikhail Marynich under their personal

guarantee.

Mr. Balykin reminded that on May 11 the petition of Marynich's lawyers about his release and a change of a preventive punishment not including imprisonment were not met. "By this petition we aimed at two things, to give one more chance for the lawyers to submit another petition, and to express our support and solidarity with Mikhail Marynich by means stipulated by the Criminal-Remedial Code," told Balykin. "It is the only possible concrete action for us to support Mikhail Marynich, as it should entail some legal procedures". [text revised by the Editor]

Source: Charter 97; May 13, 2004; www.charter97.org

4. Belarus Students Protest Against Closure of Private Colleges

Teachers and students of the Belarusian Private Institute of Management [BPIM] started a protest on 12 May outside the building of the Education Ministry in Minsk. Over 250 people from the BPIM and the Private College of Economics and Management took part in the event. They received a notification from the Education Ministry saying that it had refused to issue licenses for educational activities to their institutions. The students who initiated the action demand that they be allowed to study until the end of this academic year and to sit state exams at their educational institutions.

The Education Ministry finished its work on licensing educational activities on 11 May and refused to issue licenses to three secondary specialized educational institutions and two institutions of higher education of the private form of ownership.

[Passage omitted: a deputy dean says the ministry did not give any explanations.]

The chief of the Education Ministry's main directorate of higher education, Yuri Stsypanchuk, who approached the students 40 minutes after the event started, said that graduates of the institutions which were not issued licenses for educational activities the two aforementioned institutions, the Vawkavysk-based [Hrodna Region] Private College of Economics, the Brest-based Private College of Economics and Law and the Modern Humanities Institute will be able to sit state exams at the Minsk Institute of Management. Undergraduates and those studying at the secondary specialized training institutions will be transferred to other educational institutions to continue their training.

Source: BelaPan; May 13, 2004; www.naviny.by

REGIONAL

5. Lukashenko Concerned About Contacts of Some ODKB Members with NATO

Belarusian President Aleksandr Lukashenko is concerned about contacts of some members of the Collective Security Treaty Organization (ODKB: Russia, Belarus, Armenia, Kazakhstan, Kyrgyzstan and Tajikistan) with NATO.

"I don't understand the behavior of ODKB members," Mr. Lukashenko told ODKB Secretary General Nikolai Bordyuzha on Friday.

Some ODKB members hold talks and make treaties with NATO, and Belarus learns about it from the press, the Belarusian President said. (Presumably, Alexander Lukashenko means Kyrgyzstan, Kazakhstan and Armenia).

According to him, the organization will be efficient if its members coordinate their intentions to negotiate with other blocs or at least inform about them.

"NATO is expanding and consolidating and we should not pretend that nothing happens," Aleksandr Lukashenko stressed.

According to him, Belarus and Russia have achieved progress in the defense sphere. The countries have a joint group of forces and this is encouraging. However, it is high time to claim that ODKB countries provide security together, the Belarusian leader said. [text revised by the Editor]

Source: RIA Novosti; May 14, 2004; www.rian.ru

6. Assembly of Slav Peoples Opens in Ukraine

Nearly 1,000 delegates, representing Belarus, Russia and Ukraine, arrive in Zaporozhye on Monday where the Assembly of Slav People starts its deliberations.

Assembly participants, including representatives from bodies of legislative and executive power, executives of administrations and councils as well as representatives from the clergy, scientific and business communities of Belarus, Russia and Ukraine, will discuss issues and prospects for the development of United Economic Space.

A special meeting of the Assembly will deal with the topic "Historic heritage of the Pereyaslavl Meeting of 1654". An exhibition which will open in Zaporozhye, will be devoted to this event which unified the sisterly peoples of Russia and Ukraine 350 years ago.

During the three days of the Assembly's work, its participants will meet personnel of industrial enterprises and non-government organizations in Zaporozhye. A rally of unification of peoples and a festival of Slav cultures will be held on the sidelines of the Assembly. It is also planned that the Assembly will adopt, at its plenary meeting, an address to peoples and governments of Belarus, Russia and Ukraine.

The students have drafted a petition to President Aleksandr Lukashenka, Prime Minister Sergei Sidosky, Education Minister Aleksandr Radzkov, the head of the presidential administration, Ural Latypov, and State Control Committee Chairman Anatol Tozik.

Source: Itar-Tass; May 17, 2004; www.tass.ru

7. Russian PM Fradkov to Make First Foreign Trip to Belarus

Prime Minister Mikhail Fradkov will be in Minsk on June 8-9 where he will attend a session of the Russia-Belarus Council of Ministers, Belarusian Ambassador to Russia Vladimir Grigoryev said in Moscow to Belarusian reporters.

He remarked this would be the first foreign trip of the newly appointed Russian Prime Minister. According to the diplomat, the session will consider a series of basic problems in the formation of the union state.

In particular, the diplomat said at issue would be the VAT tax. At present, VAT is charged on the producing country, and is going to be charged on the destination country as well from January 1, 2005.

The Ambassador also said that the second bloc of issues on the agenda was the pricing policy on energy products and the lifting of customs barriers between the two countries. In particular, he said both gas prices and the cost of Russian gas transit via Belarus would come under discussion. "We should prevent the situation that happened last winter when Gazprom cut off gas from Belarus," said Grigoryev.

Minsk and Moscow have achieved a compromise on the independent audit of the Belarusian counter-agent to Gazprom, Beltransgaz. Minsk has estimated the company at \$5 billion, and Gazprom's estimates suggest a tenfold lower figure. This is important because Gazprom intends to become a 100% owner of the main Belarussian transporter of Russian gas to Europe.

Source: RIA Novosti; May 18, 2004; www.rian.ru

INTERNATIONAL

8. European Commission Excludes Belarus From "New Neighborhood" Program

The European Commission has made public a strategy document outlining ways of building closer ties between the EU and its "new neighbors" to the east and south. The paper, which will need to be formally approved at the EU's summit in June, says the bloc is ready to proceed quickly with Ukraine, Moldova, and a number of Mediterranean countries. It also recommends the inclusion of the three countries, but sees no hope of a closer relationship for Belarus as long as its present government stays in power.

One country conspicuous in its absence from EU ambitions for closer ties is Belarus. EU Enlargement Commissioner Guenter Verheugen, commenting on this event, said to Radio Liberty:

"The picture is, I regret to say that, very gloomy. So far, we don't have cooperation with the government of that country. We don't have contractual relations. There is no dialogue at all. And I think in the present situation there is no way to discuss with Belarus an action plan. We are still at square number one. What we have to do is to support initiatives which would finally lead to political reform and political change in Belarus".

Source: Charter 97; May 13, 2004; www.charter97.org

9. Belarus, EU to Continue Development of Cooperation

The Belarusian Foreign Ministry's information department rejected some media reports that the European Commission allegedly excluded Belarus from the draft programme New Neighbourhood program that is aimed at strengthening relations between the European Union and new countries bordering the EU.

He said at a briefing on Thursday that such assertions do not correspond to reality. Andrei Savinykh focused attention on the position of the European Commission that, according to him, believes that the EU "should confirm the prospects for closer interaction with Belarus including in such spheres as regional humanitarian cooperation, neighbourhood programmes, simplification of the visa regime for people living in the regions bordering the EU."

The Belarussian Foreign Ministry spokesman also noted that according to the documents of the European Commission, "Belarus is already included in three EU programmes: Baltic Sea, Lithuania-Latvia-Belarus and Poland-Ukraine-Belarus."

Meanwhile Savinykh stressed that the stand of the European Commission towards Belarus has "a certain political component." In his view, "this component will be discussed at our talks in Brussels" with representatives of authoritative European structures. [text revised by the Editor]

Source: Itar-Tass; May 13, 2004; www.tass.ru

10. OSCE Office in Minsk Calls Documentary Shown by Belarusian State Broadcaster "Slanderous" (Press Statement)

The Head of the OSCE Office in Minsk, Ambassador Eberhard Heyken, criticized a TV documentary recently shown on Belarusian state television as an "open slander of key opposition politicians".

The 40-minute documentary, shown on 11 May, linked prominent opposition figures to images of civil unrest and fascism during World War II.

"I consider this as inappropriate political programming, which clearly falls below the standards of free and unbiased representation of political pluralism," said Ambassador Heyken. "During the programme, the competence, credibility, honour and sanity of key figures was openly cast into doubt.

"The OSCE Office interprets the content of this programme as a clear attempt to undermine the political opposition in the lead-up to the parliamentary elections," he added. "We urge the State TV and Radio Company of Belarus to adhere to professional standards of journalism in the representation of political pluralism."

The OSCE Office in Minsk encourages the State TV and Radio Company of Belarus to give the right to reply to those featured in the programme.

Source: OSCE; May 13, 2004; www.osce.org/odihr/

HUMAN RIGHTS & INDEPENDENT MEDIA

11. Belarusian KGB Keeps Vendors' Leader in Jail

Valery Levaneuski, the leader of the vendors' strike committee in Hrodna and a member of the opposition European Coalition Free Belarus, has not been released after serving 15 days in jail for passing out leaflets that called for participation in an authorized May Day rally, Belapan reported on 17 May. The State Security Committee (KGB) in Hrodna extended his term in custody by three days citing the need for clarification of "some circumstances," Levaneuski's wife told Belapan. She expressed fear that the KGB might exert physical and psychological pressure on her husband to force him reveal the identity of the mysterious author who wrote a poem that allegedly libels President Alyaksandr Lukashenka. Levaneuski distributed leaflets with the incriminating poem while mobilizing vendors in Hrodna for the May Day rally.

Source: Jan Maksymiuk, RFE/RL; May 18, 2004; www.rfe/rl.newsline

12. KGB Attempts to Recruit Again

An attempt to recruit an activist of Zubr took place in Osipovichi. Zubr activist Mikhail N. was detained by KGB (Committee of State Security) officers on Monday, May 3 in Osipovichi.

He had been pasting leaflets with the logo of the movement and a phone number by the school # 2 in the center of the city. He was detained by the police. A man in the civilian clothes was with them. He produced ID of a KGB worker. Mikhail was taken to a local military unit, at the territory of which a local KGB department is situated.

There a man, who told that his name was Igor, had a conversation with him. He was interested in the numbers of Zubr members in Osipovichi, about activities of the movement throughout the country, and sources of financing. After the detainee said he did not have this information, the KGB officer offered him to make as many acquaintances among the members of the movement, and to pass information to him. At parting the secret service man left the number of his phone and proposed to call him "any time". After than Mikhail was asked to give written explanations and released after spending an hour and a half in the building, informs the press service of the Zubr movement.

Source: Zubr; May 14, 2004; www.zubr-belarus.com

13. Belarus Activists Accused of Breaching the Peace

The chairman of the United Civil Party, Anatoly Lebedko, was fined 1.9 million Belarusian rubles (\$800) on Wednesday for breaching the peace during a street procession last month, his deputy, Yevgeny Lobanovich said.

Lebedko committed the alleged offense during a traditional Chernobyl procession in Minsk on April 26 to mark the 18th anniversary of the Chernobyl disaster. Earlier, penalties were handed down on other Chernobyl activists.

Belarusian Popular Front Deputy Chairman Ales Mikhalevich was sentenced to ten days and United Civil Party member Andrei Kozel to seven days in detention.

Lyudmila Gryaznova, one of the leaders of the United Civil Party, was fined 4.28 million Belarusian rubles (\$1,900).

Source: United Civil Party; May 14, 2004; www.ucpb.org

BUSINESS

14. Gazprom and Beltransgaz Discuss Possibility of Gas Supplies

Gazprom and Beltransgaz once again failed to reach any agreement on gas supplies during negotiations held on May 13 in Moscow, the Russia gas monopoly reported. Gazprom Deputy Chairman Alexander Ryazanov and Beltransgaz General Director Petr Petukh failed to compromise on prices of gas supplied to the republic and the cost of gas transportation. The two companies have not agreed on another date for negotiations.

Belarus has signed an agreement on gas supplies to the republic with Russian SIBUR on May 12. SIBUR is to supply 168m cubic meters of gas under the agreement. This gas is estimated to suffice until May 17-18. The Russian gas monopoly has stopped supplying gas to the republic on January 1, 2004. It has stopped its gas supplies on February 12.

Belarus insists on paying \$46.67 for a 1,000 cubic meters of gas supplied and \$1.02 for a transportation of 1,000 cubic meters. Gazprom wants to sell its gas at \$52 per 1,000 cubic meters and transport is for \$0.67.

Source: RosBusinessConsulting; May 14, 2004; www.rbcnews.com

15. EBRD Board Delegation Visits Belarus (Press Statement)

A delegation of the EBRD Board of Directors arrives in Minsk today (Sunday) at the start of a four-day fact-finding mission to Belarus which will include meetings with senior officials and representatives of the business and diplomatic communities, as well as NGOs.

The object of the visit is to gather information to help prepare the EBRD's upcoming Belarus strategy covering the next two years. The Board of Directors represents the Bank's 62 public shareholders and approves all Bank projects and country strategies.

The delegation will include Konstantin Andreopoulos (European Investment Bank), Ohad Bar-Efrat (Israel/Austria/Cyprus/Malta/Kazakhstan/Bosnia & Herzegovina), Scott Clark (Canada/Morocco), Sven Hegelund (Sweden/Iceland/Estonia), Marc Julien (France), Enzo Quattrociocche (Italy), Kaarina Rautala (Finland/Norway/Latvia), Hidde van der Veer

(Netherlands/Mongolia) and Igor Kovtun, (Russian Federation/Tajikistan), who also represents Belarus on the EBRD Board.

The delegation will report its findings on the current situation in Belarus to the full Board of Directors, which will subsequently consider the future course of the Bank's activities in Belarus.

The last Belarus strategy was approved in May 2002, when the EBRD expressed serious concern about the political situation and slow pace of transition to a market economy. At the time, the Bank said that unless the authorities made substantive progress to improve political and economic conditions in the country, the EBRD would not be able to move beyond the financing of private-sector projects. The full strategy may be viewed at www.ebrd.com.

The EBRD's cumulative investments in Belarus stand at €157 million.

In 2003, the Bank arranged the first international syndication for a Belarussian borrower, raising \$36 million for Priorbank, the country's largest bank. The EBRD was the lender of record for the full amount, and syndicated \$24 million to six international banks. The money was earmarked for short and medium-term loans to Priorbank's private sector clients in Belarus.

Source: European Bank for Reconstruction and Development; May 17, 2004; www.ebrd.com

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. 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. To send letters to the Editor or to subscribe/unsubscribe please contact Nate Young at: cis@ilhr.org.

For current and back issues, list of events, and more information about the League's advocacy activities in Belarus, please visit the Belarus Update website at: www.belarusupdate.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 Lukashenko's wholesale assault on human rights and the rule of law in Belarus.
