

August 27-September 3, 2004

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International League for Human Rights

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ELECTION NEWS

1. OSCE Begins Election Observation in Belarus

The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) has deployed an Election Observation Mission for the parliamentary elections in Belarus on 17 October 2004. The Mission, headed by Ambassador Audrey Glover from the United Kingdom, includes 11 international staff based at the Minsk head office and 22 long-term observers deployed in the regions. Two of these were recruited through a voluntary fund established to diversify the national composition of election observation missions.

The Mission will assess the entire election process in terms of its compliance with OSCE commitments and other international standards for democratic elections, as well as national legislation. It will focus on the work of the election administration and relevant government bodies, the legislative framework and its implementation, the election campaign, the media situation, and the resolution of election-related disputes.

Shortly before election day, the ODIHR plans to deploy some 300 short-term observers across Belarus in teams of two. They will monitor the opening of polling stations, the voting, the counting of ballots, and the tabulation of results at all levels.

ODIHR observation of the 2004 parliamentary elections follows the Technical Assessment Mission to the 2000 parliamentary elections and the Limited Election Observation Mission to the 2001 presidential election.

The day after the election, the Election Observation Mission will issue a statement of preliminary findings and conclusions. A comprehensive final report will be released approximately six weeks after the completion of the election process.

The ODIHR Election Observation Mission operates separately and independently from the OSCE Office in Minsk.

Source: Organization for Security and Cooperation in Europe; September 2, 2004; www.osce.org

2. Journalists in Struggle for Fair Elections

On 26-27 August an international conference Journalist During Elections was held in Vilnius. The organizers of the conference were the Dutch Union of Journalists and the Belarusian Association of Journalists. The lists of participants included journalists and representatives of NGOs from Ukraine, Russia, Latvia, Estonia, Poland, Lithuanian politicians and public figures.

The participants of the conference expressed vivid interest in carrying out a research of means of public opinion manipulation in Belarus, Russia and Ukraine. This problem became extremely urgent on the threshold of parliamentary elections. The participants also realized the necessity to get acquainted with the European standards of law-application.

The participants of the conference agreed to encourage journalists to elucidate the elections in the above countries and to act professionally during the electoral campaign; and to hold one more meeting when the elections in Lithuania, Belarus and Ukraine are completed in order to discuss the ways of further cooperation.

Source: Belarusian Association of Journalists; August 31, 2004; www.baj.ru

3. U.S. Senator McCain Promises to Help Belarusian Opposition

US congressmen, the Latvian foreign ministry and Belarus' opposition forces will combine their efforts to remove Aleksandr Lukashenko from power, the RIA Novosti news agency reported with reference to Senator John McCain.

The lawmaker stayed in Latvia on a working visit together with a few other US congressmen on August 21.

The Belarusian leader is expected to be ousted with the help of international pressure rather than military intervention, Mr. McCain told reporters in Riga on Saturday.

Latvian Foreign Minister Artis Pabriks reportedly assured the US representatives that the Latvian government would do its utmost to support the drive to remove Mr. Lukashenko, in particular put the "Belarusian issue" on the agenda of the European Union's governing bodies.

The official expressed his intention to give a clear signal to the Belarusian people that Europe needs it.

Speaking at the news conference, House of Representative member Valery Frolov expressed certainty that Belarus' current regime would be ousted no later than the 2006 presidential elections, according to RIA Novosti.

Source: Charter 97; August 23, 2004; www.charter97.org

4. No Room for Businessmen in Belarusian Parliament

Only two of six acting deputies from the Belarusian Chamber of Representatives, affiliated with business and entrepreneurship denied rumors about the voluntarily refusal to participate in the upcoming parliamentary elections.

Deputies Vladimir Delendnik and Vasily Khrol plan to continue their election campaign, despite the fact that they are considered entrepreneurs. According to Belarusian President Aleksandr Lukashenko on April 14, 2004, "the parliament should be composed of all layers of the population, except for businessmen, merchants, and capitalists."

Vasily Khrol, former executive director of the Belarusian Republican Center for Commercial Real Estate, registered the initiative group in the Gluboksk region of the Vitebsk oblast.

Former founder of the enterprise Darida Vladimir Delendik, four years earlier giving control of the business to his wife, registered the initiative group in the Minsk village district #84.

He stated, "I haven't been an entrepreneur for four years, but a deputy in the National Assembly. Aleksandr Lukashenko worked as a director of a collective farm, and then was elected deputy in the Supreme Soviet, and only then, became president. So, will we forever call the president, director of a collective farm?"

The remaining four businessmen-parliamentarians, for various reasons, declined to run for reelection. [text translated from the Russian by the Editor]

Source: Prima News; September 2, 2004; www.prima-news.ru

DOMESTIC & REGIONAL

5. IAEA Deputy Director General to Discuss Elimination of Chernobyl Effects

Cooperation between the International Atomic Energy Agency and Belarus in eliminating effects of the Chernobyl nuclear power plant catastrophe will be discussed during the visit of IAEA deputy director general Anna Maria Cetto to Minsk on September 1 through 4.

During her visit, Anna Maria Cetto will open a grinding shop at the Khoyniki creamery built in technical cooperation with the IAEA, visit the Polesye State Radiation-Ecology Natural Reserve, and the Practical-Science Centre for Radiation Medicine and Human Ecology in Gomel, Andrei Savinykh, press secretary of the Belarusian Foreign Ministry, told a news briefing.

She will meet with Belarusian nuclear scientists in the Sosny Joint Energy and Nuclear Research Institute.

In recent years, Belarus-IAEA cooperation has been "developing dynamically, and political contacts between Belarusian leaders and the IAEA have been held at high level", points out the Foreign Ministry.

Belarus actively partakes in the IAEA Technical Cooperation Programme. The priority areas of interaction are - the rehabilitation of the territory affected by the Chernobyl accident, improvement of health protection, assurance of radiation safety, and development of nuclear technologies. Since 1990 Belarus has received 5.4 million dollars' worth of technical assistance through the IAEA. Within a 2003-2004 set of programmes, Belarus is working on five IAEA national projects to a total of 1.3 million dollars, the Foreign Ministry said.

Also, Belarus participates in 18 regional technical cooperation projects, including the Chernobyl project with a 3 million dollar budget. The national project, in technical cooperation with the IAEA, Rehabilitation of the Territories Contaminated as a Result of the Chernobyl Catastrophe (400,000-500,000 dollars annually) is being carried out in Belarus.

It intends the decontamination of industrial premises and equipment, safety belt control, introduction of new farming methods targeting a lower content of radionuclides in foods, and setting up radiation monitoring laboratories.

Source: RIA Novosti; August 26, 2004; www.rian.ru

INTERNATIONAL

6. Iran President to Visit Belarus Amid Growing Trade

Iranian President Mohammad Khatami plans to visit Belarus in September 9-10, during which he will meet with the Belarusian leadership and see leading industrial enterprises, the Belarusian Foreign Ministry announced on Friday.

Belarus and Iran established diplomatic relations in 1993. Belarus opened its embassy in Iran in 1997 and an Iranian embassy opened in Minsk in 2001.

Trade between the two countries increased to \$21.4 million in 2003 from \$89,000 in 1993, the Belarusian Foreign Ministry told Interfax. Belarusian exports to Iran were worth \$20.5 million in 2003.

Source: Interfax; August 27, 2004; www.interfax.ru

7. Belarus Has New Ambassador to UN

President Aleksandr Lukashenko decreed the appointment of Andrei Dapkiunas Ambassador of Belarus to the United Nations.

"The USA is a leading Power. We have to keep in contact with it and improve bilateral relations, whatever problems there might be," President Lukashenko said to Mr. Dapkiunas, who will join the Belarusian Ambassador to the USA to represent Belarusian interests in that country.

"The USA has stored huge positive experience in many fields. That experience may be of interest to Belarus," the presidential press service cites Mr. Lukashenko.

The President called the new ambassador for utmost dedication to his duty. "The whole world is to know our country as an equal and reliable partner and the international community's friend," stressed Aleksandr Lukashenko.

Source: RIA Novosti; August 28, 2004; www.rian.ru

HUMAN RIGHTS & INDEPENDENT MEDIA

8. Letter: IHF Concerned About Threats Against the Belarusian Helsinki Committee

To the Heads of Delegations
Organization for Security and Cooperation in Europe

Excellencies,

I am writing on behalf of the International Helsinki Federation for Human Rights (IHF) to convey our continuing concern about threats against the Belarusian Helsinki Committee (BHC).

On 23 June, the Minsk Economic Court cleared the BHC of all charges of alleged tax evasion. The Ministry for Taxes and Dues had accused it of a failure to pay taxes totaling U.S.\$73,000 for funds received under the TACIS Program of the European Commission. On 29 July the Court of Cassation rejected the appeal of the tax authority. The court decision confirmed that the BHC activities were lawful and complied with all procedures required by Belarusian authorities.

In total disregard of the court ruling, the Department of Financial Investigations under the State

Inspection Committee has now decided to pursue the case based on the annulled accusations and has announced a new, extensive inspection of the BHC activities. Reportedly, the inspection shall be conducted jointly by four ministries: the Ministry of Taxes and Dues, the Ministry of Economy, the Ministry of Foreign Affairs, and the Ministry of Justice.

The IHF regards this measure to be an illegal act that is solely aimed at curtailing legitimate human right activities of the BHC. This is but one in a series of measures taken by the government to suppress human rights activities in the country.

We appeal to you to do all in your power to help stop the ongoing harassment of the Belarusian Helsinki Committee and other civil society organizations and to support them in their efforts to restore human rights and the rule of law in Belarus.

Additional information on the case is available at: http://bhc.unibel.by/index_news.htm

Yours sincerely,

Aaron Rhodes
Executive Director

Source: International Helsinki Federation; August 27, 2004; www.ihf-hr.org

19. Detentions On Day Of Knowledge

A celebration of the Day of Knowledge by students of Yakub Kolas Belarusian Lyceum ended in arrests.

About 150 people gathered today at 4 p.m. in the October Square in Minsk, to celebrate the Day of Knowledge and protest the closure of the Belarusian Lyceum. Not only students of the lyceum and its teachers, but also activists of other organizations and common people came to the square.

Detentions started before the beginning of the protest. One of the Zubr coordinators, Yauhen Afnagel, was seized by about a dozen of plainclothes police. They snatched posters from the hands of the young guys, and also arrested the student of the Lyceum Franak Viachorka, and took him to a police bus. The same people detained lawyer of the human rights center Viasna Valiantsin Stefanovich, and the professor of the Lyceum, Liavon Barscheuski.

After that Lyceum students sat on the ground and started singing the song of the band N.R.M. "Everything is OK here, but day by day it's getting harder for me to breathe." In about ten minutes they started a march down the Skaryna Avenue, to Yanka Kupala Park, where they laid flowers to the monument of the writer.

Currently, the detained are in the Central Police department of Minsk. [text edited by the Editor]

Source: Zubr; September 1, 2004; www.zubr.com

10. Baptists to Lose Property After Easter Hospital Visit

Two Baptists are set to have personal property confiscated - in one case a car - while a third is having his pay docked after the three visited a hospital at Easter to sing hymns and hand out New Testaments, Forum 18 News Service has learnt. Local regional religious affairs official Vladimir Klevtsov told Forum 18 that the Baptists had broken the law because - amongst other violations - they did not get the hospital authorities' permission to hold "a mass event with music and give out literature". Their other offences included the fact that two of the Baptists are from Brest, which is outside the region where the hospital is located, and that they do not belong to a registered

church. Asked by Forum 18 what the legal position is for individual Belarusian believers wishing to visit or give religious literature to hospital patients, Klevtsov said that he knew of no such precedent, as "we normally get requests only from registered religious organisations."

Local courts have ruled to confiscate personal property from two Baptists and to dock the pay of another after the three sang hymns and distributed New Testaments during an Easter visit to a hospital in the south-eastern town of Mozyr (Mazyr). While commenting to Forum 18 News Service that the measures taken against the Baptists "could indeed have been softer," Gomel (Homyel') regional religious affairs official Vladimir Klevtsov maintained on 1 September that the three had violated Belarusian law.

According to a 24 July report received by Forum 18 from the International Union of Baptist Churches, a district court in the south-eastern Belarusian region of Gomel issued a 16 July order to traffic police to confiscate a 1988 Volkswagen car from Vasili Bilas, a Baptist resident in Mozyr. On 6 July, continued the report, Lenin District Court in the south-western city of Brest instructed the accountant at the workplace of fellow Baptist Leonid Martynovich to dock his pay by one fifth every month, while court bailiffs threatened to remove valuables from the home of another Brest Baptist, Nikolai Krynts.

These measures follow the trio's refusal each to pay fines of 20 times the minimum wage, or 380,000 Belarusian roubles (approximately 1200 Norwegian kroner, 153 Euros or 175 US dollars). The fines were handed down on 17 April by Mozyr City Court in accordance with Article 167, Part 1 of the Belarusian Administrative Violations Code, which punishes infringements of legislation on the staging of "religious, sports, mass cultural or other spectator events," as well as "gatherings, mass meetings, street processions, demonstrations and pickets," with either a warning, a fine ranging from 20 to 150 times the minimum wage, or detention for between three and 15 days. On 21 May Gomel Regional Court rejected an appeal against the lower court's decision.

"The brothers cannot agree that Easter greetings could be classified as a mass meeting," the Union contended in its latest statement. "It was just a meeting with the sick - entirely peaceful - which did not disturb public order." The Union's 18 April report similarly described how the Baptists conveyed Easter greetings to patients and visitors at the Mozyr hospital on 17 April: "People listened to singing, poetry and the Word of God warmly and attentively. All who wished were given New Testaments and brochures." Although the Baptists informed the hospital administration in advance about their visit, according to the earlier statement, a staff member called the police, who initially found nothing amiss but then surrounded and threatened the group after the arrival of a senior officer: "Those who had been listening began to protest and defend the believers, but the representatives of the authorities roughly pushed them away." The group were then reportedly detained for questioning at a local police station, following which the three who were subsequently fined were brought before Mozyr City Court.

In their latest statement, the Baptists argue that their hospital visit was lawful according to Article 25 of the 2002 Belarusian religion law, under which "religious rites, rituals and ceremonies" may take place in a hospital or similar institution "on premises specially designated by its administration for such purposes" at the request of the citizens there, who may also receive religious literature and other items "if this does not harm their health or violate the rights and legal interests of others." According to the same article, religious rites and other mass events are subject to prior receipt of permission from the local state authorities if they are not held on specially designated premises.

Speaking on 1 September, Gomel regional religious affairs official Vladimir Klevtsov explained to Forum 18 that the Baptists had violated the law in three ways. "They can visit people in hospitals, but it has to be at their request, which it wasn't. Also, they had to agree it with the hospital administration, which they did, but the agreement they had was to chat with the people there, not to hold a mass event with music and give out literature – for that there has to be prior permission

from the local authorities. And thirdly, a Mozyr church would be entitled to hold such an event if it were in accordance with its charter, but there were people there from Brest – which is beyond the boundaries of Gomel region." (Under Article 14 of the 2002 religion law, a religious organisation is formed by at least 20 members living in the same local area or adjoining local areas, and may function only on this territory.)

Klevtsov further outlined to Forum 18 that distribution of religious literature may take place only in houses of worship or on officially designated premises (Article 26 of the 2002 law), while both this and the right to conduct religious ceremonies in hospitals and similar institutions are the preserve of religious organisations – which are subject to compulsory state registration. Article 26 states that religious organisations "have the right to distribute literature." On the latter point, Article 25 cited above is contained in a chapter of the 2002 law similarly detailing the rights of religious organisations. The International Union of Baptist Churches, however, adheres to a rigid principle of separation of church and state according to which none of its congregations throughout the former Soviet Union are registered.

When Forum 18 queried, therefore, where individual Belarusian believers wishing to visit or give religious literature to hospital patients stood in relation to the law, Klevtsov maintained that he knew of no such precedent: "We normally get requests only from registered religious organisations."

Source: Forum 18 News Service; September 3, 2004; www.forum18.org

BUSINESS

11. Washington Spots Belarus Infobank as Primary Money-Laundering Concern

The U.S. Treasury Department said in a press release on 24 August that two private banks, Infobank of Belarus and First Merchant Bank of the unrecognized Turkish Republic of Northern Cyprus, have been involved in money laundering. According to the U.S. administration, Infobank laundered funds from fraudulent transactions involving Iraq. "Infobank laundered funds for the former Iraqi regime of Saddam Hussein that were derived from schemes to circumvent the United Nations Oil-for-Food (UN OFF) program, including illegal surcharges and inflated contracts," the press release reads. "Proceeds from the illegal surcharges and inflated contracts either were returned to the Iraqi government -- in violation of UN OFF program conditions -- or were used to purchase weapons or finance military training through Infobank and its subsidiary."

"We continue to use our authority under Section 311 of the USA Patriot Act to protect the U.S. financial system from corrupt financial institutions such as these," Stuart Levey, the U.S. Treasury Department's undersecretary for enforcement and head of the Office of Terrorism and Financial Intelligence, commented on the two banks, which were designated under the Patriot Act as financial institutions of "primary money-laundering concern." "Today's designation alerts the global financial community of the threat posed by these entities. It also serves notice to others that there will be significant consequences for institutions that launder tainted money or engage in similar corruption: We will cut you off from the U.S. financial system."

The Treasury Department is authorized to require U.S. financial institutions to take "special measures" against the two designated banks in the event they fail to provide evidence disproving the money-laundering allegations. These measures range from "enhanced record keeping" or "reporting obligations" to the termination of the designated banks' correspondent accounts in the United States.

Infobank on 25 August denied the U.S. charges that it laundered funds for the former regime of deposed Iraqi President Saddam Hussein. "Infobank has in all of its activities strictly followed the spirit and letter of international agreements relating to the fight against the legalization of illegal financial transactions," the bank said in a statement. "We believe that this [allegation] by the U.S.

administration was made hastily and we hope that this upsetting incident will be sorted out." Moreover, Belarusian Foreign Ministry spokesman Andrey Savinykh said the same day that the Belarusian authorities had looked into earlier U.S. concerns about Infobank's alleged money laundering but "found no violations."

The U.S. Treasury Department's designation of Infobank as a "primary money-laundering concern" under the Patriot Act follows a report by its Financial Crimes Enforcement Network (FinCEN) (<http://www.regulations.gov/freddocs/04-19266.htm>).

FinCEN found that Infobank, which was established in Minsk in 1994, is Belarus's 10th-largest bank. (Belarusian media reported that Infobank accounts for some 1 percent of the assets of the entire banking sector in Belarus). Infobank maintains four domestic branches; two additional branches in Russia were closed by Russia's Central Bank in 2001. Infobank is a commercial bank licensed by the Belarusian National Bank to engage in foreign trade, including foreign-exchange transactions. As of 2003, its license was expanded to enable Infobank to carry out banking operations in gems and precious metals.

Shareholders of Infobank include many private Belarusian companies as well as the government, which is a principal shareholder of the bank's capital. In 2001 Infobank sold a 35 percent stake to the Libyan Arab Foreign Bank, which is fully owned by the Central Bank of Libya. FinCEN said Infobank maintains correspondent accounts with several European banks and at least one bank in New York City.

In addition to banking operations, Infobank is involved in a number of business ventures through a network of affiliated entities, joint ventures, and its subsidiary -- Belmetalenergo. These ventures include Bel-Cel, a cellular telecommunications corporation; Systems Business Management, a joint venture that specializes in project finance in the Middle East and Eastern Europe; and MAZ-MAN, a tractor-manufacturing company. FinCEN stated that Infobank and its subsidiary, Belmetalenergo, have procured and financed weapons and military equipment for several countries considered by the United States to be "state sponsors of terrorism." FinCEN added that until the collapse of the Hussein regime, Belmetalenergo brokered various contracts with the former Iraqi government for the provision of military equipment and training for Iraqi armed forces in violation of relevant UN resolutions.

Furthermore, FinCEN asserted that Infobank continues to maintain funds in accounts established for the Central Bank of Iraq, thus violating UN Security Council Resolution 1483 (UNSCR 1483), which requires UN member states to transfer funds and other financial assets of the previous Iraqi government to the Development Fund of Iraq. According to FinCEN, until now, the Belarusian government has not taken steps to transfer Infobank funds in compliance with UNSCR 1483.

Quoting information from a "variety of sources," FinCEN stated that in 2001 Belmetalenergo entered into contracts to purchase oil from the Iraqi State Oil Marketing Organization (SOMO) -- which was overseen by the UN -- and secretly agreed with SOMO to pay illegal surcharges and deposit them into Infobank accounts for the benefit of the then-Iraqi government. Belmetalenergo also entered into contracts for the provision of humanitarian aids to Iraq, in which the value of the goods that were actually provided was inflated. FinCEN claims that the funds derived from the illegal surcharges and the inflated oil-for-food contracts were laundered through several other banks and shell companies. Finally, proceeds from these illegal operations were either returned to the Iraqi government or used to purchase weapons or finance military training through Infobank and Belmetalenergo, according to FinCEN.

The charges of the U.S. Treasury Department are in line with reports in some Russian, Polish, and independent Belarusian print media that have suggested links between Infobank and murky Belarusian-Iraqi trade deals. "Nezavisimaya gazeta" revealed shortly before the U.S.-led intervention in Iraq in 2003 that an obscure organization called the Iraqi-Belarus Friendship

Society chartered flights from Belarus to Iraq with secret cargoes. It turned out that the society was registered at the same address as Infobank and Infobank Chairman Viktor Shastou served as head of this organization.

The Polish weekly "Wprost" in 2002 suggested links between Infobank and the trade of illegal weapons. According to "Wprost," the most important intermediaries in money-laundering operations involving Infobank were Belmetalenergo and Capital and Business Management, a company registered in Vienna. The illegally earned money from Capital and Business Management, the paper wrote, was reportedly transferred to the accounts of several dozen offshore companies in the Cayman Islands, the Isle of Man, and Jersey and subsequently transferred to foreign representations of Belarusian firms.

Finally, Ron Synovitz, an RFE/RL correspondent in Iraq, discovered in Baghdad in April 2003 a faxed letter from a tank-repair plant in Barysau. The letter was addressed to someone named Uladzislau Rachkevich. The letter suggested that the Barysau plant offered Iraq training, along with advice on additional mine-sweeping equipment on tanks and camouflaging combat vehicles. Rachkevich turned out to be the head of Systems Business Management, of which Infobank was a co-founder. Today, Rachkevich is general director of Bel-Cel, in which Infobank holds a stake.

Source: Jan Jan Maksymiuk, RFE-RL; September 1, 2004; www.rferl.org

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.
