



United States Mission to the OSCE

Statement on Belarus

As delivered by Deputy Chief of Mission Paul W. Jones
to the Permanent Council, Vienna
September 9, 2004

Thank you, Mr. Chairman.

Recent developments in Belarus have compelled us to take the floor today. A few of those developments are positive, but most contravene fundamental OSCE commitments and cast a shadow over preparations for the October 17 parliamentary election.

On September 7, President Lukashenko announced that he had signed a decree mandating a nationwide referendum on October 17. This referendum will decide whether the two-term limit for presidents should be eliminated and whether President Lukashenko should be permitted to run for re-election in 2006. The fact that such a fundamental change to the nation's constitutional structure is now on the ballot makes all the more important the need to ensure that the Belarusian people are able to debate, vote and have their votes counted in a transparent and credible manner that meets OSCE standards. As we know, this has not been the case in the recent Belarusian elections.

On a positive note, we welcome the fact that the Belarusian government has invited the ODIHR to observe parliamentary elections in the country on October 17, in accordance with OSCE participating States' commitment under the 1990 Copenhagen document. The United States calls on Belarus to live up fully to the spirit of this commitment by issuing timely visas to ODIHR observers.

We also note that the Government of Belarus will allow political parties and non-governmental organizations to nominate election observers and that the Government issued a decree on September 3 allowing registered political parties to appoint advisory representatives to the Central Election Commission. These positive developments are severely undercut, however, by the fact that the Central and District Election Commissions are not balanced and that election observers cannot witness the actual vote counting. There are also severe problems in the overall legal framework governing elections in Belarus.

These problems were outlined in the June 2004 ODIHR Needs Assessment Report and previous ODIHR reports. ODIHR recommendations on overhauling the election code should be taken up by the Central Election Commission and other authorities as soon as possible. In particular, it is crucial that the nomination and selection process for members of the Central and District Election Commissions is transparent and fosters balanced membership.

The United States also has concerns about Belarus' continued failure to fulfill its OSCE commitments to protect and foster free media. Authorities have exploited questionable technicalities over the past several months to silence the last sources of independent news in the country by suspending several newspapers, such as Vremya, Navinki, and Navaya Gazeta Smorgoni, among others. We have also received reports that authorities have successfully pressured supermarkets not to sell several independent newspapers.

In the 1991 Moscow Document, participating States recognized that "free and independent media are essential to a free and open society and accountable systems of government and are of particular importance in safeguarding human rights and fundamental freedoms." We call on the Belarusian authorities to demonstrate that they embrace this principle by lifting the suspensions, working cooperatively with the suspended newspapers to resolve any outstanding issues, and not to interfere with the decisions of businesses on which publications to sell.

We understand the Representative for the Freedom of the Media did not receive a visa for his planned trip to Belarus. We urge the government of Belarus to correct this situation immediately by issuing him a visa.

In the case of the ongoing harassment of the Belarus Helsinki Committee, Belarusian authorities are not just manipulating legal technicalities, but also flagrantly overriding their own legal system and subverting OSCE commitments to foster and encourage civil society organizations. In June, a Belarusian court annulled a State Control Committee order for the Belarus Helsinki Committee to pay roughly \$73,000 for alleged tax evasion. This vindication of the Belarus Helsinki Committee was subsequently upheld on appeal in July. In light of these rulings, we call on the State Control Committee to desist immediately from its announced comprehensive audit of the Belarus Helsinki Committee.

The United States reiterates its call to Belarusian authorities to refrain from using the court system to harass and silence political opponents, including Mikhail Marynich, Valery Levonevsky and Alexander Vasilyev. We note with dismay that the UN Commission on Human Rights Working Group on Arbitrary Detention was not permitted to visit Mikhail Marynich in prison during its visit to Belarus in late August. The sentencing of Valery Levonevsky and Alexander Vasilyev on September 7 to two years in a correctional labor facility is disproportionate to the alleged offense and was arrived at in a trial conducted under questionable procedural practices.

The Government has also continued to harass members of democratic parties by threatening job loss and other reprisals. In addition, the Government also recently closed the Belarusian Party of Labor.

Mr. Chairman, the United States is deeply concerned that these and many other incidents represent a trend of disregarding OSCE democracy and human rights commitments that is likely to intensify in the run-up to the October 17 parliamentary elections and referendum. Such actions will inevitably undermine the legitimacy of the result, regardless of how the polling itself is conducted on election day.

The United States calls on the Government of Belarus to cease the manipulation of its legal system to violate human rights and to suppress democratic political activity and expression, which it has committed to foster and facilitate in numerous OSCE commitments.

Thank you, Mr. Chairman.