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Belarus in the aftermath of the Presidential election of 19 March 2006

Recommendation 1745 (2006)

Reply from the Committee of Ministers
adopted at the 973rd meeting of the Ministers' Deputies (13 September 2006)

1. The Committee of Ministers recalls the serious concerns expressed in its reply of 26 April 2006 to Recommendation 1734 (2006) on the situation in Belarus on the eve of the presidential election.
2. The Committee of Ministers reiterates its concern over the fact that many peaceful demonstrators and practically all leaders of the opposition have been subjected to detention and harassment during post-election developments in Belarus. Presidential ex-candidates Alyaksandr Milinkevich and Alyaksandr Kazulin, Sergei Kalyakin, Anatol Lyabedzka, Vintsuk Vyachorka, Alyaksandr Dobrovolskij, Aleksandr Buchvostau and many others were sentenced to up to 15 days of imprisonment.
3. The disproportionate sentencing on 13 July 2006 of Alyaksandr Kazulin to five-and-a-half years' imprisonment on the grounds of "hooliganism" and "organisation of group activities that breach public order" and that of four members of the Belarusian NGO "Partnership" from six months to two years imprisonment on 4 August 2006 are both recent worrying developments, which the Committee of Ministers deeply regrets and firmly condemns. The Committee notes that two members have since been released. The Committee has also noted with concern that the prosecutor's office of Minsk has issued an official warning to Alyaksandr Milinkevich for a newspaper interview, with charges of discrediting the Republic of Belarus and its state organs, which could lead to a sentence of up to two years imprisonment. The Committee will closely follow the cases of those opposition activists still serving different terms of imprisonment, after politically motivated trials.
4. On the other hand, the Committee of Ministers welcomes the release on parole of Mikhail Marinich, after almost two years' imprisonment. It is to be noted that the Minsk Court dismissed charges against the opposition leader and former speaker of the Belarusian Parliament, Stanislau Shushkevich, who was charged with organising an unsanctioned rally of solidarity with political prisoners on 1 May in Minsk.
5. Following statements by the President of the Parliamentary Assembly, the Chairman-in-Office of the Committee of Ministers and the Secretary General of the Council of Europe, the Committee of Ministers urges the competent Belarusian authorities immediately to release and drop charges against the political activists and peaceful demonstrators still detained, to refrain from use of force and arrests, and to allow the people of Belarus to exercise their right of assembly and freedom of expression, in accordance with international commitments undertaken already by Belarus.
6. The Committee of Ministers is concerned by reports that students in Belarusian academic institutions, who were involved in election-related activities to support opposition candidates, would be blacklisted and would face serious difficulties in continuing their education in Belarus. The Committee of Ministers supports the activities of the European Humanities University in Vilnius and warmly welcomes offers by member states to help such students continue their studies in European universities so that they can contribute to the European future of Belarus.

7. The Committee of Ministers will continue to follow closely post-election developments, in co-ordination with the Parliamentary Assembly and other interested international organisations.

8. The Committee of Ministers recalls the Council of Europe Plan of Assistance Activities for Belarus (DGAP/INF(2006)8) which is designed to uphold civil society, a free and independent media, local democracy, human rights awareness and European values and standards, bearing in mind their complementarity with action being undertaken by the international community. Additional priority is to be given to support civil society initiatives for independent information coverage about Belarus, independent sociological surveys, and training of civil society and political parties on European standards in the field of pluralist democracy, human rights and rule of law. It welcomes the financial support already provided by member states and the readiness of some member and observer states to support actively the plan of assistance. It calls on other member and observer states to contribute to the continuation and enhancement of Council of Europe efforts for the promotion of democracy in Belarus.

9. The Committee of Ministers considers it an encouraging sign that in the letter of the Mission of the Republic of Belarus to the Council of Europe of 7 June 2006, the Belarusian authorities reiterated their declared interest in the further development of co-operation with the Council of Europe, the ultimate aim of which is a fully-fledged membership of the Organisation. As to the Plan of Assistance Activities for Belarus, the authorities "take into account a possibility of sending the Secretariat of the Council of Europe their proposals as to co-operation with the Council of Europe and are ready to look into any proposals with regard to possible participation in the activities of the Council of Europe on a case-by-case basis." The Committee of Ministers instructs the Secretariat to maintain contacts with appropriate partners in Belarus in order to ensure the implementation on the territory of Belarus of activities under the aforementioned Plan of Assistance Activities.

10. In this spirit, the Committee of Ministers expresses again the hope that Belarus, as an integral part of Europe and a country whose people have contributed to the common European heritage, will soon fulfil the conditions to become a fully-fledged member of the Council of Europe. The Council of Europe's doors remain open to new members whose authorities abide by its international commitments to democracy, human rights and the rule of law, and co-operate on the promotion of European values.

11. The Committee of Ministers again expresses its regret that the Parliamentary Assembly of the Council of Europe was not invited to observe the presidential elections on 19 March, thus preventing it from making a direct evaluation of their conduct and of the situation in the country.

12. The Committee of Ministers stresses that the importance of independent media, as one of the main alternative sources of information, is vital not only for the voters, but also for the observation of the election process. The disappearance over recent years of much of the non-state national and regional media, and the omission of national and local independent titles from the state-owned distribution network, has lessened the plurality of media available to the people of Belarus and to observers in the presidential elections. The Committee deplores the state's control over the Belarusian broadcast media that have countrywide coverage, to the detriment of transparency in the election process. Some independent editors were suspended or received warnings from the Ministry of Information. Belarusian journalists and their colleagues from Russia, Poland, Ukraine, Georgia and other countries were detained for different periods of time. Freedom of the media in Belarus has not improved after the presidential elections, and remains a focal point of the Council of Europe's attention.

13. Even though more than 30 000 national and international monitors observed the presidential elections, the number of independent domestic observer groups was significantly lower than in past elections. The majority of domestic observers were provided by state-funded organisations. On a number of occasions, law enforcement authorities reportedly prevented independent domestic observers from contacting international observers. There have been reports of arrests of activists of civic organisations engaged in co-ordinating election observation activities. The request by the Belarusian Ministry of Justice to the Supreme Court of the Republic of Belarus to suspend the activities of the Republican public association "Belarusian Helsinki Committee", following its criticism of the results of the last presidential elections, was regrettable. The Committee of Ministers encourages the Belarusian Ministry of Justice to withdraw this request, as was done last May with the request concerning the Union of Belarusian Writers.

14. In recent years, many Belarusian organisations for independent sociological surveys have been forced to close down their activities. The Independent Institute of Socioeconomic and Political Studies (NISEPI) was forced to move to Lithuania after the Belarusian authorities closed down the polling agency in April 2005. Shortly before the presidential elections, the Belarusian authorities decided on the deportation of the Russian political scientist, Andrej Suzdaltsev. The findings of independent sociological institutions contrast with the official results released by the Central Election Commission of Belarus and other government-controlled organisations, and are often used by some international observers.

15. In this respect, the Committee of Ministers invites international organisations which will be engaged in observation of future elections in Belarus to enter into dialogue with all sectors of Belarusian society, including political parties, independent journalists, NGOs, academics and political scientists.

16. The Committee of Ministers takes this opportunity to convey to the Belarusian authorities the message that their country can only benefit by choosing the path of democratic development followed by all the other countries in Europe. It recalls Parliamentary Assembly Resolution 1482 (2006), which states that “should the Belarusian authorities give clear and conclusive signs of their commitment to move closer to Council of Europe standards in the fields of democracy, rule of law and human rights, the Assembly would be prepared to reopen appropriate communication channels.” To this end, particular attention will be paid to the conduct of elections. In the light of progress achieved in implementing the above-mentioned Plan of Assistance Activities, the Committee of Ministers will consider the possibility of discussing further co-operation with the Belarusian authorities with a view to strengthening relations between Belarus and the Council of Europe.

17. In this light, the Committee of Ministers is ready to discuss with the Assembly the differences in the evaluation of the election in Belarus between different groups of observers, as suggested by Parliamentary Assembly Recommendation 1745 (2006). This discussion could take place within the framework of the Joint Committee between the Committee of Ministers and the Parliamentary Assembly.