Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1441 (2000)[1]

Situation in Bélarus

Parliamentary Assembly

1. The Assembly recalls that following the referendum of 26 November 1996 and the ensuing constitutional changes, the Bureau of the Assembly suspended the Belarus Parliament's Special Guest status. On 17 December 1998, the Bureau decided to maintain the suspension and to formally suspend the procedure concerning Belarus's application, submitted in March 1993, for membership of the Council of Europe.

2. The Assembly expresses its profound concern that Belarus continues to fall seriously short of Council of Europe standards as regards pluralist democracy, the rule of law and human rights.

3. It condemns in the strongest possible terms the executions in Belarus and deplores the fact that Belarus is currently the only country in Europe where the death penalty is enforced and, moreover, is regularly and widely enforced.

4. The Assembly also condemns the persecution of opponents of the current regime, such as members of the 13th Soviet, which is the last legitimate parliamentary representation of Belarus, opposition parties and independent trade unions, journalists and participants in demonstrations and strikes. It expresses its profound concern at the disappearance of political opponents in Belarus.

5. In this connection, the Assembly took note with satisfaction of the release from custody of Mr Chigir, former Prime Minister of Belarus, and urges the authorities to respect strictly his right to a fair trial.

6. The Assembly considers that the exercise of freedom of expression, assembly and association is severely restricted in Belarus by various legal and administrative measures and by other methods employed by the authorities.

7. The Assembly is also concerned that neither the independence of the judiciary nor of the Bar is guaranteed. It is particularly worried about reports that certain lawyers are being harassed by the authorities.

8. In these circumstances, the Assembly considers that there can be no change in the present situation regarding the suspension of Special Guest status and of the accession procedure.

9. The Assembly considers that the Belarusian institutions' democratic legitimacy can only be restored through political dialogue between the authorities and the opposition, culminating in democratic elections. In this connection, it welcomes the agreement between the government and opposition representatives to begin negotiations on resolving the current political crisis.

10. The Assembly calls upon all political forces in Belarus, and in particular the Belarusian authorities, to ensure that these negotiations start as soon as possible and lead to the establishment of conditions that are conducive to the holding of free and fair elections.

11. The Assembly considers that the Council of Europe should become more involved in efforts to resolve the crisis in Belarus and should lend its support to the democratic forces in Belarus and help ensure that the negotiations break the current political deadlock in the country.

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1. Assembly debate on 26 January 2000 (4th Sitting) (see Doc. 8606, report of the Political Affairs Committee, rapporteur: Mr Behrendt); and Doc. 8625, opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jansson). Text adopted bythe Assembly on 26 January 2000 (4thSitting).

12. The Assembly believes it is vital to get Belarus more involved in the European co-operation process. It is convinced that the only possible future for Belarus is to become a fully-fledged member of the European family of democratic nations.

13. The Assembly welcomes the request of the Belarusian authorities to obtain the opinion of the Venice Commission experts on the draft electoral code and emphasises the importance of implementing the experts' recommendations.

14. The Assembly urges the Belarusian authorities to undertake the following, the positive response to which would be taken account of in deciding to review the current suspension of Special Guest status:

14.1. to declare an immediate moratorium on executions and set in motion the legislative procedure for the abolition of capital punishment;

14.2. to release those arrested or convicted for politically motivated reasons, to clarify what has happened to the people who have disappeared and to put an end to political persecution;

14.3. to ensure full respect for freedom of expression, assembly and association, in particular by guaranteeing the opposition fair access to state-controlled radio and television and allowing free enjoyment of the right to hold demonstrations and strikes;

14.4. to take measures to establish the independence of the judiciary and the Bar, and to cease the harassment of lawyers;

14.5. to co-operate in good faith with the opposition and international organisations with a view to establishing a democratic and pluralistic society

14.6. to draft an electoral law which enables the holding of free and fair elections and, at the same time, to do their utmost to strengthen the powers of Parliament.

15. The Assembly recommends that the Committee of Ministers:

15.1. consider, as a matter of urgency, and in conjunction with the OSCE and its Advisory and Monitoring Group in Minsk (AMG), how the Council of Europe can make a contribution to the success of negotiations between the government and the opposition;

15.2. actively support the elaboration of an electoral law with a view to guaranteeing the holding of free and fair elections in Belarus, at local, regional and national levels, in conformity with international standards;

15.3. set up programmes aimed at strengthening human rights and fundamental freedoms, civil society and the independent media in Belarus, particularly during the run-up to the elections;

15.4. make arrangements for a Council of Europe representative to be present in Minsk to facilitate the preparation and implementation of these programmes and the forging of direct, permanent links with the country's political forces as the elections draw nearer.