



Resolution 1306 (2002)¹

Situation in Belarus

Parliamentary Assembly

1. The Parliamentary Assembly recalls that the question of Belarus has been on its agenda since September 1992. The Special Guest status granted to the Parliament of Belarus was suspended in January 1997. The Assembly, however, decided at that time to keep the channels of contact open with all the political forces in Belarus and to follow developments closely in that country. In January 2000, in its [Recommendation 1441](#) on the situation in Belarus, the Assembly considered that political progress in the country was not yet of a nature to allow a change in relations with the Council of Europe.
2. The Assembly has since continued to do its best to maintain dialogue with Belarus. Isolating the country was not considered a good policy and the Assembly has carefully avoided applying double standards in its evaluation of the situation in Belarus. The Council of Europe standards on pluralist democracy and the protection of human rights and individual freedoms have constituted the principle yardstick in its evaluation.
3. Today, despite some progress in a number of areas, the democratisation process in Belarus appears to be stagnant. Moreover, relations between Belarus and the international community remain strained. A key example is the tension between Belarus and the Organisation for Security and Co-operation in Europe (OSCE) due to a crisis over the mandate of the OSCE Advisory and Monitoring Group (AMG), which culminated in the refusal by the Belarusian authorities to issue visas to and to accredit the AMG officials. The Ad hoc Committee on Belarus of the Bureau of the Assembly expressed its extreme concern about the situation after its visit to the country in June 2002.
4. The Assembly is seriously concerned about the lack of progress made in clarifying the cases of missing people. Despite assurances from the Belarusian authorities about ongoing investigations into their cases, no reliable information, let alone any concrete results, are available at present. The Assembly encourages the setting up by its Committee on Legal Affairs and Human Rights of an ad hoc sub-committee in order to help clarify the circumstances of these disappearances, and appeals to the Belarusian authorities to provide this ad hoc sub-committee with all necessary information.
5. Recent developments in Belarus have also given rise to growing concern regarding freedom of expression and of the media. The independent media continue to be subject to increasing pressure and harassment from the Belarusian authorities. The recent convictions of journalists for their opinions are unacceptable. As regards the audiovisual media, the creation of a second semi-independent television channel has not yet delivered the results expected by the public. The new draft law on the media has not yet been adopted by the Parliament, and the proposals made by the Assembly to the authorities to submit the draft law to the expertise of the Council of Europe has not been followed up.
6. The Assembly notes with satisfaction the release from prison of Mr Andrei Klimov, prominent businessman and opposition politician, in March 2002, and urges the authorities to reconsider other cases of imprisonment on political grounds, including those relating to sentenced journalists.

1. Assembly debate on 27 September 2002 (32nd Sitting) (see [Doc. 9543](#), report of the Political Affairs Committee, rapporteur: Mr Behrendt and [Doc. 9574](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr. Stankevic). Text adopted by the Assembly on 27 September 2002 (32nd Sitting).



7. Having welcomed the earlier release from custody of Mr Mikhail Chigir, former Prime Minister of Belarus, in its [Resolution 1441 \(2000\)](#), the Assembly notes with concern that Mr Chigir was sentenced in July 2002 by a district court in Minsk to a suspended prison sentence of three years with the confiscation of his property. The Assembly continues to be worried about the fairness of Mr Chigir's trial, as well as the treatment of political opponents by state authorities in general. It also expresses its concern regarding the situation of independent trade unions.

8. The Assembly notes that a new awareness seems to be developing in Belarus, in particular in parliamentary circles, on the question of the abolition of the death penalty. It welcomes the hearing on this issue organised by the Parliament of Belarus in May 2002 and notes the recommendations addressed by the parliament to the government on the possibility of a step-by-step approach from a moratorium regarding the death penalty to its eventual abolition, with the exception of some specific grave crimes.

9. At present, Belarus shows severe democratic deficits and it does not yet meet the Council of Europe's relevant standards. The electoral process is imperfect, human rights violations continue, civil society remains embryonic, the independence of the judiciary is doubtful, local government is underdeveloped and, last but not least, parliament has limited powers. Although there is now a new awareness among a group of parliamentarians as to an increase in parliamentary competences, relations between the regime and foreign powers, the European Union and other international organisations remain tense.

10. Against this background, the Assembly considers that for the time being a discussion on full membership of Belarus in the Council of Europe cannot be put on the agenda. However, depending on future developments regarding the competences of the Belarusian Parliament and its commitment to fostering democratic development in Belarus, the Bureau of the Assembly may reconsider the restoration of Special Guest status of the Parliament of Belarus with the Assembly.

11. In the meantime, co-operation between the Council of Europe and Belarus should continue and develop in specific areas such as parliamentary co-operation in the form of dialogue and the organisation of joint seminars on specific topics; co-operation programmes targeted at local elected representatives especially regarding policy issues on education, employment and social security; co-operation with the Venice Commission with a view to improving concepts of governance; co-operation projects for developing civil society; legislative assistance with the laws on the media, religion, the ombudsman and defamation, and also training programmes for journalists. In this regard the Assembly also draws the attention of member states to the importance of bilateral contacts at parliamentary level between member states and Belarus.

12. The Assembly also encourages the Council of Europe's Commissioner for Human Rights to pay particular attention to the situation in Belarus with a view to fostering respect for human rights in that country