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**Center for European Transformation**

Andrei Yahorau, Andrei Shutau

Analytical  
report

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**Center for European Transformation**  
Minsk, Belarus

[cet@eurobelarus.info](mailto:cet@eurobelarus.info)

[cet.eurobelarus.info](http://cet.eurobelarus.info)

+375 29 6185388



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## Introduction

This paper presents the results of monitoring of processes taking place in the Belarusian civil society in the period from July to December 2013. The program monitoring is conducted by the Center for European Transformation, starting from April 2011<sup>1</sup>, in order to track the dynamics of development of civil society organizations working in the field of democratic transitions through specific actions, advocacy-campaigns, protecting human rights, system of organizational development. The monitoring framework defines the following set of processes that have been monitored and analyzed:

- Formation and development of the Belarusian National Platform of the Eastern Partnership Civil Society Forum.
- Development of the processes of civil society dialogue with national and local authorities.
- International cooperation and interaction with civil society in Europe, in the Eastern Partnership countries, international donors and European structures.
- Development of the quality and effectiveness of promotion and advocacy work, realization of the rights of target groups; expansion of “composition” of civil society and cooperation with various types of entities.
- Changes in terms of civil society activity.

The presented analysis is based on monitoring of the media, analytical materials and normative documents, monitoring the terms of NGOs’ activity and law enforcement practices, as well as special analysis of civic initiatives. The results obtained allow assessing the situation in the processes in the Belarusian civil society development and setting priorities for further development.

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<sup>1</sup> The methodology of program monitoring and its results for prior and subsequent periods can be found by following this link: <http://cet.eurobelarus.info/en/news/2012/06/01/civil-society-program-monitoring-EN.html>.

## State and development of civil society in Belarus

*Analytical report based on monitoring materials*

July-December 2013

**Andrei Yahorau, Andrei Shutau,**  
Center for European Transformation

### General political conditions and circumstances

The second half of 2013 did not bring any significant changes in the overall context for the development of civil society. Status of the internal political scene in Belarus remained unchanged. Government policy towards civil society remains repressive. Political opposition is fragmented and suffering from internal contradictions and routine activities. Such a state of democratic forces almost completely excludes them from the political process and deprives them from the possibilities of using the situation of electoral campaigns in 2014 (local elections) and 2015 (presidential elections) to change the internal situation. Economic conditions in the country have remained fairly stable, but paired with the growth crisis expectations of the population. At some warming of relations between the EU and the Belarusian authorities (in particular, possible opening of negotiations on visa liberalization), it had little effect on relations with civil society. European Dialogue on Modernization with Belarusian society (EDoM)<sup>2</sup> did not become a full-fledged space for tripartite dialogue between the EU, the Belarusian government and civil society. Development of the dialogue in this period remained at a level of experts communication, without involving the main socio-political stakeholders (government, business, civil society, etc.) in the dialogue. As a result, today there is a situation of no common action agenda between civil society and the EU.

### Establishment and development of the Belarusian National Platform of the Eastern Partnership Civil Society Forum

During the considered period, the activity of the Belarusian National Platform of the Civil Society Forum of the Eastern Partnership<sup>3</sup> has been caused by its simultaneous stay in several situations that demanded an operative reaction and active inclusiveness:

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<sup>2</sup> See: **European Dialogue on Modernization with Belarusian society:** [http://eeas.europa.eu/delegations/belarus/press\\_corner/all\\_news/news/2012/european\\_dialogue\\_modernisation\\_en.htm](http://eeas.europa.eu/delegations/belarus/press_corner/all_news/news/2012/european_dialogue_modernisation_en.htm). Hereinafter: European Dialogue on Modernization, EDoM.

<sup>3</sup> The **Belarusian National Platform of the Eastern Partnership Civil Society Forum** (also: the National Platform of Civil Society, the National Platform) is a public communication and coordination platform for Belarusian civil society organizations. The beginning of the formation of the National Platform (April 2009) was a series of conferences, public hearings, and round tables concerning the questions of European-Belarusian cooperation and participation of Belarusian civil society in the EU initiative Eastern Partnership and the Eastern Partnership Civil Society Forum (EaP CSF). In July 2010, participants of one of such conferences made a decision to establish the National Platform of the EaP CSF. From 80 to 100 various civil society organizations from Belarus take part in regular conferences and consultations of the National Platform. Since October 2011, the National Platform has the institution of constant membership which is given to Belarus' civil society organizations that have signed the Memorandum on Cooperation. See: the **Memorandum on Cooperation within the Belarusian National Platform of the EaP CSF:** [http://www.eap-csf.eu/assets/files/Downloads/english/Memorandum\\_29.10.2011\\_EN.pdf](http://www.eap-csf.eu/assets/files/Downloads/english/Memorandum_29.10.2011_EN.pdf).

- The further organizational development of the National Platform (overcoming of internal disagreements, expansion of a circle of involved organizations and people, strengthening of the regional process, etc.);
- Arisen contradictions concerning the vision of the way the EU initiative European Dialogue on Modernization with Belarusian society (EDoM) should be implemented;
- The fact that the Civil Society Forum has lost its strategic and political role within the pale of the EU program Eastern Partnership, as well as the insufficiently effective interaction of the EaP CSF ruling bodies with the national platforms in the partner countries and thematic working groups.

As a whole, it is possible to say that the Belarusian National Platform of Civil Society and its active participants have continued to demonstrate its potential and ability to answer appearing challenges.

During the second half of the year 2013, within the bounds of the implementation of the project aimed at developing the National Platform, there were several thematic meetings between its participants, as well as an information meeting of members of the Coordinating Committee with representatives of civil society organizations of the Homiel region (November 2013); on 4 November 2013, there was the National Platform's conference "The Future of the Civil Society Forum in focus the third Summit of the Eastern Partnership"<sup>4</sup>; the web-site of the National Platform was launched and started its work<sup>5</sup>. During the November conference, inter alia, plans on the further development of the National Platform for 2014-2015 were presented and discussed, as well as changes in internal procedural documents were introduced. Several new organizations joined the activity of the National Platform as constant participants. The Coordinating Committee kept having regular meetings and all participants of the National Platform were operatively informed on them through electronic mass mailing. The Coordinating Committee also initiated the acceptance of some documents by participants of the National Platform.

On 4 October 2013, the members of the Belarusian delegation, who participated in the work of the 5<sup>th</sup> annual meeting of Eastern Partnership Civil Society Forum in Chişinău, elected a new country facilitator for Belarus of the EaP CSF — the director of the Center for European Transformation Andrei Yahorau. The newly elected country facilitator shared his vision of the nearest priority tasks of the EaP CSF and Belarus' civil society with participants of the Belarusian National Platform in his letter written on the eve of the November conference<sup>6</sup>.

In the second half of the year 2013, the situation with the development of the EU initiative European Dialogue on Modernization with Belarusian society (EDoM) essentially changed. The European Commission declared the beginning of the implementation of the so-called "Third Phase" — within the framework of the project which management was transferred to the Belarusian Institute of Strategic Studies (BISS). In the end of August, the BISS employees presented a concept of the further development of the EDoM that was aimed at transferring the initiative in an expert mode and excluding from the EDoM process the key Belarusian public-political stakeholders (civil society organizations and the political opposition). In this connection, the Coordinating Committee of the

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<sup>4</sup> See: **The video of the Conference of the Belarusian National Platform of the EaP CSF (Minsk, 4 November 2013)** (in Russian): <http://cet.eurobelarus.info/ru/news/2013/11/06/videozapis-konferentsii-belarusskoy-natsional-noy-platformy-fgo-vp-minsk-4-noyabrya-2013-goda.html>.

<sup>5</sup> The web-site of the Belarusian National Platform of the EaP CSF: <http://npbelarus.info>.

<sup>6</sup> See: **Andrei Yahorau: About the tasks of the Country Facilitator**: <http://cet.eurobelarus.info/en/news/2013/11/04/andrei-yahorau-about-the-tasks-of-the-country-facilitator.html>.

National Platform addressed to the EU Delegation to Belarus and to Gunnar Wiegand, a senior official in the European External Action Service, a letter which criticized the proposed variant of the EDoM implementation project, the fact that the European Commission ignored the offers of the National Platform concerning the development of the EDoM, and the non-transparency of decision-making. Besides, the letter also contained a conceptual proposal on the organization of a new phase of the European Dialogue on Modernization, which acceptance would allow to keep the EDoM in the status of a dialogue platform for stakeholders (September 2013)<sup>7</sup>. As a result, the European Commission and the BISS (as the one who implements the EDoM implementation project in its “Third Phase”) agreed to introduce considerable changes in the concept, which are aimed at increasing stakeholders’ role.

The Belarusian National Platform also had to react actively to the state of affairs which developed at the level of the Civil Society Forum on the eve of the carrying-out of the annual meeting of the EaP CSF in Chişinău (3-5 October 2013) and the Summit of the Eastern Partnership in Vilnius (28-29 November 2013). On September, 30<sup>th</sup>, the participants of the Belarusian National Platform addressed to their colleagues from the civil society organizations of the partner countries and the EU<sup>8</sup>. They presented a review of the actual condition of the Eastern Partnership, specified the problems and prospects of its development as an important long-term initiative of the EU, as well as criticized the actual situation when the Civil Society Forum, having solved the basic structural questions, had lost its political and strategic dynamics as part of the Eastern Partnership, while its operating bodies had failed to build effective interaction with national platforms in the partner countries and thematic working groups. All these questions were raised again by the Belarusian delegation during the Chişinău meeting of the EaP CSF, and after that they were discussed during the November conference of the National Platform. Except criticism, the Belarusian National Platform also proposed some necessary steps aimed at overcoming the current situation, which were presented in the letter of Andrei Yahorau, the new country facilitator for Belarus of the EaP CSF<sup>9</sup>, and in the document “Comments on the Strategy of the Eastern Partnership Civil Society Forum for 2014-2016”<sup>10</sup> approved by the November conference.

### Development of dialogue with the national and local authorities

Just like before, there are no grounds to say that the Belarusian authorities have changed their attitude towards the civil society of the country or have begun to perceive its representatives and organizations as a party which it is necessary to build an equal dialogue with or which opinions and interests should be considered while making these or those decisions at the national and local levels. During the considered period, although there have been single facts of some interaction between representatives of the state and civil society, they have been of a rather formal character and, as a rule, have not led to any compromise solution.

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<sup>7</sup> See: **Position of Coordinating Committee of EaP CSF National Platform regarding the development of EDoM:** <http://cet.eurobelarus.info/en/news/2013/09/25/position-of-coordinating-committee-of-eap-csf-national-platform-regarding-the-development-of-edom.html>.

<sup>8</sup> See: **Appeal of the Belarusian National Platform of the Eastern Partnership Civil Society Forum:** <http://cet.eurobelarus.info/en/news/2013/10/01/appeal-of-the-belarusian-national-platform-of-the-eastern-partnership-civil-society-forum.html>.

<sup>9</sup> See Footnote 6.

<sup>10</sup> See: **Comments on the Strategy of the Eastern Partnership Civil Society Forum for 2014-2016:** <http://www.eap-csf.eu/assets/files/Articles/Web/Statements/CSF%20Strategy-feedback-BNP-ENG-1.pdf>.

The most eloquent proof of this statement is the situation with the acceptance of changes in the legislation concerning the activity of non-commercial organizations. On July, 16<sup>th</sup>, 2013, 25 Belarusian civil society organizations sent to the parliament and the government of Belarus a collective letter with a proposal to carry out parliamentary hearings on the eve of the consideration of the bill introducing modifications in the Law “About Public Associations” in the parliament. In the end of the month, the House of Representatives sent its reply in which it informed on the inexpediency of carrying out such hearings. In the beginning of August, the chairperson of the board of the Legal Transformation Center (Lawtrend) Elena Tonkacheva and Yury Chavusau, the jurist of the Assembly of Pro-Democratic NGOs of Belarus, met with representatives of the House of Representatives. During this meeting, the MPs informed again that they were not interested in carrying out parliamentary hearings with the participation of representatives of civil society. Notwithstanding, the deputies were invited to take part in public hearings concerning the would-be changes in the legislation about NGOs. These hearings took place on October, 9<sup>th</sup>; however, both deputies of the House of Representatives and representatives of other state bodies ignored them. As a result, the changes in the legislation on NGOs’ activity have been introduced without taking into account NGOs representatives’ opinions and remarks.

The same happened in October 2013 when amendments to the election legislation were accepted despite all protests, remarks, and proposals of representatives of the democratic opposition.

The situation with the dialogue between civil society and the authorities at the local level has not changed either. Public hearings were organized by the authorities more likely with the purpose of eliminating the social tension which arises when the state tries to implement this or that technogenic project that touches the interests of local residents and causes environmentalists’ concerns. Thus, for example, during the public hearings concerning the construction of the Belarusian-Chinese Technopark (July 2013) and the Astraviec Atomic Power Station (August 2013), representatives of the state bodies simply drowned in empty talk the presence of the existing problems, and the projects are being implemented without any changes.

### International cooperation and interaction

Just like before, the state of affairs with the observance of civil rights and freedoms in Belarus has been in the focus of steadfast attention of international political and public structures.

During the considered period, the following official documents concerning the situation in Belarus, which set framework conditions in international mutual relations with Belarus’ power, have been accepted and addressed to the Belarusian authorities:

- Resolution of the OSCE Parliamentary Assembly — with an appeal to immediately and unconditionally release and free from charges all political prisoners, including those conditionally charged and limited in their freedom of movement (July 2013);
- Statement of the US State Department on the occasion of the second anniversary of the date when Ales Bialiatski was arrested — with an appeal to free the human rights defender and all other political prisoners (August 2013);
- Statement of the PACE Committee on political affairs and democracy — with an appeal to release political prisoners and to introduce a death penalty moratorium (October 2013);



- Joint declaration of Secretary General of the Council of Europe Thorbjørn Jagland and High Representative of the European Union for Foreign Affairs and Security Policy Catherine Ashton on the occasion of the World Day against the Death Penalty — with an appeal on behalf of the European Union and the Council of Europe to cancel the death penalty (October 2013);
- Recommendation of the UN Committee on economic, social, and cultural rights — with an appeal to refuse the usage of forced labor and to provide appropriate protection of workers' rights (December 2013).

Besides, in September 2013, after long and heated debates, in which representatives of Belarusian civil society took active part as well, the Report of the European Parliament on the situation in Belarus (the so-called "Paleckis' Report") was approved; it contains recommendations for the European Commission and the Council of EU as for the policy concerning Belarus<sup>11</sup>.

In August 2013, UN special rapporteur on the situation of human rights in Belarus Miklós Haraszti, whose mandate was extended for one year in June, prepared a report on the situation in Belarus<sup>12</sup> with the active assistance of Belarusian human rights defending organizations. This report was presented at the UN General Assembly in late October — early November 2013 in New York. Besides, during the considered period, Miklós Haraszti addressed the Belarusian authorities with his appeals: on the occasion of the second anniversary of the date when Ales Bialiatski was arrested — with an appeal to immediately release and rehabilitate the human rights defender and to stop prosecutions against other Belarusian human rights defenders (August 2013); in connection with another death sentence in Belarus — with an appeal to immediately introduce a death penalty moratorium (October 2013).

There were declarations in support of Belarus' civil society and appeals addressed to the Belarusian authorities to free political prisoners and to cancel the death penalty in Belarus throughout the second half of the year 2013 repeatedly accepted by official representatives of the European Commission (José Manuel Durão Barroso, Catherine Ashton, Štefan Füle), as well as by heads and members of governments of some EU member states (in particular, Angela Merkel, Linas Linkevičius, and others). These appeals were voiced also by heads of diplomatic missions of western countries in Belarus. Besides, western diplomats carried out a number of actions of a symbolical character such as visits to the Chernobyl zone (September 2013), prayers for the victims of Stalin repressions in Kurapaty (September and November 2013) and fascist occupation in Mały Traścianiec (November 2013), etc.

Just like before, a number of deputies of the European Parliament, as well as the parliaments of Poland, Lithuania, and Germany (in particular, Martin Schultz, Marek Migalski, Jacek Protasewicz, Robert Tyszkiewicz, Audronius Ažubalis, Marieluise Beck, and others) continued to react actively to the current events in Belarus.

At the level of international structures of civil society, the situation in Belarus continues to be a subject of steadfast attention, first of all, of global human rights defending organizations such as the International Federation for Human Rights (FIDH), Amnesty International, Observatory for the Protection of Human Rights Defenders, Freedom House, Human Rights Watch, International Federation of Journalists (IFJ), etc. These

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<sup>11</sup> For more details, see: *Alena Zuikova. Recommendations of the European Parliament: what strategy is offered by European deputies concerning Belarus?* (in Russian): [http://cet.eurobelarus.info/files/File/Analysis\\_Paleckis\\_report-RU.pdf](http://cet.eurobelarus.info/files/File/Analysis_Paleckis_report-RU.pdf).

<sup>12</sup> See: *Situation of human rights in Belarus*: [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/68/276](http://www.un.org/ga/search/view_doc.asp?symbol=A/68/276).

organizations not only have acted with statements concerning these or those events, prepared reports on the actual situation in the sphere of human rights observance in Belarus, but have also organized international campaigns in support of political prisoners (for example, on August, 4<sup>th</sup> — the International Day of Solidarity with Belarus' civil society, the writing of letters with words of support to Belarusian political prisoners), as well as campaigns and numerous actions to abolish the capital punishment in Belarus.

Awarding of prizes and premiums continues to be one of popular forms of expressing solidarity and symbolical support to Belarusian civil society from international structures of civil society. In the second half of the year 2013, human rights defender Ales Bialiatski, who is still in prison, became the winner of the again created Václav Havel international human rights prize (September 2013); journalist Irina Khalip, who was freed from punishment, and British playwright Tom Stoppard received the prestigious literary Harold Pinter Prize (October 2013). Earlier, Ales Bialiatski was nominated to receive the Nobel Peace Prize and in September, he and two other Belarusian political prisoners — Eduard Lobau and Mikola Statkievich — were included in the short list of the European Parliament Andrei Sakharov Prize; however, other nominees became winners of these awards.

In their turn, Belarusian civil society organizations have also carried out various solidary actions, reacting to topical events in the life of civil societies in the neighboring countries. Among them, it is possible to recall the action of solidarity with Alexei Navalny near the Embassy of Russia in Minsk (July 2013), Belarusian journalists' appeal to protect Russian photographer Denis Sinyakov (October 2013), the position of the Forum of Environmental Organizations of Belarus in protection of the Greenpeace activists arrested by the Russian authorities (October 2013), as well as numerous statements and actions of symbolical support to the adherents of Ukraine's European integration and Euromaidan participants (since November 2013).

### **Organizational potential and abilities to advocacy, promote, and protect interests**

In the existing public-political conditions, despite their seeming activity, the structures of Belarusian civil society have continued to demonstrate the low efficiency of their actions aimed at advocacy, promotion and protection of interests. The majority of initiatives have been of a reactive-protest, awareness-raising, or symbolical character and have had practically no influence (at least, in a short-term prospect) on the existing state of affairs in the country.

Just like before, the most popular form of reacting to the current events and that of expressing one's attitude to what is happening in the country is still the acceptance of statements and appeals, as well as petitions.

During July-December 2013, Belarusian civil society organizations have done the following:

- accepted statements in which they expressed their attitude towards the following issues: the release and rehabilitation of the political prisoners; new facts of political prosecutions; capital punishment application in Belarus; the introduction of changes in the election legislation; the construction of the Astraviec Atomic Power Station; support of civil society in Russia and Ukraine, etc.;
- written appeals to various state authorities concerning the building of the Belarusian-Chinese Technopark, the cutting-down of trees and infill housing in cities, the presence of the Russian air base in Belarus, the destiny of the arrested Catholic priest Uladzislau Lazar charged with espionage, journalists' access to information, the revoke of the license of the Lohvinau Publishing House, etc.

Also, there have been petitions to include the national White-Red-White Flag in the state list of historical and cultural values, against the introduction of customs duties for those who depart from Belarus and against the car tax, to introduce changes in the animals protection legislation so as to toughen it up, etc.

The next popular form of expressing one's civic stand among political activists is their participation in the initiatives aimed at supporting the Belarusian political prisoners. During the considered period, there have been several national campaigns of writing letters to the political prisoners: "The political prisoners' week" (July 2013), campaigns on the occasion of memory days and holidays (Belarus Independence Day, International Day of Solidarity with Belarus, Human Rights Day, birthdays of the political prisoners, etc.).

Within the framework of the campaigns mentioned above, there have also been attempts to organize public actions (pickets, processions, rallies, dissemination of awareness-raising materials); however, none of the numerous attempts to receive permission to carry out such actions has been approved by the authorities. The same situation has been with the attempts to carry out mass actions within the scope of the campaigns and initiatives against the presence of the Russian air base in Belarus, against capital punishment, to support the national symbols, to protect the rights of workers, and against the interdictions to carry out mass actions. The carrying-out of unapproved actions was accompanied by detentions, fines, and administrative arrests of their organizers.

The authorities only permitted to carry out the actions which are traditional for the Belarusian democratic community and which already ceased to have a mass character: on November, 4<sup>th</sup>, in Minsk — the procession and rally in remembrance of ancestors called the "Dziady" (Grandparents) dedicated to the victims of Stalin repressions; on November, 10<sup>th</sup>, on the same occasion, the mourning action in the Lošyca Park in Minsk; on November, 24<sup>th</sup>, in the town of Sluck (Minsk Region) — the meeting in honor of the anniversary of the Sluck Defence Action 1920.

Among Belarusian civil society's other initiatives carried out in the second half of the year 2013, it is also necessary to mention the following ones: the national campaign to abolish capital punishment in Belarus; the civic initiative "For saving Kurapaty memorial"; campaign in defense of Belarusian wetlands; the campaign "Rock Solidarity" in support of the musicians who are being oppressed by the Belarusian state authorities; awareness campaign "Barrier-free" aimed at eliminating all kinds of barriers for people with disabilities; the educational program Flying University which opened in September the fourth educational season; the initiative in protection of the Minsk-based House-Museum of the poet Maksim Bahdanovič; the distribution of awards founded by civil society structures; various actions of a historical and cultural character; initiatives to promote the Belarusian language, etc.

Also during the reporting period in the life of an academic, environmental and human rights communities realised a series of events: the Third International Congress of Belarusian Studies was held in Kaunas (Lithuania) October, 11-13; the Forum of Environmental Organizations was held in Minsk (Belarus) October, 18-20; the third Belarusian Human Rights Forum was in Vilnius (Lithuania) October, 26-27. These events can be considered not only as a demonstration of the existing institutional capacity in these sectors of civil society in Belarus, but also their participants try to reflect the current state of affairs and opportunities for further development.