

Belarus

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Capital: Minsk
Population: 9.5 million
GNI/capita, PPP: \$17,220

Source: World Bank *World Development Indicators*.

Nations in Transit Ratings and Averaged Scores										
NIT Edition	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Electoral Process	6.75	6.75	7.00	7.00	7.00	7.00	7.00	6.75	6.75	6.75
Civil Society	6.25	6.00	6.00	6.25	6.50	6.50	6.50	6.25	6.25	6.25
Independent Media	6.75	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
National Democratic Governance	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.50	6.75
Local Democratic Governance	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Judicial Framework and Independence	6.75	6.75	6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Corruption	6.00	6.00	6.00	6.25	6.25	6.25	6.25	6.25	6.25	6.00
Democracy Score	6.57	6.5	6.57	6.68	6.71	6.71	6.71	6.64	6.61	6.61

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

Although the general political climate in Belarus improved somewhat in 2015 and 2016, the year 2017 brought new challenges for Belarusian society. The social protests that erupted in February and March induced the authorities to rely again on repressive measures in order to stifle dissent, especially in the second half of the protests. Given the improved political climate and relations with the West, the authorities initially showed restraint to protesters, and law enforcement agencies did not disperse rallies and or detain many participants in demonstrations in February, despite these protests not being authorized.

In March, after the protests failed to subside but instead attracted increasing social and media attention—as well as generating sympathy for the opposition—the Belarusian authorities were forced to change their tactics and utilize repressive measures, including preventive detentions and arrests, pressure on the media, and criminal charges. In total, approximately 900 people were subjected to some form of pressure in March; more than 100 of whom faced sentences of administrative detention. Practically all opposition leaders were detained or fined, and over 30 people were arrested on suspicion of preparing riots and creating paramilitary units (for more details see National Democratic Governance).

The authorities achieved their goal, as from April the protests began to subside, with turnout reaching its minimum by June. Despite such measures, the Belarusian authorities still managed to preserve improved relations with the European Union and the United States. In an effort to maintain these good relations, and to improve the political climate, the authorities deescalated the situation in June, minimizing repressive measures and maintaining cooperation with NGOs and civic initiatives. As a result, the repressive developments during the spring had virtually no impact on relations between Belarus and the West.

Relations with Russia also stabilized. The aggravated relations between the two countries of late 2016 and early 2017 eased, but despite efforts to diversify its foreign policy and economy, during the year Belarus remained heavily dependent on Russia, which makes up more than 50 percent of Belarus's trade turnover.

In 2017, cooperation between civil society organizations (CSOs) and state institutions expanded. State bodies, both at the local and national level, became more open to such cooperation, leading to certain improvement in CSOs' working conditions. The authorities increasingly considered nongovernment organizations as providers of social services and additional financial resources, rather than a wellspring of political risk. In such conditions, the depoliticization of CSOs continued, and authorities encourage such a strategy without engaging in substantial democratic changes. In contrast to the 1990s and 2000s, when CSOs were deeply connected with political coalitions and companies, their involvement in politics was minimal throughout the year.

Important changes took place in the government-organized non-governmental organization (GONGO) sector in 2017. In recent years, the authorities, while decreasing state funding, have exposed GONGOs to international funding by supporting and lobbying at international level. International donors have also become more open to cooperation with GONGOs.

Local authorities sought to improve cooperation with CSOs, following the recent trend of local grassroots initiatives becoming more visible and numerous. At the local level, authorities gained more independence from the state authorities in spending the financial resources that they obtained.

In 2017, there were no significant institutional changes in the judicial system of Belarus, and the year transpired without the government announcing any plans for significant reforms in this area. The last reform was carried out in 2013-14, and top officials consider the amendments fully implemented. However, on January 24, 2017, significant amendments to the Judiciary Code came into effect. The changes conformed with the reform implemented through the ordinances of the president, Alyaksandr Lukashenka, in 2013-14. The new edition of the Code legalized the dismantling of military courts and the reorganization of enforcement service, as well as the incorporation of the Supreme Economic Court into the Supreme Court, despite such changes being unconstitutional. Additionally, the amendments introduced a new procedure for the appointment of associate judges, insignificantly changed professional requirements for

judges, and, to a certain degree, narrowed the self-regulation of courts. In September, the Ministry of Justice carried out a recertification of attorneys. As a result, the licenses of approximately seven lawyers who advocated in politically motivated cases were canceled or suspended. Human rights organizations regarded the recertification process as an attempt to restrict the activities and independence of lawyers.

In recent years, some efforts were made to combat corruption at the middle and low level, which triggered a significant increase in the number of criminal corruption cases initiated against officials and businessmen. The general number of anticorruption cases significantly increased in 2017 due to law enforcement agencies' anticorruption activities. Along with the increasing number of corruption prosecutions, studies showed an improvement of the corruption situation in Belarus. At the same time, however, the Belarusian authorities failed to comply with recommendations of the Group of States against Corruption (GRECO) and did not allow the publication of the report submitted to the organisation.

Score Changes:

- **National Democratic Government rating declined from 6.50 to 6.75 due** to repressive measures applied by the authorities to stem social protests in the spring of 2017.
- **Corruption rating improved from 6.25 to 6.00 due** to the cumulative effect of improvements in this sphere. Additionally, efforts to combat corruption brought a considerable increase in the number of criminal charges against low and midlevel officials, while none of these cases were recognized as politically motivated.

As a result, Belarus's Democracy Score remains unchanged at 6.61.

Outlook for 2018: The Belarusian authorities will seek to maintain political stability. The curbing of the social protests and the weakness of the political opposition means that Lukashenka's rule does not face any substantial political threats. In such circumstances, the policy of "mild liberalization" and an improved political climate can continue. At the same time, substantial political reforms, including, among others, a revision of the electoral system and a broadening of the space for political competition, are unlikely. Considerable economic reforms are also unlikely, due to the potential social and political risks.

In the event that any significant political threats, similar to the protests in February and March 2017, manifest, the authorities' strategy will correspond to the pattern employed in 2017: active preventive steps, repressive measures (if necessary), and eventual deescalation once the situation stabilizes.

Belarus will try to balance between the West and Russia, seeking to improve relations with the EU and the US and expand economic cooperation without additional political obligations and concessions. In terms of its relations with Russia, Belarus will be inclined to improve bilateral relations, provided political distance is preserved, or desirably recognized, and without new integration initiatives in the field of economy and security.

Main Report

National Democratic Governance

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.50	6.75

- Since 1996, the international community has largely perceived Belarus to be a consolidated authoritarian regime. While 2015 and 2016 brought improvements to the political climate in Belarus,¹ the authorities' use of repressive measures to quell the wave of social protests in February and March 2017 reflected a marked step backwards. Although the crisis subdued in June, some tensions remained at year's end.
- Formally, the Republic of Belarus is a democratic social state that guarantees respect for political rights and freedoms.² However, the principle of separation of powers is not respected.³ The president, Alyaksandr Lukashenka, who has been in power since 1994, has full executive power and can issue decrees and ordinances on his own initiative that have greater legal force than laws adopted by the parliament.⁴ Moreover, the president has virtually unlimited powers in the appointment of judges and reorganizing courts.
- Major social protests began in Belarus in February, culminating in the authorities' use of repressive measures to stem the demonstrations in March. The catalyst for the protests was the implementation of Ordinance No. 3 (On preventing freeloading practices), which sought to tax non-working citizens.⁵ Given the improved political climate and relations with the West, the authorities initially showed restraint towards the protesters, even though the protests were unauthorized. Law enforcement agencies did not disperse the rallies or detain most participants during the early wave of demonstrations in February.⁶
- Opposition political forces attempted to join and intensify protests and tried to influence the protesters' social and political agenda. In many cases, opposition forces played a central role in the coordination of the demonstrations.⁷ By March, however, the protests had not dissipated, but instead continued to attract increasing attention from society and media. Public sympathy for the opposition also increased. The growing protest movement forced the authorities to change their tactics and use repressive measures, such as preventive detentions and arrests, media pressure, and prohibitive criminal charges. The protest—and the government's repressive response to demonstrators—reached its peak on March 25, "Freedom Day", the traditional date for mass opposition rallies.
- In total, about 900 people were subjected to some form of pressure in March, including more than 100 demonstrators who were sentenced to varying periods of administrative detention.⁸ The Belarusian Association of Journalists reported more than 120 violations of journalists' rights (see Independent Media).⁹ In the lead up to March 25, the Belarusian authorities detained the main opposition leaders—Anatol Liabedzka (United Civil Party), Yury Hubarevich ("For Freedom" movement), and Vital Rymasheuski and Pavel Seviarynets (Belarusian Christian Democracy)—for 15 days.¹⁰ Administrative detention was imposed on political activists and active protesters in all regions of the country. By April, following the government's strong-handed response, protest activity dropped off, and slowed to a trickle by June.¹¹
- In March, up to 35 people were arrested on suspicion of preparing riots and creating paramilitary units; of these, approximately 16 were charged in the so-called Patriots' Case.¹² The state-run media actively used the case to paint a negative portrait of the protests and to intimidate potential protesters.¹³ Most of those arrested were former leaders and activists of a defunct organization called "White Legion", which had not been active since the beginning of 2000s. There was no evidence that the detained individuals were politically active, or that they were involved in the preparation of political plots, riots, or violent actions. However, some of the suspects were actively engaged in civil society and cultural projects. The case was initiated under Article 287 of the Belarusian Criminal Code, which proscribed

the formation of illegal armed units, and carried maximum penalties including restrictions of freedom for up to five years or imprisonment for a term of three to seven years.¹⁴

- Despite such measures, the Belarusian authorities managed to preserve improved relations with the European Union (EU) and the United States (US). In an effort to maintain these relations, and to improve the political climate, in June the authorities de-escalated their repressive tactics, while maintaining cooperation with NGOs and civic initiatives. The criminal case against “Young Front” activists was dropped, while those accused in the Patriots’ Case were released before trial. Finally, in the end of November, charges in the Patriots’ Case were dropped too.¹⁵ However, the initiation of a criminal inquest against the leadership of the independent trade union REP in August marked an exception to this trend of de-escalation (see Civil Society).
- As a result of the Belarusian authorities’ efforts to improve both the domestic political climate and relations with the European Union and United States, the spring repressions against protesters had virtually no impact on relations between Belarus and the West. Although the United Nations (UN) and the European Union issued critical remarks on the situation in Belarus at the height of the protests,¹⁶ the normalization of relations remained uninterrupted. The clearest example of amiable relations between Belarus and the West was an official invitation extended to the Belarusian leadership to attend the Eastern Partnership summit in Brussels on November 24. Nevertheless, President Lukashenka decided not to personally participate, with Belarus represented by Uladzimir Makei, Minister of International Affairs.
- Relations with Russia also stabilized throughout the year. The aggravation of relations that developed in late 2016 and continued into early 2017 settled. Neither the Russian or Belarusian authorities were interested in escalating the diplomatic conflict, at least publicly. In April, all disputes—including oil and gas prices—were more or less settled,¹⁷ but tensions and contradictions nevertheless persisted in bilateral relations between the two countries. Belarus remained heavily dependent on Russia for trade turnover (at more than 50 percent of trade) at year’s end, despite efforts to diversify its foreign policy and economy.¹⁸
- In 2017, Belarus also showed commitment to military cooperation with Russia. Joint Belarusian-Russian exercises called Zapad 2017 (West 2017) in Belarus—and in close proximity to the borders of Lithuania and Poland—caused suspicion and anxiety in neighboring countries. Rumors that the exercises could be used by Russia for provocations against East European states—and even for the occupation of Belarus—aggravated these concerns.¹⁹ Nevertheless, the exercises were held in a regular manner and did not lead to an escalation in the region. Furthermore, Belarus tried to be cooperative with NATO in its information policy and invitations to NATO observers. This tactic led to some strains in relations with Russia.²⁰
- The Belarusian economy continued to be stagnate, albeit with some signs of slow recovery. After a contraction of 3.8 percent in 2015, and 2.6 percent in 2016,²¹ Belarus’s GDP grew by 2.4 percent in 2017.²² The inflation rate was moderate, reaching 4.6 percent in 2017.²³ Economic difficulties led to a significant increase in social tension that led to the social protests. While authorities ultimately stemmed the wave of protests at the end of spring, the social tension remained at the end of the year.²⁴

Electoral Process

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.75	6.75	7.00	7.00	7.00	7.00	7.00	6.75	6.75	6.75

- Considerable political restrictions mar electoral process in Belarus. The last election campaign, in the lead up to parliamentary elections in 2016, was not recognized as democratic by the OSCE.²⁵ In 2017, there were no significant changes to electoral legislation or discussions about such changes. In January, an interdepartmental expert working group met to review the OSCE/ODIHR recommendations on

improving electoral process in Belarus, based on the findings from the 2016 parliamentary elections. Representatives of civil society and the parliamentary opposition also participated in the meeting.²⁶ The purpose of the commission was to summarize proposals to amend the electoral legislation. In May, at a meeting with Andrea Rigoni, Rapporteur on Belarus of the Parliamentary Assembly of the Council of Europe (PACE), Lidzia Yarmoshyna, Chairwoman of the Central Commission for Elections of Belarus, said that the recommendations developed by the working group were submitted to the president for consideration.²⁷ There was no information concerning any further decisions or as to the actual list of recommendations forthcoming by December 31.

- Campaigning for the local elections cycle that began in November preserved practically all the shortcomings of previous elections, including the lack of equal media access for all candidates, the absence of impartial electoral commissions, manipulations of turnout figures, and an overall lack of transparency, especially during the counting of ballots. Only between 11 and 20 percent of nominees from the opposition parties were included in the territorial election commissions. The share of approvals for progovernment parties and GONGOs was about 90 percent. Campaign observers highlighted that the procedure of counting ballots remained nontransparent.²⁸
- In general, the campaign was largely passive and barely visible for voters. Officially, 77.2 percent of voters participated in the elections.²⁹ Nevertheless there was much evidence that the actual turnout was significantly lower, especially in big cities.
- However, the activity of progovernment political parties increased, including the Communist Party of Belarus, the Republican Party of Labor and Justice, and the Social Democratic Party of National Accord, among others. As a result of the elections, the representation of progovernment political parties in local councils grew somewhat. At the same time, opposition candidates did not win any noticeable number of mandates.

Civil Society

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.00	6.00	6.00	6.25	6.50	6.50	6.50	6.25	6.25	6.25

- Formally, Belarus’s constitution and laws guarantee freedom of association. In practice, however, many formal and informal restrictions on civil activity curtails this right. Since 2015, the environment for civil society organizations (CSOs) has improved and selective cooperation between CSOs and the Belarusian authorities increased, although in 2017, developments in the civil society sector were ambiguous. On the one hand, officials displayed more openness and cooperation with CSOs, while on the other, CSOs faced pressure during and after the protests in February and March.
- As of January 2018, a total of 15 political parties, 29 trade unions, 2856 public associations (including 223 international, 762 national, and 1,871 local), 39 unions of public associations, 195 foundations, and 7 national state-public associations were registered in the country.³⁰ Many Belarusian organizations are registered abroad or operate without registration. The authorities continued their practice of selectively denying registration of public associations and parties to civic groups for political reasons. While over 150 new public associations and 23 organizational structures for political parties were registered in 2017, no notable CSOs or oppositional political parties were granted registration throughout the year.³¹
- In 2017, the volume of CSO cooperation with state institutions expanded as state bodies, both at the local and national level, became more open to such engagement. This led to certain improvements in CSOs’ operational environment and working conditions. In such conditions, the de-politicization of CSOs continued. In contrast to the 1990s and 2000s, when CSOs were deeply connected with political coalitions and companies, their current involvement in politics is minimal.
- Representatives of Belarusian civil society organizations participated in the regular round of the EU-Belarus negotiations on human rights, which took place on July 20 in Brussels. On July 4, on the eve

of the 26th Annual Session of the OSCE Parliamentary Assembly, a parallel civil society forum was held in Minsk and numerous international and foreign human rights organizations attended the event.³²

- The main targets for the Belarusian authorities’ repressive measures in the spring were protesters, political activists, and journalists, and CSOs themselves were not in the crosshairs. Nevertheless, many activists were detained and fined. In August, Genadz Fedynich and Ihar Komlik, the president and chief accountant respectively of the independent trade union REP, were charged with tax evasion, a criminal offense. Some observers speculated that the charges sought to reduce the risks of organized worker protests, and to penalize the leaders of independent trade unions for their activity during winter and spring protests; in 2011, the Belarusian authorities had pursued similar charges against Ales Bialiatski, the head of the unregistered human rights center “Viasna”.³³ Belarusian human rights organizations argued that the case against Fedynich and Komlik was politically motivated.³⁴
- Important changes took place with regard to government-organized non-government organizations (GONGOs).³⁵ These organizations previously received the bulk of their funding from the state, through the budget, state programs, and other sources. In recent years, however, the Belarusian government significantly cut funding, and many organizations saw a two- to nine-fold reduction in the USD equivalent received in recent years.³⁶ This funding cut forced GONGOs to seek additional sources of funding and to be more open to cooperation with genuine CSOs, while conversely, international donors also became more open to cooperation with GONGOs, since the normalization of relations between Belarus and the EU led to the removal of many informal restrictions.
- The economic crisis and persistent social problems have drawn society’s attention to civil activism and initiatives. The media focused more on civil activities during 2017, including media outlets that previously showed no interest in such topics. The role of socially oriented projects has also increased. The decline in international support for, and decreased interest in, Belarus saw many organizations in the Belarusian civil sector reduce their activities and change their profiles, while CSOs began to pay significantly more attention to their own target groups and diversify their sources of funding.³⁷

Independent Media

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.75	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

- Belarusian authorities exercise control over traditional and new media. The media environment in Belarus is consistent with countries where freedom of information is restricted and there are many limitations on the media’s activities. The authorities directly fund and control the extensive state-owned media sector. Additionally, many independent media have to follow informal rules of self-censorship to avoid government pressure.
- In 2017, there were no significant institutional changes in the sector. However, the dynamics of media in Belarus throughout the year were associated with top-down pressure on the press in an attempt to stem the protests in the first half of the year, as well as to restrict access to information about the demonstrations, and to prevent such protests in the future.
- According to the Ministry of Information, as of May 1, 2018, there were 439 state-owned (27.4 percent of outlets) and 1,218 privately printed periodicals officially registered in Belarus. In the television and radio segment, there were 149 (63.7 percent) state-owned and 27 private radio programs, and 44 (40.4 percent) state-owned and 59 private TV programs.³⁸
- State-owned media outlets dominate the print media market. The joint circulation of private print media is much less than the circulation of state-owned magazines, newspapers, and periodicals.³⁹ Television is the most popular media format in Belarus, and the sector is dominated by Belarusian state-owned and Russian TV channels.

- Internet-users account for 71 percent of the population, an increase from 67 percent in 2015, while 68.3 percent of users access the internet daily. An overwhelming majority of Belarusian internet users—92.6 percent—relies on the internet as a source of information.⁴⁰ The share of electronic documents sent to and from, or received by or from, government agencies in total documents (41.6 percent), and the proportion of organisations with a web presence (62.2 percent), increased in 2017. At the same time, the Internet remains the only media where non-state news outlets have prevalence over state-owned media.⁴¹
- In 2017, social protests in winter and spring represented the main challenge for the media in Belarus. During the protests, the level of public trust in non-state media outlets increased significantly, exceeding the level of trust in state-owned and Russian media. Before the protests in February, the level to non-state media was 19.4 percent, but by April, it had increased to 30.4 percent.⁴²
- There were reports of 123 violations of journalist rights, including 94 cases of detention and 6 cases of physical violence, registered in March 2017. On March 25, Freedom Day, Belarusian authorities detained 36 journalists, and on March 31, police raided the offices of the independent television outlet “Belsat” and seized equipment in response to the channel’s alleged breach of trademark law.⁴³ Internet access in central Minsk was cut off and independent journalists were unable to continue live streaming the dispersal of protesters during the peak use of repressive tactics by the government in March.
- Pressure on journalists eased and dropped to 2016 levels following the ebb of the protests in June. Significant fines replaced repressive measures as the main mechanism of exerting government pressure on journalists. There were 50 such cases of punitive fines being levied on journalists throughout 2017, with fines totaling more than \$20,000.⁴⁴
- In December, Belarusian authorities blocked the popular media outlet belaruspartizan.org,⁴⁵ with many speculating that comments made by visitors to the website formed the main reason for the blocking. The editors removed the commenting service and the website was reopened. Nevertheless, the incident once again raised the problem of Internet control and the arbitrary blocking of web-sites by the authorities.
- The main positive development in the media sector in 2017 was the return of nine⁴⁶ independent print periodicals to state distribution networks after a 11-year break.⁴⁷ At the same time, such changes did not have a significant impact on the media market in Belarus.

Local Democratic Governance

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

- Local politics in Belarus is overseen by executive bodies and subordinated to the central authorities.⁴⁸ There is practically no local self-government, while the national government controls regional executive bodies—which retain some element of autonomy.⁴⁹ Local representative bodies have little power, and, in most cases, simply approve decisions prepared by the executive bodies. In 2017, local authorities became more open to cooperation with NGOs and grassroots civil initiatives, as well as more active in seeking financial resources, including through regional and international cooperation.
- The actual level of local freedom may differ from region to region, and depends on a settlement’s location, its economy, human resources, and local authorities. The volume of citizen engagement or interest in local politics is low, with only 10 percent of citizens believing that they can fully or considerably influence life in their community.⁵⁰
- There is a significant territorial disparity in regional development. The dominance of Minsk—and, to a lesser extent, other regional centers—is increasing. At the same time, towns and rural areas are experiencing a significant population decline and economic stagnation. Even officially, wages in Minsk are higher by 35-40 percent than in regional areas.⁵¹

- In 2017, a discussion of local government reform, with the participation of President Alyaksandr Lukashenka, the parliament, and the National Academy of Sciences, concluded that there was no need for a significant overhaul of the system of local governance; instead, the focus should be on improving the current system.⁵²
- At the same time, local bodies increased their openness to expanded cooperation with CSOs, which correlated to the increased number of local grassroots initiatives and growing attention of CSOs to local communities and projects in recent years.⁵³
- Local authorities also doubled their efforts for diversifying sources of funding, due to the reduction of state spending on regional development. Local authorities obtained more autonomy in spending financial resources that they independently attracted, while regions became more motivated to cooperate across borders and internationally, primarily with the EU countries.⁵⁴
- In light of the growing number of local initiatives, different officials stressed the need to support “grassroots activities” and local non-political initiatives, as well as to stimulate citizens’ involvement in solving local problems. The authorities realized this mission primarily in the development of so-called territorial public self-government bodies, an idea which different national and regional officials resented.⁵⁵ The general number and efficiency of territorial public self-government bodies is difficult to estimate. At the beginning of 2017, there were 131 such bodies in Minsk, for instance.⁵⁶ Their activity is mainly associated with local education, leisure, prevention of criminal offenses, and neighborhood improvement.
- Financial difficulties also led to the promotion of private sector development.⁵⁷ The private sector became increasingly important politically and economically for the development of the regions in 2017. The growth of business representation in regional councils,⁵⁸ as well as in budget revenues, can be observed. For instance, the amount that individual entrepreneurs paid to the budget between 2010 and 2016 increased more than five-fold.⁵⁹
- In order to enhance cooperation between local councils, and to coordinate their activities, associations of local councils were established in Hrodna and Mahiliou region. There are plans to create such associations in all other regions of Belarus, with a joint National Association of Local Councils expected in two years’ time.⁶⁰
- Changes to tax rules, new approaches to measure the effectiveness of local authorities, and increasing transparency in budget allocations also served to expand local governance units’ financial independence.⁶¹ In April, the Chairman of the Council of the Republic, Mikhail Myasnikovich, suggested the expansion of local authorities’ rights in matters pertaining to unused or inefficiently used state and municipal property.⁶²
- Improvements in local governance corresponded to the general trend of improving relations between Belarus and the EU. From November 2016 to September 2017, Belarus co-chaired the Conference of Local and Regional Authorities of the Eastern Partnership (CORLEAP). In addition, Belarus has invited observer status in the Congress of Local and Regional Authorities of the Council of Europe. In May, a meeting of the Bureau of the CORLEAP was held in Minsk, where representatives of the EU countries spoke in favor of expanding the power of local councils.⁶³

Judicial Framework and Independence

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.75	6.75	6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00

- In 2017, there were no new significant institutional changes in the judicial system of Belarus, nor did the government declare any significant plans for judicial reform. The last amendments to Belarus’ judicial system were completed in 2014, and top officials consider the reforms fully implemented.⁶⁴

- The organization of Belarus’s judicial system creates a relationship of dependence between the courts and the executive. While the judicial reforms of 2013-2014 led to some increase of courts’ independence from local executive bodies and the Ministry of Justice, the judiciary’s direct dependence on the country’s top leadership remains. Perhaps the strongest indicator of the dependence of the judicial system on executive bodies in 2017 was the process of ruling on politically significant cases in lockstep with government positions, primarily against political activists and participants in the social protests.
- Judges enjoy some autonomy in considering ordinary cases, but executive authorities can directly influence a judge’s decision-making if their political or economic interests are involved. Influence usually takes the form of direct instructions from executive officials.⁶⁵ However, lower-scale corruption in the judiciary remains scant, and petty bribery of judges is not widespread given the difficulties involved in attempting to directly bribe a judge.
- The Belarusian judicial system is characterized by a very low number of acquittals, at 0.2 percent.⁶⁶ This may indicate preservation of the accusatory bias in the judicial process, but representatives of the judiciary justify the low rate of acquittals by praising the work of investigating agencies. The share of accused persons sentenced to prison terms is also much higher than in most European countries, at 30.7 percent.⁶⁷ Belarus remains the only country in Europe that retains death penalty; in 2017, five people were sentenced to death.⁶⁸
- There were also no significant appointments to higher positions in the judicial system during the year, with the exception of the election of Natalia Karpovich as the new deputy chairman of the Constitutional Court on July 23. Pyotr Miklashevich has been chairman of the Constitutional Court since 2008, Valiantsin Sukala has been chairman of the Supreme Court since 1997.
- On January 24, significant amendments in the Judiciary Code envisioned by the 2013-2014 round of judicial reforms came into effect. The new edition of the Code dismantled military courts and reorganized the enforcement service; the amendments also amalgamated the Supreme Economic Court into the Supreme Court, despite the autonomy of the former being constitutionally protected under Article 34 of the constitution.⁶⁹ Additionally, the amendments introduced a new procedure for the appointment of associate judges and small changes to the professional requirement of judges.
- The amendments to the Code also brought some changes to judicial courts’ self-government institutions. The regular congress of judges was replaced by a much less representative conference, consequently narrowing the judicial community’s autonomy. The first Conference of Judges was held in Minsk on October 25.
- Following the October conference, the country’s top judicial officials highlighted a number of main tasks necessary to improve the judicial system. These include the further unification of judicial procedures, the de-bureaucratization and simplification of litigation, the gradual transition to electronic document management; the elaboration of mediation and reconciliation procedures, and the humanization of criminal and administrative responsibility;⁷⁰ humanization means, first of all, decreasing the number of prisoners. Further, the first Conference of Judges resolved to prioritize the ongoing simplification of judicial procedures, the introduction of appellate procedures in civil matters, and an increasing emphasis on mediation and reconciliation, as opposed to litigation, in civil and criminal cases.⁷¹
- In September, the Ministry of Justice carried out a recertification of attorneys. As a result, Hanna Bakhtsina, the defence lawyer in the “Patriots’ Case” and other political trials, lost her practice license. Additionally, the licenses of approximately six further lawyers who advocated in politically motivated cases (including an addition five lawyers engaged involved in the “Patriots’ Case”) were suspended. Human rights organizations regarded the recertification as an attempt to restrict the activity and independence of lawyers.⁷²
- In 2017, some measures were taken to develop online services in economic cases. In particular, electronic service “E-courts”, which should considerably increase access to electronic justice, commenced test operation.⁷³ Besides an upgraded electronic “Schedule of Court Sessions”, two new online services were introduced—a “Data Bank of Courts’ Decisions” and “Electronic Justice”. The

services provide access to a database of economic court decisions and present the possibility of addressing the economic courts via electronic forms.

Corruption

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.00	6.00	6.00	6.25	6.25	6.25	6.25	6.25	6.25	6.00

- Executive bodies are the main agents and mediators of corruption in Belarus. There is lack of accountability of the top leadership of the state. Petty bribery is not widespread, and corruption has a mainly institutional character. The government system is nontransparent and information on corruption comes mainly from official sources, including public criminal cases, statistics, and official statements. The role of NGOs in the prevention of corruption is limited due to a lack of access to information; investigative journalism is not well-developed.
- During 2017, there were no considerable changes to the environment of institutional corruption or improvements in efforts to combat corruption. In November, the Prosecutor General stated that there was no need to change anticorruption legislation, and that only implementation should be in focus.⁷⁴ At the same time, some efforts were made to combat middle and low-level corruption that triggered a significant increase in the number of criminal cases against officials and businessmen on corruption charges.
- The authorities have always used the fight against corruption to increase the government’s popularity and legitimacy. Nevertheless, there were fewer officially celebrated anticorruption cases in 2017 in comparison with 2016, when several well-known businessmen—and even persons close to President Alyaksandr Lukashenka—were arrested. Instead, in 2017, most publicly announced criminal cases concerned officials and businessmen of middle and low ranks. Some significant examples are criminal cases against the deputy Ministry of Emergency Situations,⁷⁵ the chief of regional traffic inspection in the Homel region,⁷⁶ the head of the district executive committee in Salihorsk,⁷⁷ and a head of department in the State Committee for Standardization.⁷⁸
- As the general number of anticorruption criminal cases significantly increased, so too did law enforcement agencies’ anticorruption activity. In 2017, the number of criminal cases associated with bribery and abuse of official positions increased by 53.3 and 22.5 percent respectively.⁷⁹ According to official information, corruption was most prevalent in the public administration, the health sector, and in the agriculture, construction, and manufacturing industries. The worsening economic situation and decreasing incomes incentivized officials to commit corruption offences. In addition, the need to stabilize the financial situation of state-run and private enterprises forced managers to abuse their official positions.
- In the course of year, the Deputy Prosecutor General,⁸⁰ regional public prosecutors’ offices,⁸¹ President Lukashenka,⁸² and other officials announced that anticorruption measures were a priority. Special attention was paid to the transparency of public procurements and compensation for damage caused by corruption and economic crimes.
- The results of a special study of corruption perception by representatives of small and medium businesses carried out in the spring of 2016 and published in early 2017 showed a “moderate level of corruption” in Belarus. Corruption was ranked 9th among 22 major barriers hindering the development of business in Belarus. This is an improvement over earlier corruption surveys. In particular, in 2014, corruption occupied the third and in 2016, the fifth position out of 20 main problems for Belarusian business.⁸³
- At the same time, 77th Group of States against Corruption (GRECO) plenary meeting, held between October 16 and 18 in Strasbourg, concluded that Belarus’s level of compliance with GRECO’s recommendations remains “globally unsatisfactory”.⁸⁴ GRECO also strongly urged Belarus to lift the

confidentiality of the Joint First and Second Round Evaluation Report (adopted June 2012), Compliance Report (adopted June 2014), and Interim Compliance Report (adopted June 2015). Previously, Belarusian officials noted that Belarus is not obliged to give permission for such publications.⁸⁵

- Belarus improved its Corruption Perceptions Index by eight points in 2017, reaching the rank of 79th out of 176 countries surveyed, with 40 points on a 100-point scale. This result points to a continuing positive trend since 2013.

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- ⁷⁵ Президент назначил нового замминистра по чрезвычайным ситуациям, а бывшего сегодня начали судить за взятки <http://naviny.by/new/20170905/1504620352-prezident-naznachil-novogo-zamministra-po-chrezvychaynym-situaciyam-byvshego>
- ⁷⁶ Суд рассмотрит дело бывших сотрудников Транспортной инспекции по Гомельской области <http://naviny.by/new/20171031/1509471803-sud-rassmotrit-delo-byvshih-sotrudnikov-transportnoy-inspekcii-po-gomelskoy>
- ⁷⁷ Начался суд над экс-председателем Солигорского райисполкома. Он не признает вину в получении взяток <http://naviny.by/new/20171023/1508750842-nachalsya-sud-nad-eks-predsedelem-soligorskogo-rayispolkoma-ne-priznaet>
- ⁷⁸ Чиновник Госстандарта и его пособник задержан за получение взяток <http://naviny.by/new/20171026/1509033960-chinovnik-gosstandarta-i-ego-posobnik-zaderzhany-za-poluchenie-vzyatok>
- ⁷⁹ Число зарегистрированных преступлений и уровень преступности по областям и г.Минску в 2017 году <http://mvd.gov.by/main.aspx?guid=162163>
- ⁸⁰ Генпрокуратура предлагает усовершенствовать систему общественного контроля в сфере борьбы с коррупцией <http://www.belta.by/society/view/genprokuratura-predlagaet-usovershenstvovat-sistemu-obschestvennogo-kontrolja-v-sfere-borby-s-275924-2017/>
- ⁸¹ Минской области на координационном совещании по борьбе с преступностью и коррупцией рассмотрен вопрос эффективности деятельности по противодействию коррупции и экономическим преступлениям <http://www.prokuratura.gov.by/special/info/novosti/borba-s-korruptsiej/v-minskoy-oblasti-na-koordinatsionnom-soveshchani-i-po-borbe-s-prestupnostyu-i-korruptsiej-rassmotren/>
- ⁸² Лукашенко обещает продолжение политики жесткого противодействия посредничеству при закупках <http://www.belta.by/president/view/lukashenko-obeschaet-prodolzhenie-politiki-zhestkogo-protivodejstvija-posrednichestvu-pri-zakupkah-272316-2017/>
- ⁸³ Татьяна Калиновская. Роста коррупции тоже нет <http://www.belmarket.by/rosta-korruptcii-tozhe-net>
- ⁸⁴ 77th GRECO Plenary Meeting (Strasbourg, 16-18 October 2017). DECISIONS <https://rm.coe.int/77th-greco-plenary-meeting-strasbourg-16-18-october-2017-decisions/168075f9d7>
- ⁸⁵ Чего боится Беларусь? Минск не разрешил ГРЕКО публиковать отчет о борьбе с коррупцией в стране. [What do Belarus afraid of? Minsk didn't allowed to publish GRECO report on corruption in Belarus] 7 June 2017 <http://naviny.by/new/20170607/1496854968-chego-boitsya-belarus-minsk-ne-razreshil-greko-publikovat-otchet-o-borbe-s>