



Testimony of David J. Kramer

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before the

**United States House Committee on Foreign Affairs,
Subcommittee on Africa, Global Health and Human Rights and
Subcommittee on Europe and Eurasia**

“The Government of Belarus: Crushing Human Rights at Home?”

April 1, 2011

Mr. Chairmen, Members of the Committee, it is an honor to appear before you here today to discuss the latest situation in Belarus. I commend you for holding today's session. With the world's attention riveted understandably on the Middle East and North Africa, it is important that the United States and Europe stay focused on the deteriorating situation in Europe's east, specifically in Belarus. It is vital that the West support those in desperate need of assistance and take decisive steps in response to the latest assault on freedom committed by Europe's last dictator, Aleksandr Lukashenka.

Europe faces two major threats to realizing the vision set out more than two decades ago of a continent whole and free. The first of those – Russia, which sees the advance of democracy in the former Soviet region as a threat to its interests and a challenge to its own authoritarian ways – is the topic for another time. The second threat is the theme of today's hearing, namely, the problem posed by Belarus strongman Lukashenka. Europe and the United States together must move quickly to respond to the declining human rights situation inside Belarus and the defiant stance of its dictatorial leader, Lukashenka. Left unchallenged, Lukashenka would become the model for other authoritarian leaders in the region and around the world – a number of whom are already clients of his weapons sales – and would expose the West as an impotent force unable to meet challenges in its own neighborhood.

The regime in Minsk is perpetrating grave human rights violations that dwarf even the brutal standards set by Lukashenka over the course of his decade and a half reign. Given Lukashenka's determination to remain in power at all costs, the United States and Europe face a clear authoritarian challenge in Europe that at once abuses the rights of ordinary Belarusians and also threatens the security of Europe and the region. As we see from developments in the Middle East and North Africa, Lukashenka's brand of repressive governance is a dead-end and transatlantic policy-makers should recognize it for what it is. In my testimony, I will enumerate essential steps that need to be taken, in coordination between the U.S. and Europe, to liberate the political prisoners, reduce the threat from Minsk, and enhance prospects for greater human rights in that country, and the wider region.

Election Day to the Present

The situation in Belarus today and in the past three months has been much worse than what we witnessed in 2006. Then, the U.S. and European Union (EU) together imposed

sanctions in response to Lukashenka's fraudulent election victory, violence committed against opposition figures, and corruption. If we acted resolutely then, we can do no less now. In fact, we need to do more and do it faster than we have so far, for Lukashenka's opponents and critics are suffering in jail, victims of torture, their families suffering along with them. Lukashenka has shown no signs of letting up on his repressive tactics, as evidenced by continuing arrests of critics, harassment of civil society activists and journalists, and a farcical judicial system that carries out his orders.

To recap, last December, more than 600 protestors, including seven of nine presidential candidates, were arrested and beaten during peaceful protests against Lukashenka's rigged election victory on December 19. What triggered Lukashenka's violent reaction? Most likely he had seen independent exit poll results that, contrary to official numbers, showed Lukashenka falling well short of the necessary 50 percent threshold to avoid a runoff second round. This might have led him to deal with the opposition the only way he knows how, ordering his security services to engage in provocations and crack heads, literally, against peaceful protestors in downtown Minsk.

But let's be clear, what happened on December 19 is not an aberration. This may have been Lukashenka at his worst, but it was not a break from his past behavior. After all, this is a man who "disappeared" four opposition leaders and critics more than a decade ago and engaged in serious human rights abuses in the aftermath of the 2006 presidential. We need to be clear that Lukashenka is simply incapable of liberalizing Belarus or moving toward a more democratic system. Those who favor engaging him and his regime are naïve, to say the least, to think that he's capable of changing. A 16-year track record should remove any doubts on this score.

Two presidential contenders – Andrei Sannikov and Vladimir Neklyayev – were savagely beaten; Sannikov remains in jail and Neklyayev under house arrest. Sannikov's wife, Irina Khalyp, also is under house arrest after being detained in prison for weeks; their three-year-old son was nearly taken away from them by the authorities. A third presidential candidate, Ales Mikhalevich, fled the country after spending two months in jail with the prospect of a long jail sentence; he now has political asylum in Prague. Almost daily, activists and journalists are visited by KGB goons (and yes, they're still called the KGB in Belarus), human rights are grossly violated, and Lukashenka continues Belarus' isolation from the rest of Europe. We in

the West must act now to end the ongoing torture and imprisonment of dozens of people who are languishing in Lukashenka's hellish prison system.

I was in Brussels this past weekend at a conference with Irina Bogdanova. Her brother is Andrei Sannikov, who is still in jail. Also there were Irina Krasovskaya, whose husband was "disappeared" in 1999 by Lukashenka, and Natalya Kolyada, the head of the Belarus Free Theater, who narrowly escaped the crackdown on December 19 and made it to the U.S., where she and her fellow performers are in a state of limbo, unable to return to their country.

Last month, Freedom House together with several other NGOs brought Irina Bogdanova, Natalya Kolyada, former presidential candidate Aleksandr Kazulin, Eva Neklyayeva, daughter of the daughter of former presidential candidate Vladimir Neklyayev, and others to Washington to meet with Members of Congress, administration officials, journalists, and the think tank community so that they could tell their story. Chairman Smith, I want to thank you for meeting with them while they were here. As you know, they lend a deeply moving human face on the suffering that continues on a daily basis as a result of Lukashenka. Their stories are heart-wrenching. But they are also clear on what must be done. Unanimously and unhesitatingly, they want to see the West get much tougher with Lukashenka by imposing sanctions against state-owned enterprises. They know that that is the only way to stop the suffering of their relatives and friends back in Belarus.

Sanctions Work

If economic sanctions were called for in 2006-07, there should be no debate that they are warranted this time around, too, given that the level of violence is significantly worse. Civil society representatives and opposition figures support the reimposition of tough sanctions against the Lukashenka regime. Spurning their calls would be a setback for freedom and democracy in Belarus and elsewhere around the world. Moreover, it's time to stop viewing Belarus through a Russia prism, worrying that tougher measures will push Belarus into Russia's arms. In 2006, the EU and U.S. imposed sanctions against Lukashenka based on how he abused his own people, not on whether Minsk and Moscow had good or bad relations. We should not change that approach now and worry whether new sanctions will lead to closer Belarus-Russia ties. Lukashenka is a master at playing the Russia and the West against each other, and we fall for it constantly.

Those of us who support imposition of tougher sanctions have a history to bolster our case. After the U.S. and EU together imposed a visa ban and asset freeze in 2006, the U.S. took additional steps in November 2007 by slapping sanctions against Belneftekhim (the state-run Belarusian oil-refining enterprise in which Lukashenka himself reportedly had a stake). Within two months of taking that step, a representative of Lukashenka went to the American Embassy in Minsk to ask what would the U.S. – not what the EU, which did not go after Belneftekhim, but the U.S. – do if Lukashenka released the political prisoners at that time. Within 48 hours of the response from Washington, Lukashenka began releasing the prisoners. Unfortunately, due to the unwelcome intervention of the German Ambassador at that time, the release of the most prominent prisoner, Aleksandr Kazulin, was delayed for several months, during which time the U.S. ratcheted up the sanctions even more. It was during that period that Lukashenka expelled the American ambassador and most of the American staff from our embassy in Minsk; Kazulin, nevertheless, was finally released in August 2008 because Lukashenka couldn't withstand the pressure that came from economic sanctions.

Engagement with Lukashenka or parts of his regime did not win the freedom of the political prisoners in 2008; tough sanctions did. The overture to the U.S. Embassy in Minsk in January 2008 made by Lukashenka's representative and intelligence information I had access to at the time leave no question in my mind that this was the case.

Fast-forwarding to today, similar steps must be applied again state-owned enterprises. The U.S., in response to events of December 19 and afterward, reimposed its measures against Belneftekhim; the EU, however, has yet to take this step. If we want to see the release of those currently in prison, the EU must join the U.S. in imposing tough measures and squeezing Lukashenka as hard as possible.

Earlier this week, the State Department announced sanctions against Belarusneft, a state-owned energy company and subsidiary of Belneftekhim, because of its involvement in the Iranian petroleum sector. Even though this step was not taken because of the situation inside Belarus, every step like this helps tighten the noose around Lukashenka. The major fertilizer firm, Belarus Potash Company, would make another good target for sanctions. The U.S. and EU together should go down the list of companies in Belarus until they find Lukashenka's weak spot and force him to release the prisoners. Other approaches measures will not work.

In the process, we need to be clear what we want to and can accomplish in Belarus in the short term. Bringing democracy to Belarus is desirable, of course, but unrealistic as long as Lukashenka rides roughshod over his people. Instead, we should focus on the immediate and most critical goal of winning the release of the political prisoners.

Undermining Lukashenka and helping those opposed to his leadership are also important objectives, but they are longer term. Lukashenka and his goons have all the weapons and power, but tough sanctions can help neutralize that advantage now. At the same time, if Lukashenka in reality won only 35 or so percent of the vote last December, his support is waning inside the country. This suggests that Western assistance to advocates of freedom and pluralism in Belarus over the last 16-plus years has had a cumulative effect. The likely “real” outcome on December 19 was that more people probably voted *against* Lukashenka than *for* him (whereas in previous elections, he in fact may have won in real terms and then inflated the margin). This reflects an investment over time that is starting to show small, admittedly understated, returns and reminds us of the importance of standing by our principles and commitments. Indeed, sending the right message about Belarus is important not only to the people there, but beyond.

That tens of thousands turned out in downtown Minsk to protest also indicates that Lukashenka’s hold on power is slipping. His resort to brutal force may have been the only way to avoid losing complete control over the situation. His personnel changes at the top of his administration immediately after the election suggest growing suspicion about which people can be trusted. We should sow doubts in his mind as much as possible, for he’s a paranoid leader prone to make mistakes, and if he suspects that no one around him can be trusted, he may discover that his days are numbered.

Time for Action

Tough talk by Western leaders condemning what has happened in Belarus is simply not enough. Lukashenka and his henchmen must suffer major consequences for what happened. We have an obligation to stand with those who turned out in the squares of downtown Minsk on December 19 and sacrificed their lives in calling for a better, brighter future for their country. It is critical that the U.S. and EU speak with one voice. Sadly, within the EU alone, there are different voices on Belarus; some member states support imposing economic sanctions, others worry we already have been too tough. The reality is that Lukashenka is the enemy of

democracy and freedom and poses a threat to Europe. He spurned efforts last year by a number of European leaders to engage with him, even coax if not bribe him (with an offer of \$3.5 billion if the elections passed the test) into better behavior; his response was a clear middle finger to the West. And if we don't adopt tougher measures, Lukashenka will grow more defiant, while his people's suffering will worsen.

Together, the EU and U.S. should be stating publicly and repeatedly that Lukashenka is a threat to freedom in his country and to the region. He is the reason why Belarus suffers from self-imposed isolation from Europe. He is why the families of officials who engage in human rights abuses are not allowed the privilege to travel, live, or study in the West. He is why their assets are frozen and their credit cards won't work. If they want to fix these problems, they need to focus their energies on the reason for their hardships – Aleksander Lukashenka.

On the issue of assisting the opposition and civil society, we should:

- Waive visa fees for citizens, expand exchange programs, and help students seeking to travel or move to Europe or the U.S.
- Help families of those in detention with lawyer fees, medical bills, food, etc.
- Support more media into Belarus to let the people know we're on their side and that the enemy is Lukashenka.
- Resume material support for opposition and civil society – neutrality in the face of Lukashenka's threat is an enemy of freedom.
- Meet with activists, opposition figures, and the families of those in jail as often as possible.
- Pass the Belarus Democracy Reauthorization Act of 2011, which Chairman Smith has introduced. I strongly urge Members to expedite passage of this Act.

At the same time, we need to ratchet up pressure on the regime. We say we have not recognized the results of the election as legitimate, therefore, we should refuse to deal with Lukashenka or anyone representing him, including his foreign minister who regrettably is not on the EU visa ban list; he should be. We should be calling for new elections. Beyond that, we should:

- Sanction state-owned enterprises – that's what worked in 2007-2008.

- Cancel meetings with senior officials of the regime unless and until the political prisoners are released.
- End International Monetary Fund or European Bank for Reconstruction and Development support for Belarus. As Belarus' hard currency reserves dwindle and it faces devaluation of its currency and possible default, we should reject even the thought of propping up Lukashenka by bailing him out with IMF loans.
- Suspend Belarus from the EU's Eastern Partnership initiative; at a minimum, opposition and civil society representatives should be invited to the Eastern Partnership summit later this year, not government officials.
- Either relocate or boycott the International Hockey Federation World Championship, which Belarus is scheduled to host in 2014. This step is certain to get the attention of Lukashenka, a former hockey player and ardent fan who sees this tournament as a reflection of his regime's international prestige.
- Reject calls for engagement with the regime. This policy has failed, and failed miserably.
- Understand that pressure, the fist, is what Lukashenka understands, that's what gets his attention, and that is the only way to win the release of the political prisoners.
- Begin now a serious and comprehensive effort to document the many crimes of the last 16 years, so that should Lukashenka be brought before justice, the adjudication of his case may be thorough and swift.

In Freedom House's Freedom in the World annual rankings, Belarus has been rated as "Not Free" since 1997 as its government has kept a vice-like grip on all institutions of democratic accountability. Meaningful changes have not been in evidence, and the regime's true essence shined through in this election. On January 31, in response to the terrible violence committed by Lukashenka's goonish security services against thousands of protestors on December 19 and since, the EU and U.S. together announced sanctions on individuals responsible for the human rights abuses. A visa ban and asset freeze on 175 officials (156 originally with 19 more added on March 21) responsible for human rights abuses are good steps. But they simply aren't good enough.

Showing Solidarity with Belarus Civil Society and Opposition

Secretary Clinton issued a good joint statement with EU High Representative Ashton on December 23 condemning the violence in Belarus. Unfortunately, President Obama has remained silent on Belarus. The White House statement of December 20 was issued in the name of the press secretary. And yet President Obama saw fit to issue a statement December 30 commending Ukrainian President Yanukovich on the transfer of highly enriched uranium to Russia, but opted to say nothing on the situation in Belarus (or on the verdict in the Khodorkovsky case in Russia or the arrest and sentencing of Russian opposition leader Boris Nemtsov). It matters in whose name such statements are issued, and the President's silence has been noticeable.

Freedom and democracy should be the common cause uniting the EU and U.S. together with those inside Belarus who are fighting for a better, more democratic future. We must keep up the drumbeat – and that is why this hearing is so important. Lukashenka's regime is not serious about engagement. This is a regime that only understands pressure and strength – that's the way to get Lukashenka's attention. It is a regime that a decade ago “disappeared” four prominent opposition figures for crossing the regime; their whereabouts remain unknown. It sells arms to such places as Syria, Venezuela, Sudan and Iran, revenue from which lines not only the state's coffers but Lukashenka's pockets. It handed out passports to Saddam Hussein's sons Uday and Qusai and gives refuge to Kyrgyz strongman Kurmanbek Bakiev, who was deposed by his own people a year ago. Lukashenka's regime, in other words, is not only a threat to its own people but beyond its borders. By practically any measure, Belarus under Lukashenka is truly the last dictatorship in Europe, a view reinforced by developments on December 19 and since.

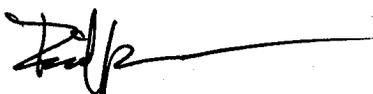
We must remember that tens of thousands of people turned out in downtown Minsk -- unprecedented numbers -- to protest against a fraudulent election and the Lukashenka regime. They knew they were risking serious injury and worse at the hands of Lukashenka's repressive security services. And yet they stood for freedom and human rights. We should be standing with them. When President George W. Bush signed the original bipartisan Belarus Democracy Act in 2004, he declared, “[T]here is no place in a Europe whole and free for a regime of this kind.” At the same time, there is very much a place in Europe for a democratic Belarus – but such a possibility is unlikely as long as Lukashenka remains in power and we in the West provide him succor as we did last year. Our support should be for the tens of thousands of brave

people who turned out to protest Lukashenka's rule and the many more who rejected his candidacy in the last presidential election. They are the future of Belarus, and they need our support and solidarity urgently.

United States House of Representatives
Committee on Foreign Affairs

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1. Name:	2. Organization or organizations you are representing:
David J. Kramer	Freedom House
3. Date of Committee hearing:	
April 1, 2011	
4. Have <u>you</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?	5. Have any of the <u>organizations you are representing</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. If you answered yes to either item 4 or 5, please list the source and amount of each grant or contract, and indicate whether the recipient of such grant was you or the organization(s) you are representing. You may list additional grants or contracts on additional sheets.	
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