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Belarus and the OSCE¹

Since February 1992, the Republic of Belarus has been a full member of the Organization for Security and Co-operation in Europe (OSCE), which unites 55 participating States, including all the countries of Europe, the USA, Canada, and the Commonwealth of Independent States (CIS). In joining the OSCE, Belarus also signed such fundamental OSCE documents as the Helsinki Final Act of 1975 and the 1990 Charter of Paris for a New Europe.

Participation in OSCE mechanisms, which provide regional security and strengthen the international standing of a country as an independent state, is a key policy priority for the Republic of Belarus, especially with regard to national security policy. Official statements of foreign policy also acknowledge the important role of the OSCE, which is considered the central organization in the process of building a new European security architecture.

However, this does not mean that relations between the OSCE and Belarus have always been positive and constructive. The constitutional referendum held in Belarus in the autumn of 1996, which led to the dismissal of the 13th Supreme Soviet, was criticized by a number of Western states and international organizations. The OSCE Parliamentary Assembly (PA) also joined in the criticism and the question of the legitimate representatives of Belarus in this body became an issue. The report of the PA's Credentials Committee, which was reviewed at a meeting of the Standing Committee of the OSCE PA in Vienna in January 1997, came to the following conclusions: First, the OSCE PA could not legally recognize any institution created as a result of the non-binding referendum. Second, the wording of the Council of Europe's Opinion had to be acknowledged. Third, it was also important to take into consideration information provided by Audrey Glover, representative of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), concerning violations during the voting process in Belarus. Fourth, the OSCE PA had already recognized the 13th Supreme Soviet and its delegates as the legitimate representatives of Belarus in the OSCE PA. Fifth and finally, it should be taken into account that, despite great difficulties, the Supreme Soviet had continued its regular sessions. In the light of these facts, the Standing Committee decided to grant the Belarusian seat at the OSCE PA to the delegation of the 13th Supreme Soviet.

The January decision of the Standing Committee of the OSCE PA thus allowed the delegation of the Supreme Soviet, which had effectively ceased to exist, to represent the Republic of Belarus in the OSCE PA. This violated the Rules of Procedure of the OSCE PA. Rule 3.1 states that "Members of the

1 Translated by Elena Kropatcheva.

Assembly shall be Members of their National Parliaments. If they cease to be so, they may continue to be Members of the Assembly until a successor has been designated or, in the absence of such designation, for a maximum of six months.² As a consequence, the new parliament of Belarus, which was formed after the Referendum, appealed against the decision made by the Standing Committee of the OSCE PA in January 1997. The delegation of the National Assembly of the Republic of Belarus was invited to the meeting of the Credentials Committee of the OSCE PA, which took place on 6 July 1998 on the eve of the opening of the Seventh Annual Session of the OSCE PA. However, at this meeting the OSCE PA pointed out that, considering that no changes in the domestic political situation in Belarus had taken place, the Committee did not see any reason to change the decision on the representation of Belarus in the OSCE PA adopted earlier. Instead it offered to form a working group of the OSCE PA on Belarus, which would work in close contact with the OSCE Advisory and Monitoring Group (AMG) in Belarus. The outcome of the Eighth Annual Session of the OSCE PA was the synchronization of the OSCE monitoring processes with respect to Belarus. The AMG and the OSCE PA ad hoc Working Group on Belarus had become the most important channels of influence of the OSCE and its structures on the political process in Belarus.

The AMG was established on 18 September 1997 on the basis of Decision No. 185 of the OSCE Permanent Council. According to its mandate, the AMG was to fulfil the following tasks: to assist the Belarusian authorities in promoting democratic institutions and in complying with other OSCE commitments and to monitor and report on this process.³

On 18 December 1997, a Memorandum of Understanding was signed between the Minister of Foreign Affairs of the Republic of Belarus and the Secretary General of the OSCE. Among other things, it described the rights and privileges granted by the Belarusian authorities to the members of the AMG. According to the Memorandum, the Group had diplomatic status. The Memorandum also indicated that the OSCE and its personnel would enjoy full freedom of unimpeded access to every person, individually or in association with others, including NGOs and mass media. Individual persons or groups willing to establish contacts with the Group had the right to do so.

The official opening of the office of the AMG took place on 3 March 1998 at the International Educational Centre in Minsk. With the consent of the Belarusian side, the OSCE Chairman-in-Office appointed Hans-Georg Wieck, an experienced German diplomat, as Head of the Group. The Istanbul Summit Declaration of 19 November 1999 noted the significance of the work done by the AMG. Through its work with both the Belarusian authorities and

2 OSCE Parliamentary Assembly, Rules of Procedure, e.g. at: <http://www.oscepa.org/admin/getbinary.asp?FileID=845>.

3 Cf. Organization for Security and Co-operation in Europe, Permanent Council, Decision No. 185, PC.DEC/185, 18 September 1997.

with opposition parties and NGOs, the Group made efforts to promote important political dialogue, the main aims of which were to facilitate resolving the constitutional controversy in Belarus and to support the conducting of free and democratic elections.

The AMG had five international staff members: the Head of the Group and four experts, each with responsibility for OSCE activities in their area of expertise. As well as performing administrative tasks, local personnel were also employed in the legal and projects departments of the Group. According to its mandate, the Group could engage experts from other international organizations and institutions if necessary.

The work of the AMG concentrated on four main aspects: advisory activities, assistance, mediation, and observation. The Group also organized and implemented projects in co-operation with the European Union (EU) and ODIHR. Under difficult conditions resulting from the almost total lack of contacts between the government and the political opposition, the OSCE representatives were compelled to engage in dialogue with each of the opposing sides individually. The AMG chose to focus on promoting co-operation as a means of resolving the conflict. By organizing a large number of seminars and conferences, the Group continually made efforts to establish an open dialogue on the questions important for the development of democracy in the country.

The work of the AMG went through several stages. At first, it provided advice to government agencies on legal reform in the area of democratic institution building. Several meetings of joint working groups were held for this purpose, dealing with the issues of democratic elections, free and independent media, the creation of an independent ombudsman institution, protection of human rights, and the reform of the judicial system.

During the second stage, the AMG's advisory activities were directed at promotion of a real political dialogue between the government and the opposition, with NGOs participating in an advisory capacity, and the AMG acting as a mediator. In 1999, the Belarusian leadership, represented by Mikhail Sazonov, aide to the President, and the opposition (the Consultative Council of Political Parties in Opposition, of which eight parties were members) agreed to hold negotiations, to be mediated by the AMG, on implementing limited democratic reforms in the sphere of free and democratic elections. As a result, in October of 1999, the representatives of the government and the opposition signed a preliminary agreement on providing the opposition with access to state-controlled electronic media. However, this agreement has never been put into practice.

During the third stage, the AMG acted as a mediator in the dialogue between different international organizations, government, opposition, and various non-governmental structures. Four criteria for conducting free and fair elections were at the core of the dialogue: fairness and transparency of the election process, access of political parties to the state mass media, sub-

stantial powers for the parliament, and non-discrimination towards political opponents in the election process.

In 2000, in accordance with the recommendations adopted in the course of three technical conferences, the EU, the Council of Europe, the OSCE, and the CIS, working jointly with the US non-governmental organization "International Foundation for Election Systems" (IFES) and ODIHR, sent a Technical Assessment Mission to the 15 October parliamentary elections in Belarus. The Mission concluded that the elections had not met OSCE standards.

In connection with the presidential elections in 2001, the AMG and the parliamentary Troika intensified their efforts to achieve positive results in shaping the framework for conducting elections on the basis of the four above-mentioned criteria.

The AMG developed a plan for the peaceful resolution of the constitutional crisis that had emerged as a result of the constitutional referendum in November 1996. This was achieved by means of a dialogue between the government and the opposition on a programme of limited reforms in the following areas: election legislation, media freedom, substantial powers for the new parliament, and non-discrimination towards political opponents.

The AMG also contributed to resuming the dialogue between different international organizations and the government and – parallel to this – with the opposition and other groups of Belarus's budding civil society.

The AMG was asked to play the role of mediator in deadlocked discussions between the authorities and the opposition over the organization of political demonstrations and marches. In a number of cases it played a very important role in helping to find a compromise.

The AMG met with the government and members of the Co-ordination Council of Democratic Forces to discuss the possibility of negotiations. It maintained contacts with other European organizations, in particular by participating in the work of the Committee on Political Affairs of the Parliamentary Assembly of the Council of Europe (PACE) and by taking part in the hearings of the Council of the EU on Belarus.

In co-operation with the Council of Europe, several NGOs, and neighbouring states, the AMG organized a number of conferences in Minsk and regional centres throughout Belarus on issues such as local self-government, legal problems, and regional economic development.

On 15 March 2000, the Projects Department was established in the AMG. This department, which has four employees, is engaged in seven projects jointly financed by the EU and Warsaw-based ODIHR. The projects budget for 2000-2001 was 500,000 euros. Seventy per cent of this sum was provided by the EU and 30 per cent by ODIHR. Projects included the creation of the Centre of European and Transatlantic Studies at the European Humanities University in Minsk, an extensive programme of improving the sanitary and hygienic conditions in prisons, and the organization of a number of conferences on the subject of "Youth and Democracy". Further projects in-

cluded a training programme for political parties and social activists and courses on the theory and practice of peaceful conflict resolution.

The project on improving conditions in prisons and pre-trial detention centres and on fighting tuberculosis has had significant success. Despite initial suspicion of this initiative, it was positively assessed by the Belarusian Punishment Execution Committee. The project facilitated access to prisons and detention centres for the staff of the AMG and the Red Cross as well as other international experts on issues of penitentiary reform, who had been working together with their Belarusian colleagues on amendments to the instructions on working with prisoners, on medical aspects of human rights, and on legal initiatives for improving the penal code. The project finished with a large conference held in Minsk, the main topics of which were the protection of prisoner health as a component of guaranteeing their rights and medical prophylaxis in prisons.

At the end of May 2001, a workshop for Belarusian journalists – from both state-controlled and independent media – and representatives of NGOs was organized on the joint initiative of the AMG and Freimut Duve, the OSCE Representative on Freedom of the Media. The central message was the importance of free and independent mass media for the consolidation of democratic civil society in Belarus.

Another important task to be performed by the AMG was to monitor Belarus's fulfilment of its OSCE commitments. It observed the situation of political parties, NGOs, and the mass media. Political parties co-operated within the framework of the Consultative Council, which was created in the summer of 1999 as a common political platform to foster the democratization process in the country.

The AMG also helped to create an effective network of independent election monitoring. With the support of other OSCE institutions, first among them ODIHR, a number of programmes were developed to prepare election observers.

The AMG also had a Legal Department. In the course of its wide-ranging work, it monitored several dozen court cases. It also examined more than 1,000 cases of alleged human rights violations, and the members of the Group visited nearly 40 prisoners and detainees in Belarusian prisons. In co-operation with a number of human rights organizations, a network of human rights activists encompassing the whole country was created. In co-operation with the Belarusian Helsinki Committee and Human Rights Centre, courses for human rights activists were organized.

Problems with co-operation between the OSCE AMG and the state authorities had already emerged at the end of September 1998, when Ivan Antonovich, the Minister of Foreign Affairs of the Republic of Belarus, expressed disapproval of the activities of the AMG in his talks with the then OSCE Chairman-in-Office Bronislaw Geremek. At the beginning of 2000, a group of deputies from the Belarusian House of Representatives raised the

issue of the status and the mandate of the Group. In his response, Hans-Georg Wieck stated that these reproaches had no foundation, because all the activities of the AMG had been based on OSCE decisions, taken with the direct participation of Belarus and on the bilateral agreements between the Organization and Belarus.

However, more serious accusations regarding the Mission and its work began after the parliamentary elections. President Alexander Lukashenko said that the time had come to reconsider the role and the place of the OSCE AMG in Belarus. This immediately generated a new wave of criticism from officials, governmental institutions, and Belarusian television. In response to these criticisms, the AMG made a statement in which it rejected the accusations of having exceeded the limits of its mandate. It reiterated that the Belarusian President had taken part in the Istanbul Summit and that he had approved the role of the AMG in supporting the building of democratic institutions. The OSCE also gave an official response, in which Jutta Stefan-Bastl, then Head of the Permanent Council, emphasized that the Group had not exceeded the limits of its mandate.

For a short period of time the tension decreased. This was the outcome of a meeting between Hans-Georg Wieck and Mikhail Khvastov, the new Belarusian Minister of Foreign Affairs, when an agreement was reached about the continuation of bilateral consultations and constructive co-operation. However, as early as the end of January, the President had accused the AMG of working for his personal enemies and of uncontrolled financing of projects. He demanded *de facto* control over the budget of the AMG, threatening that otherwise the Mission might be closed. In addition, he spoke out against the creation of a group of observers for the next presidential election. In its response, the AMG stated that the Belarusian authorities had been informed about the projects whose implementation was planned for 2001 and that the OSCE Permanent Council had rejected the proposal that the implementation of projects should depend on the agreement or approval of the host country.

Meanwhile the situation around the preparation of national election observers became more heated. On Belarusian TV, government officials declared that international help in this context should be considered in its true light: international actors were preparing their agents of influence. The AMG responded to such accusations by stating that this was standard OSCE practice and had been followed during local government and national parliamentary elections without any incidents or objections from the authorities, and that the OSCE's co-operation with internal observers was legitimate and necessary. In the end, Ambassador Wieck was able to continue his work in this sphere in the same way as before.

In September 2001, Foreign Minister Khvastov suggested that the OSCE authorities should rethink who should head the OSCE Mission in Belarus, because the acting Head of Mission had been interfering in Belarusian domestic affairs. Moreover, according to Khvastov, the Mission was to

be closed because of its activities were counterproductive to the Organization's aims. Earlier, President Lukashenko had declared that the OSCE Mission had openly supported the opposition during the presidential election campaign. The AMG responded that its mandate enabled it to provide the government, the opposition, and NGOs with advice on creating the conditions necessary for free and democratic elections. It emphasized that the Mission did not support either of the sides taking part in the elections. As a result of this conflict, Ambassador Wieck had to retire as the Head of the OSCE AMG in Belarus, which he had led since its creation in December 1997.

The Group continued to fulfil its mandate, which provided for it to support the development of democratic institutions in Belarus and to monitor fulfilment of the commitments undertaken by Belarus within the framework of the OSCE. As Ambassador Wieck noted, during the previous four years, Belarusian civil society had improved its democratic orientation and adherence to democratic principles to a certain extent. However, the process of democratic transformation had not brought significant progress in Belarus's compliance with its OSCE commitments. After Ambassador Wieck's retriel, on 1 January 2002, he was replaced by Eberhard Heyken, the former German Ambassador to Ukraine. Belarus, however, would only let him take up his duties conditional upon changes to the mandate of the AMG.

In 2002, all foreigners who worked in the Mission had to leave Belarus, because their visas or accreditations were not extended. The work of the Mission as a whole was paralysed. The official position of the Belarusian government was expressed by Pavel Latushko, press secretary at the Belarusian Foreign Ministry, who stated that the OSCE Mission would not be able to operate in its present form. The Belarusian side, however, did not completely reject co-operation with the OSCE but made it conditional on mutual trust, respect for the opinions of the host country, and clear and understandable definitions of its goals and tasks.

The last member of the Mission, Moldovan national Alina Josan, acting Head of the Mission, left Belarus on 29 October 2002. With her departure, the Mission, established in 1997, had to cease its activities and await an official decision of the OSCE Permanent Council.

In November 2002, OSCE Secretary General Ján Kubiš on a two-day visit to Belarus spoke of the necessity of turning a new page in relations between the OSCE and the Republic. In his statement, he emphasized that the purpose of his visit was to observe the condition of relations between the Organization and one of its participating States and to look to the future, leaving behind the latest problematic period in these relations. He also stated that relations between Belarus and the OSCE were not in the best of shape because "the last member of the Mission, who had worked in Belarus since 1999, has left the country". The Secretary General held a number of meetings with Foreign Minister Khvostov and Ural Latypov, Head of the Presidential Administration, for the purpose of discussing the possibility of a new mandate for the

Mission. As a result, on 30 December 2002, the OSCE Permanent Council resolved to close the AMG by 31 December 2002 and to open an OSCE Office in Minsk on 1 January 2003.⁴ The OSCE and Belarus signed a Memorandum of Understanding. An agreement was reached on the staffing of the Office, according to which it was to have no more than five international team members: a Head of Office assisted by a team of four experts and supported in an ancillary capacity by local staff employed by the Mission.

The delegation of the Republic of Belarus to the OSCE also issued an interpretative statement, which included the following points:

1. The procedure of the implementation of all projects and programmes of the OSCE Office in Minsk [...] foresees prior consultations with the Government of the host country [...] Any activity financed through extra-budgetary contributions cannot be carried out without the agreement of the host country.
2. The OSCE Office in Minsk should carry out monitoring on the basis of factual data and using in a balanced way all sources of information. The coverage of any event or fact without presenting an official position of the Government of the host country would be unacceptable.
3. The OSCE Office in Minsk in its activities should be guided, *inter alia*, by the principle of political neutrality and non-interference in the internal affairs of Belarus.
4. Former international and local members of the Advisory and Monitoring Group in Belarus can not be integrated in the work of the OSCE Office in Minsk. Persons who are or were engaged in the activities of intelligence services or any other activity directed against national interests of the Republic of Belarus cannot also be employed as the members of the Office.⁵

In accordance with the Decision of the Permanent Council, the main tasks of the Office are to:

- Assist the Belarusian Government in further promoting institution building, in further consolidating the Rule of Law and in developing relations with civil society, in accordance with OSCE principles and commitments;
- Assist the Belarusian Government in its efforts in developing economic and environmental activities;
- Monitor and report accurately on the above mentioned objectives.⁶

4 Organization for Security and Co-operation in Europe, Permanent Council, Decision No. 526, OSCE Office in Minsk, PC.DEC/526, 30 December 2002.

5 Interpretative Statement under Paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations, OSCE, Permanent Council, Decision No. 526, cited above (Note 4), Attachment 1.

6 OSCE, Permanent Council, Decision No. 526, cited above (Note 4).

In co-operation with the government of Belarus, the Office co-ordinates its activities with the OSCE Chairman-in-Office, the Parliamentary Assembly, and other OSCE institutions. It also establishes and maintains contacts with local authorities, political parties, NGOs, the media, universities, and research institutes.

On 30 January 2003, Ambassador Heyken was appointed Head of the OSCE Office in Minsk. He began his work on 10 February. In the course of a special plenary meeting of the OSCE Permanent Council, held on 2 April 2003, he submitted his report about the first stages of the work of the Office. His main conclusions were as follows:

After overcoming some teething difficulties, which were all organizational in nature, the OSCE Office was now able to function effectively. The Office was able to use its right to seek contact with all national and local authorities, with all persons, individually or in association, and with other institutions, including NGOs and the mass media. Impediments from the authorities had not come to Ambassador Heyken's attention. The Office had already established a network of contacts, which included political parties of all colours and civil society. Taking all the facts into account, Ambassador Heyken thought it was right to assume that co-operation would be long-term rather than tactical in nature. Summing up, he stated: "I have come to the conclusion that the OSCE Office in Minsk has good prospects to function according to its mandate. At the same time I am aware that the OOM [OSCE Office in Minsk] always needs strong support from the OSCE leadership. The OOM will be able to work best when the OSCE can rely on the solidarity of the participating States and organizations that embody the same principles and values."⁷

The Office fulfilled its mandate by undertaking relevant projects in the human and economic/environmental dimensions and by performing monitoring activities and preparing reports. The project entitled "Local Democracy and Assistance to Local Government Development in Belarus" was geared towards helping the Belarusian authorities to establish and develop a concept of local democracy. Within the framework of the project, four study tours took place, which enabled both an exchange of experience in the sphere of self-government between Belarus and its neighbours and the establishment of international professional contacts. This project was carried out in co-operation with the Belarusian Ministry of Foreign Affairs, the Lev Sapiega Foundation, and local and regional institutions of self-government in the Czech Republic, Latvia, Lithuania, and Poland.

On 22 September 2003, 60 delegates, including representatives of the electoral authorities of Belarus and of political parties and NGOs, took part in a seminar on international standards in the area of democratic elections. It

7 Cited in: Ministry of Foreign Affairs of the Republic of Belarus, The beginning of the OSCE Office in Minsk activity, at: <http://www.mfa.gov.by/eng/index.php?d=policy/multicoop&id=10>.

was organized by the OSCE Office in Minsk together with ODIHR and the Central Election Commission of Belarus.

The Office also supported the initiative of the Ministry of Education, which planned the publication of a textbook with the title "An Introduction to Human Rights for School Children". Within the framework of this initiative, the problem of introducing the theme of human rights into the Belarusian school programmes was considered. The Office also launched a financial campaign among the OSCE participating States to raise resources to fund such a publication.

With respect to the development of journalism, especially investigative reporting, Belarusian journalists were offered the opportunity to take part in a contest whose winners were entitled to take a study tour to the EU country of their choice. The winning journalists interviewed representatives of government institutions and NGOs. After their return, they presented and published the articles about the investigations they undertook.

The Office has undertaken a number of monitoring activities. It monitored several opposition demonstrations in Minsk. Throughout the year, the representatives of the OSCE also observed court cases, most of which involved NGOs. In addition, the Office helped several Belarusian NGOs by supporting their participation in the OSCE Human Dimension Implementation Meeting in Warsaw in October 2003.

The OSCE Office also continued to concern itself with a large number of complaints about human rights violations. The Office regularly informed the government of its concerns and conclusions. As a rule, the government response was quick, and in several cases measures were taken to rectify the situation.

Acting on the request of NGOs and individuals, members of the Office continued to visit prisons, observing the conditions under which prisoners and detainees live.

The OSCE Office has established positive and businesslike relations with a number of state institutions and NGOs working in the economic and environmental area. The Office co-operates closely with the Office of the Coordinator of OSCE Economic and Environmental Activities. By 2003, five programmes had been completed, including work to expand local capacities, to distribute materials provided by international experts, and to disseminate information among national experts and civil society.

In co-operation with the Ministry of Labour and Social Welfare of Belarus, the Office developed a programme within whose framework they planned to invite a group of experts to Belarus to discuss possible variants of the pension system. Representatives of both the authorities and NGOs took part in the implementation of this programme. Furthermore, the Office and its international partners took a number of steps to support the development of entrepreneurship in village areas within the context of the national development programme. Two telephone hotlines have been installed to provide

entrepreneurs from villages and the countryside with access to legal and commercial advice.

The Office, working with the Ministry of Natural Resources and Environmental Protection and the Belarusian representation of the environmental organization *EcoPravo*, undertook an analysis of environmental legislation. As a result, an analytical report was published as a reference book. Copies of it – 1,500 in total – were distributed among judges and students and sent to libraries throughout the country. A comparative analysis of water resources legislation in Belarus and the EU has been implemented as well. Its results were on the agenda for discussion in all relevant institutions. On the basis of recommendations drawn up during a seminar, two reference books were prepared. This project was planned as the continuation and development of work that had been begun within the TACIS framework.

In co-operation with the National Academy of Sciences and the Belarusian National Committee for the “Man and the Biosphere” (MAB) programme, the Office completed the necessary preparations for applying to UNESCO for the inclusion of the trans-border West Polesie region in the UNESCO-MAB biosphere reserves directory.⁸ To harmonize the monitoring procedures for testing the water quality in the Neman River, a working meeting was organized with the participation of both the Belarusian and Lithuanian sides. The Belarusian side in particular has taken initial steps towards harmonizing environmental legislation. The OSCE Office has also developed a programme for the rehabilitation of regions affected by the Chernobyl disaster. The aim of this programme is the amelioration of living conditions in those areas.

In order to strengthen contacts between Belarusian authorities and national minorities and religious communities, the OSCE Office and the Committee for Religions and Nationalities prepared two books calling for respect and non-discrimination. The first concerned the traditions and cultures of national minorities in Belarus, and the second book dealt with religious organizations present in the country.

In July 2004, a two-day conference sponsored by the OSCE Office in Minsk took place. Its purpose was to bring to the attention of the media and the Belarusian public the problems of domestic violence towards women and children. The conference served as a good example of successful co-operation between authorities, parliamentarians, and representatives of NGOs.

Together with the International Education Centre, the National Law Drafting Centre, the Ministry of Economics, and the Financial Investment Advisory Council, the Office organized a number of meetings to develop strategies for the improvement of the investment climate in Belarus. In November 2004, the Co-ordinator of OSCE Economic and Environmental Activities visited Belarus.

8 The region was added to the directory in October 2004.

In 2004 alone, Ambassador Heyken received 40 project proposals developed by working groups within the ministries and departments of the Belarusian government. The Office continued its activities in two main areas: projects and observing Belarus's fulfilment of its OSCE commitments. The Head of Office expressed hope that Belarus would carry out its policies in accordance with its OSCE membership commitments. At the beginning of 2004, Belarus agreed to prolong the contract of the Head of Office for six months until 30 June 2004. According to statements on behalf of the Belarusian Ministry of Foreign Affairs, this decision was based on its positive assessment of the constructive co-operation it enjoyed with the OSCE Office in 2003. Moreover, the Ministry of Foreign Affairs realized that constructive co-operation would also be needed during 2004 in all dimensions of the Office's work. The mandate of the Office for 2005 was prolonged by means of a silence procedure when, during the relevant OSCE Permanent Council meeting, it proved impossible to reach an agreement on the necessity of continuing the work of the OSCE Mission in Minsk.

The Head of Office expressed his disapproval of the closure of several regional resource centres – “Ratusha” in Grodno, “Civil Initiatives” in Gomel, “Kontur” the Center of Youth Initiatives in Vitebsk, etc. – and of the liquidation of the Independent Institute of Socio-Economic and Political Studies (IISEPS). Moreover, he expressed his grave concern over the closure of the European Humanities University (EHU) in Minsk. On learning that the EHU's license, which had been extended in May 2004, had been cancelled by Alexander Redkov, Minister of Education, on 27 July, Ambassador Heyken stated that this closure “contradicts the basic principles of the OSCE, which is committed to international cooperation, academic freedom, and tolerance”.⁹ The work of the Office is directly affected by the closure of the EHU, because the latter's activities contributed to the work of the Centre for European and Transatlantic Studies, established in 2000 in Belarus within the framework of the joint programme of the European Commission and ODIHR.

With the aim of improving election legislation, ODIHR began negotiations with the Belarusian government in the spring of 2004. However, the Belarusian government was adamant that there was no need for any improvements to the election legislation.

The visit of the OSCE Chairman-in-Office, Solomon Passy, to Belarus was one of the key events in relations between Belarus and the OSCE in 2004. The first visit of its kind since 1998, it provides a basis for further dialogue and has encouraged the belief that it is possible to achieve a sincere dialogue between Belarus and the Organization.

Since 1999, the OSCE PA has adopted a number of resolutions critical of Belarus. In 2003, one resolution in particular was extremely harsh. In

9 Cited in: OSCE Warns Minsk of 'Tension in Belarusian-EU Relations, at: <http://www.templetonthorp.com/ru/news709>.

2004, the UN Commission on Human Rights (UNCHR) and the Parliamentary Assembly of the Council of Europe (PACE) also adopted resolutions on Belarus. According to the Head of the OSCE Office in Minsk, these are a signal of the international community's concern about the situation in Belarus. But although resolutions always express a specific point of view, the OSCE is an organization that places particular emphasis on co-operation and dialogue. Thus, in 2004, the OSCE PA withdrew its political resolution. In Edinburgh, Uta Zapf, head of the OSCE PA ad hoc Working Group on Belarus, and Mikhail Orda, head of the Belarusian parliamentary delegation, signed a Joint Declaration. Those who signed this declaration expressed their desire that the newly elected parliament would be recognized and respected.

According to the Head of the OSCE Office in Minsk, the Office receives many complaints that media and NGOs are under pressure from the state and that in some individual cases measures taken by authorities and courts do not correspond to the principles of civil freedoms. This is why the situation in Belarus is periodically criticized in the OSCE Permanent Council.

In March 2005, Miklos Haraszti, OSCE Representative on Freedom of the Media, visited Belarus. He was invited by the government of the Republic and the visit was organized by the Belarusian Ministry of Foreign Affairs and the OSCE Office in Minsk. The purpose of this visit was to get acquainted with the situation in the area of media freedom in Belarus and to present recommendations to the state authorities. A senior representative of the Ministry of Foreign Affairs admitted that there were certain problems in this area. He emphasized however, that these problems did not differ from the problems experienced by most other post-Soviet states. The OSCE Representative on Freedom of the Media suggested that Belarus take advantage of the opportunities provided by the presence of the OSCE Office to improve the situation in the area of mass media in the near future as well as in the long-term.

In the estimation of OSCE officials and politicians, although the first OSCE general assessments of the situation in Belarus were quite negative, progress in establishing and developing a dialogue between the country and the Organization can, nevertheless, be seen. In the period since the OSCE presence in Belarus was established, the basic elements of OSCE-Belarusian relations have been transformed. Complete rejection of the referendum results and of the new version of the Constitution has been replaced by dialogue, and, whereas it once declared the National Assembly to be illegitimate, the OSCE now calls on Belarus to organize honest and fair elections. Although these positive signs are important, there are also a number of difficult problems on the agenda of Belarusian-OSCE relations, many of which are connected with the establishment of a democratic society.