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## Belarus at the Crossroads?

*Prospects for Co-operation with the EU, Council of Europe, and OSCE*

The inclusion of Belarus in the EU's Eastern Partnership initiative in the first half of 2009 and the prospect of the restoration of the country's special guest status in the Parliamentary Assembly of the Council of Europe mark the end of Belarus's international isolation. The main reason for this isolation was the authoritarian leadership style of Alexander Lukashenko in the period since the controversial constitutional referendum of November 1996, which largely suspended the principle of the separation of powers. The Western community of states had initially attempted to bring about a return to the 1994 constitution by means of sanctions. For the OSCE, this meant above all that the House of Representatives, the new legislature formed as a result of the constitutional change, was initially prevented from taking part in the OSCE Parliamentary Assembly. Belarus continued to be represented there by members of the 13th Supreme Soviet who were opposed to the new political system, although that body had been dissolved by Lukashenko. Within the EU, the ratification of the Partnership and Co-operation Agreement was put on hold. Since 1997, there had also been a ban on contacts that ruled out high-level meetings, and technical assistance for Belarus was effectively frozen.<sup>1</sup> What is the cause of the apparent about-turn in relations between Belarus and the European organizations? And what domestic political consequences may be associated with the rapprochement between the Belarusian leadership and the West?

### *The Failure of OSCE Mediation Efforts*

Even during the period of isolation, the Western community of states had repeatedly indicated its willingness for co-operation once Belarus's democratic structures were restored. The key mediation role in this initially fell to the OSCE, as Belarus was a full participating State in the Organization, while it had no formal relations with the EU or the Council of Europe. At the end of

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Note: This contribution reflects the situation as of July 2009.

<sup>1</sup> Cf. Astrid Sahm, *Isolationärer Autoritarismus. Die innere Entwicklung in der Republik Belarus* [Isolationist Authoritarianism. Domestic Developments in the Republic of Belarus], in: Dieter Bingen/Kazimierz Wóycicki (eds), *Deutschland – Polen – Osteuropa. Deutsche und polnische Vorüberlegungen zu einer gemeinsamen Ostpolitik der erweiterten Europäischen Union* [Germany – Poland – Eastern Europe. German and Polish Preliminary Considerations on a Common Eastern Europe Policy of the Enlarged European Union], Wiesbaden 2002, pp. 179-195.

1997, an agreement with the Belarusian leadership cleared the way for the creation of the OSCE Advisory and Monitoring Group (AMG) in Minsk, which started work in February 1998. The deployment of the AMG was an innovation, as it represented the first time that an OSCE mission had been given an explicit task in the area of democratization. In addition, the OSCE was at that point in time the only international organization apart from the CIS with a presence in Minsk. As a result, the AMG was also to become an important co-ordination point for the work of the EU and the Council of Europe. This became particularly evident with the formation of a parliamentary troika consisting of representatives of the European Parliament, and the parliamentary assemblies of the Council of Europe, and the OSCE.

The AMG's mediation efforts initially appeared to be blessed with success: In the summer of 1999, an agreement was reached on an agenda for negotiations between the executive and the opposition. This was to involve the creation of four working groups, dealing respectively with the adaptation of Belarus's electoral law to OSCE standards, free access to electronic media, the observance of human rights and related confidence-building measures, and expanding the competencies of the legislature. Furthermore, at the OSCE Summit in Istanbul in November 1999, President Lukashenko made a commitment to open dialogue and authorized the release from prison of Mikhail Chigir, the former prime minister and the leading candidate in the alternative presidential elections organized by the opposition in 1999. However, when the first agreement was reached – by the working group on the media – Lukashenko refused to sign it. As a result, the OSCE-mediated dialogue between the political leadership and the opposition had to be considered a failure.<sup>2</sup>

The significant involvement of the AMG in the choice of a unified presidential candidate by the political opposition prior to the presidential elections of September 2001 ultimately triggered an open confrontation with the Belarusian leadership. As a result, in 2002, President Lukashenko arranged for the effective closure of the AMG office. In order to ensure that a new OSCE Office could open in February 2003, the OSCE had to accept considerable restrictions on its mission's authority. This included, in particular, a limit to the duration of the mandate, and the effective dependence of the Office's project work on the agreement of the Belarusian government. In addition, the Office no longer had an explicit mediation role. When the House of Representatives was admitted to the OSCE Parliamentary Assembly in February 2003, it was a further victory for the Belarusian regime. In 1999, the Organization had effectively abandoned the idea of a restoration of the

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2 Cf. Rainer Lindner/Astrid Sahn, „Dialog“ ohne Dialog vor „Wahlen“ ohne Wahl? Belarus am Vorabend der Parlamentswahlen [“Dialogue” without Discussion before “Elections” without Choice? Belarus on the Eve of Parliamentary Elections], in: *Osteuropa* 9/2000, pp. 991-1003.

1994 constitution and was now concentrating its demands on reform of the constitutional situation established in 1996.<sup>3</sup>

President Lukashenko's ability to ignore the West's criticism of his authoritarian style of government and sidestep corresponding demands for democratization was crucially enabled by the special relationship between Belarus and Russia, which was reflected in the signing of treaties establishing a joint Union State. Russia also strengthened the Belarusian regime economically by charging low prices for energy and via other indirect subsidies. Thanks to economic growth made possible by Russia's assistance, the regime enjoyed a high level of support among the Belarusian population. In return, Minsk supported Russia's position in the Kosovo conflict and its opposition to NATO's eastward enlargement, while, however, resisting Russian demands for genuine integration of the two states. In effect, the Belarusian leadership used the competition between Russia and the Western states over the integration of Eastern Europe for its own benefit by taking on the role of Moscow's anti-Western outpost.<sup>4</sup>

### *EU Eastern Enlargement: A Wasted Opportunity*

Since EU enlargement means that Belarus is now a direct neighbour of the Union, an increase in the engagement of EU institutions with regard to Belarus has been evident since 2003, while the OSCE Office has had to act more cautiously as a result of its new framework for activity. However, although the Belarusian leadership appeared to be interested in joining the European Neighbourhood Policy, it was not prepared to ensure participation by partially accepting the EU's political demands, as this would have implied a renunciation of its established monopoly on power and comprehensive system of control. The Belarusian leadership seemed rather to assume that Belarus's importance for the EU as a transit country meant that the latter would be dependent upon closer co-operation with Belarus regardless of the political conditions that prevailed there. This assumption rested upon the factual basis that some 60 per cent of trade between Russia and the EU passed through Belarus, and the medium-term plan to create a common economic area would not be possible without Belarus's participation.<sup>5</sup>

This strategy appeared to be bearing fruit, as, in the interest of securing its external frontiers, the EU co-operated with Belarusian state institutions

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3 Cf. Eberhard Heyken, *Difficult Relations: The OSCE and Belarus. A Sober Report*, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2006*, Baden-Baden 2007, pp. 141-152.

4 Cf. Astrid Sahn, *Integration – a Path to Self-Assertion? Relations between Belarus and Russia in the International Context*, in: *Russian Analytical Digest 4/2006*, pp. 2-4.

5 Cf. Heinz Timmermann, *Koloboks Union. Belarus und Russland am Wendepunkt? [Kolobok's Union. Belarus and Russia at the Crossroads?]*, in: *Osteuropa 2/2004*, pp. 218-227, here: p. 218.

relatively successfully in specific policy areas, such as combating illegal immigration and cross-border organized crime, and even expanded this co-operation when Belarus became its direct neighbour. The EU thereby indicated that security concerns may be placed above a value-oriented policy of conditionality. For the Belarusian leadership, co-operation in these areas had the advantage of not threatening to call into question its claim to power, but was rather quite compatible with the Belarusian President's projected self-image as a father figure and a guarantor of stability. This allowed the Belarusian leadership to develop its own policy of conditionality with respect to the EU, something that is also indicated by Lukashenko's occasional threats that Belarus could overwhelm the EU with a tide of refugees from third countries.<sup>6</sup> In addition, the Belarusian regime immunized itself against the demands of the European organizations by raising accusations of double standards, which were justified in part by authoritarian developments in other post-Soviet countries that were not subject to sanctions.

The chances of the EU's pragmatic approach to co-operation being extended were hampered not least by the Belarusian constitutional referendum of October 2004, in which the restriction on the length of the President's term of office was raised. Moreover, the parliamentary elections held at the same time again failed to comply with OSCE standards, and opposition protests were violently suppressed by the security forces. The EU reacted to this – as to the 2006 presidential election, which the OSCE found had shown no signs of improvement – by again banning Belarusian politicians and officials from entering the European Union. It had already issued entry bans on those individuals who had, according to the report produced by the Council of Europe in February 2004, been involved in the disappearance of opposition politicians and independent journalists in the years 1999 and 2000. Nonetheless, these entry bans – like the economic sanctions imposed by suspending EU preferential trade status – were apparently without effect. On the contrary, in November 2004, President Lukashenko appointed Viktor Sheyman, one of the prime suspects, to head the presidential administration. The EU tried to give its political demands more force by addressing a special message to the Belarusian people in 2006 in which it attempted to outline the benefits of closer co-operation with the EU in the most promising of terms. At the same time, the EU increasingly recognized the failure of pursuing a policy of conditionality linked with attempts to politically isolate Belarus, and the lack of effective positive incentives that could encourage the leadership of Belarus, who were not interested in EU membership, to go along with EU demands.<sup>7</sup>

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6 Cf. Alena Vysotskaya, *Russland, Belarus und die EU-Osterweiterung. Zur Minderheitenfrage und zum Problem der Freizügigkeit des Personenverkehrs* [Russia, Belarus, and EU Eastward Enlargement. On the Minority Question and the Problem of the Free Movement of Individuals], Stuttgart 2008.

7 Increasing the cost of a visa from 35 to 60 euros, which applied to Belarus uniquely among EU neighbouring states, certainly stood in sharp contrast to the EU declarations to the Belarusian people and demonstrated that, contrary to official announcements, the or-

*A New Start Under Pressure from Russia*

New opportunities for action only emerged in 2007, when Russia began to raise the price it charged Belarus for energy and Belarus felt forced, after fourteen years of hard negotiations and successful delaying tactics, to sell 50 per cent of the natural gas transit monopoly *Beltransgaz* to Russia's *Gazprom*.<sup>8</sup> Following the failure of Lukashenko's policy of simulated integration with Russia, the Belarusian leadership had, for the first time, an interest that was more than merely rhetorical in improving relations with the West as a means of reducing Belarus's economic and political dependency on Russia. Given the dramatic deterioration in the country's balance of trade as a result of the rise in the cost of energy imports from Russia, increasing exports to the EU became a central goal. In addition, young members of the political elite, in particular, had no interest in Belarus losing its statehood. At the same time, as a consequence of the brief interruption in the transit of natural gas via Belarus, the EU recognized for the first time Belarus's significance for the supply of energy to Western Europe. Belarus now appeared as an independent actor on the international stage and not just an appurtenance of Russia. In the wake of these events, direct contacts were resumed between the Belarusian leadership and the European Commission. In March 2008, EU Commissioner for External Relations, Benita Ferrero-Waldner, and Deputy Belarusian Foreign Minister, Valery Varanetski, finally signed an agreement on the establishment of a Delegation of the European Commission in Minsk.<sup>9</sup>

The increasing pressure from Russia encouraged a tangible change in the logic underlying the political actions of the Belarusian leadership. For instance, the Belarusian leadership announced for the first time that it was prepared to partially fulfil the EU's political demands in order to bring about an improvement in relations. In August 2008, the last internationally recognized political prisoner, Alexander Kozulin, a presidential candidate who had been arrested following the 2006 election, was released. At the same time, Belarus refused to comply with Russia's demand that it should recognize the independence of Abkhazia and South Ossetia. In the parliamentary elections of

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dinary people were affected by sanctions that targeted the regime. Cf. Astrid Sahn, *Nach der Wahl ist vor der Wahl. Belarus weiter auf Isolationskurs? [After the Election is Before the Election. Is Belarus Continuing on the Path Of Isolation?]* In: *Osteuropa* 1/2005, pp. 71-90; cf. also: Delegation of the European Union to Belarus, *What the European Union could bring to Belarus*, at: [www.delblr.ec.europa.eu/page3242.html](http://www.delblr.ec.europa.eu/page3242.html).

8 For more information, see Folkert Garbe, *Energetische Integration? Russlands Energiekonflikt mit Belarus [Energetic Integration? Russia's Energy Conflict with Belarus]*, in: *Osteuropa* 4/2007, pp. 65-76; Irina Točickaja, *Preisschock. Die Folgen der Gaspreiserhöhung für Belarus [Price Shock. The Consequences of the Gas Price Rises for Belarus]*, in: *Osteuropa* 4/2007, pp. 85-92.

9 The Delegation began work immediately after the signing of the agreement, albeit with a very low number of staff. For an assessment of the agreement, see Alena Vysotskaya Guedes Vieira, *Opening the European Commission's Delegation in Minsk: Do EU-Belarus Relations Need a Rethink?* The Finnish Institute of International Affairs, Briefing Paper 18, 7 April 2008.

September 2008, however, only cosmetic changes were evident, such as the admission of representatives of the opposition parties to meetings of the Central Election Commission. In the local and regional election commissions, on the other hand, only a bare minimum of representatives of opposition parties continued to be included. And no representative of the opposition was able to gain entry to the parliament, which was elected directly by simple majority.

In contrast to previous elections, the Belarusian leadership this time reacted calmly to the fact that the EU, OSCE, and Council of Europe did not consider the election to have been free and fair. Instead, Minsk stressed almost exclusively the positive aspects of the international organizations' assessment, and even gave the Vice President of the OSCE Parliamentary Assembly, Anne-Marie Lizin, the opportunity to outline her position on state television and in conversation with President Lukashenko. For their part, the international organizations were concerned to avoid allowing the events around the parliamentary elections to lead to a return to political confrontation. Therefore, in October 2009, and with reference to the release of the political prisoners, the EU lifted the existing entry bans on members of the Belarusian political leadership, initially for a period of six months. The only exceptions were made for those office holders who were accused of involvement in the disappearance of opposition politicians.<sup>10</sup> The EU also reduced the number of its demands from twelve to five. These now concentrated on the abolition of political prisoners, the improvement of the media situation and the conditions under which NGOs were expected to operate, reform of electoral legislation, and guarantees for freedom of assembly and freedom of expression.<sup>11</sup>

As early as mid-November 2008, Vladimir Makey, who had been appointed head of the Presidential Administration in July 2008, reiterated at the Minsk Forum that Belarus was willing to enter into dialogue, and announced significant improvements in response to the EU decisions, for instance, with regard to media reform. A few days later, in a non-paper delivered to the EU, the Belarusian leadership confirmed its willingness to enter into talks on the new media law and the electoral code. Concrete steps taken included allowing the independent newspapers *Narodnaya Volya* and *Nasha Niva* to have access once more to state-controlled presses and distribution networks (kiosks, etc.). At the same time, the state media began a campaign of intensive positive coverage of the EU. In addition, the authorities officially recog-

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10 However, the entry ban on these individuals also ceased in practice to be effective when Vladimir Naumov was released from the position of minister of the interior in April 2009, as there were now no more suspects holding high political office.

11 Cf. Astrid Sahn, *Simulierter Wandel. Belarus '08* [Simulated Change. Belarus '08], in: *Osteuropa* 12/2008, pp. 51-58. On the generational shift within the Belarusian leadership and the related implications for the country's foreign policy, see: Andrey Lyakhovich, *Belarus' Ruling Elite: Readiness for Dialogue and Cooperation with the EU*, in: Mariusz Maszkiewicz (ed.), *Belarus – Towards a United Europe*, Wrocław 2009, pp. 61-81.

nized the *Za svobodu* (“For freedom”) movement of the former presidential candidate Alexander Milinkevich, whose application for registration they had previously turned down on several occasions. A variety of advisory organs were also set up, in which independent experts along with representatives of civil society and the political opposition were included: the Public Co-ordination Council on Media under the aegis of the Ministry of Information at the end of October, a working group encompassing representatives from many branches of the state to develop a strategy for improving the country’s image at the end of December 2008, and the Public Advisory Council in the Presidential Administration under the leadership of Vladimir Makey in February 2009.<sup>12</sup>

These developments were accompanied by numerous meetings between EU representatives and representatives of the Belarusian leadership, of which the meeting between High Representative Javier Solana and President Alexander Lukashenko in Minsk in February 2009 was an early highlight. Co-operation between Belarus and the OSCE has also intensified since 2008. The new quality of the relationship was evident particularly in the visit of the OSCE Chairman-in-Office, Finnish Minister of Foreign Affairs, Alexander Stubb, to Minsk in October 2008, during which he met with President Lukashenko. The OSCE Office in Minsk also held two successful seminars on media freedom during 2008 in co-operation with the National Assembly and the Ministry of Information of the Republic of Belarus, as well as a further seminar on energy efficiency and the use of renewable energy sources. The National Centre of Legislation and Legal Research also declared its willingness to collaborate with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in preparing draft proposals for the amendment of Belarus’s electoral legislation on the basis of the OSCE election observation mission’s report on the September 2008 parliamentary elections. An initial experts meeting was held on February 2009.<sup>13</sup> In March 2009, the House of Representatives and the OSCE Parliamentary Assembly held a joint seminar on improving the investment climate in Belarus. This was attended by the President of the Parliamentary Assembly, João Soares.<sup>14</sup>

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12 Cf. Administratsiya prezidenta zapustila beta-versiyu mekhanisma kontrolya nad vlast’yu [Presidential Administration Releases Beta-Version of Mechanism to Check Power], *Belorusskie novosti*, 6 February 2009, available online at: [http://naviny.by/rubrics/politic/2009/02/06/ic\\_articles\\_112\\_161124](http://naviny.by/rubrics/politic/2009/02/06/ic_articles_112_161124).

13 Cf. Belarusian Institute for Strategic Studies, *EU Conditionality vis-à-vis Belarus: Has it worked?* 26 May 2009, at: <http://belinstitute.eu/images/stories/documents/mo042009en.doc>.

14 Cf. President of OSCE Parliamentary Assembly satisfied with visit to Belarus, *Belorusskie novosti*, 12 March 2009, available online at: [http://naviny.by/rubrics/inter/2009/03/12/ic\\_news\\_259\\_307836](http://naviny.by/rubrics/inter/2009/03/12/ic_news_259_307836); OBSE poluchila novyi podryad na raboty v Belarusi [OSCE Receives New Contract for Its Work in Belarus], *Belorusskie novosti*, 11 March 2009, available online at: [http://naviny.by/rubrics/politic/2009/03/11/ic\\_articles\\_112\\_161614](http://naviny.by/rubrics/politic/2009/03/11/ic_articles_112_161614).

### *Divided Opposition*

The intensification of the contacts between international organizations and the authorities in Minsk was accompanied by great scepticism on the part of much of the opposition, which feared being excluded from the ongoing rapprochement between Belarus and the EU and even more politically marginalized as a result of no longer having privileged access to foreign politicians, institutions, and financial resources. They suspected that the European Union was abandoning its democratic standards in exchange for geopolitical considerations and expressly rewarding the inherently undemocratic President Lukashenko for so far refusing, despite pressure from Moscow, to recognize the independence of Abkhazia and South Ossetia.<sup>15</sup> The alliance of parties under the name United Democratic Forces also demanded that the EU should only formulate its initiatives for dialogue with the Belarusian leadership in consultation with it, while demanding to be included directly in the political discussions.<sup>16</sup> With the same goal, the United Democratic Forces delivered their own proposals for electoral reform to the OSCE Office in Minsk in May 2009 to allow these to be examined for conformity with international standards. This request was however rejected by the Head of the Office on the grounds that the Venice Commission of the Council of Europe was only responsible for evaluating official draft legislation. While he simultaneously stressed that the opposition's proposals concurred in many respects with those made by ODIHR, the Chairman of the United Civil Party, Anatoli Lebedko, saw this position as a further confirmation of the betrayal by the international organizations.<sup>17</sup>

In 2008, almost the only prominent opposition politician to actively favour dialogue between the EU and the Belarusian leadership was Alexander Milinkevich, the former presidential candidate and founder of the *Za svobodu* movement. Milinkevich had also deliberately refrained from standing as a candidate in the 2008 parliamentary elections, choosing instead to launch a publicity campaign already targeting the 2011 presidential elections. As a consequence of this, his rivals within the opposition feared that by positioning himself as above the drudgery of intra-party squabbles, Milinkevich could gain too much influence over foreign and domestic policy. They accused him of, among other things, effectively contributing to the

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15 This was, for instance, explicitly acknowledged in the resolution passed by the European Parliament on the Belarusian parliamentary elections of 9 October 2008, see *European Parliament resolution of 9 October 2008 on the situation in Belarus after the parliamentary elections of 28 September 2008*, Resolution P6\_TA-PROV(2008)0470, available online at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0470+0+DOC+XML+V0//EN>.

16 Cf. Sahn, *Simulierter Wandel*, cited above (Note 11).

17 Cf. *BDIPC OBSE ne budet rassmatrivat predlozheniya oppositsii* [OSCE ODIHR Will not Consider the Opposition's Proposals], 28 May 2009, at: <http://bdg.by/news/politics/6061.html>; cf. also Hans-Jochen Schmidt, *Pora otkazatsya ot politiki izolatsii* [Time to Abandon the Policy of Isolation], in: *Svobodnye novosti plyus*, 8-15 July 2009.



international legitimization of the ruling regime in return for receiving a political post.<sup>18</sup> The competition within the opposition over access to European politicians, institutions, and resources and over the nomination of the future presidential candidate resulted in the European Coalition under Nikolai Statkevich and Milinkevich's movement announcing in early 2009 that they would each hold a pro-European congress or forum. In addition, the Belarusian Communist Party under Sergei Kalyakin, which is a member of the United Democratic Forces, took increasingly pro-Russian positions, even speaking in favour of recognizing the independence of Abkhazia and South Ossetia.<sup>19</sup>

The obvious inability of the opposition to find a consolidated position and their ongoing internal power struggles, which had already led in the spring of 2007 to the removal of Milinkevich as overall opposition leader and to the election of a collective leadership organ of the United Democratic Forces, consisting of the leaders of the central opposition parties, were also important factors in the change in policy of international organizations and their growing willingness to talk to the Belarusian regime. Indeed, many representatives of international organizations were now convinced that the current internal condition of the opposition meant that it would not be able to win a majority even in free and fair elections. Nevertheless, with its decision of March 2009 not to entirely lift the sanctions imposed upon Belarus, but merely to extend their temporary suspension by a further six months, the EU in effect lent credence to the sceptical views of the Belarusian opposition. Speaking against the complete lifting of sanctions was above all the fact that the Belarusian government had so far made only symbolic concessions, but had not begun the process of generally improving political conditions. In February 2009, for instance, the authorities blocked the registration of the *Vyasna* human rights organization, which is active in independent election monitoring. Furthermore, 13 independent newspapers were still prevented from accessing the state distribution system.

However, the possibility of reintroducing sanctions was overshadowed by the offer made simultaneously to Belarus that it could join the Eastern Partnership initiative without reservations – even if at the same time it was indicated that President Lukashenko would not be welcome to participate in the EU Summit in Prague. Equally, Belarus could not initially expect to receive any significant additional financial support, as the planned total budget for the European Neighbourhood Policy of 600 million euros for the years 2007 to 2010, according to which Belarus was to receive only 21 million euros, remained unchanged. The extent to which Belarus may be able to

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18 Cf. Sahm, *Simulierter Wandel*, cited above (Note 11), p. 57. The opposition's campaign against Milinkevich reached its peak with the publication of the article "Otbelivat' M." (Whitewasher M.) in the newspaper *Narodnaya volya* on 19 May 2009.

19 Cf. Andrey Liackovic, *Congress of Pro-European Forces and its Possible Consequences for the Opposition*, Belarusian Institute for Strategic Studies, BB No. 13/2009EN, 22 May 2009.

profit from the planned increase in the budget after 2010 is likely to depend largely on the course taken by the bilateral treaty negotiations. More important than the financial aspects, however, is the fact that Belarus's entry admission into the Eastern Partnership represents the first time institutional structures for dialogue between Belarus and the EU have been established. A particularly significant aspect of this is the inclusion in these structures, alongside the executive, of the parliament and civil society. In addition, regional co-operation between the six post-Soviet states involved in the initiative is being strengthened. The contents of co-operation will be determined by four "platforms", each focusing on a different topic, and in which international organizations such as the Council of Europe, the OSCE, and the OECD can participate. The four platforms will focus on a) democracy, good governance, and stability; b) economic integration and conversion to EU sectoral policies; c) energy security; and d) direct contacts between individuals. Among other things, the Eastern Partnership offers the states involved the prospect of signing association agreements, the creation of a free trade area, and the removal of the visa requirement.<sup>20</sup>

### *An Active Civil Society*

In contrast to the political opposition, Belarusian civil society reacted to the country's inclusion in the Eastern Partnership in a largely positive way, though here too there was a widespread conviction that the political regime had so far only made cosmetic changes, and the restrictive operating conditions for NGOs, including the ban on registering NGOs at private residences, continued unchanged. As a result of the constant state repression, the number of officially registered NGOs has stagnated at between 2,000 and 2,500. Nonetheless, in recent years, to the extent that they have not been involved in the political opposition but have rather focused on solving concrete problems, independent civil society organizations have been successful in establishing co-operative relations with state structures at local and regional levels in the areas of education, social policy, environment and energy, and rural development. In 2008, the Belarusian Ministry of Labour and Social Protection stated for the first time that it was willing to elaborate legal mechanisms for the inclusion of NGOs as equals when commissioning the provision of state social services. Belarusian NGOs passed a resolution in Minsk as early as 22 April 2009 in which they welcomed the creation of a Civil Society Forum

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20 Cf. Council of the European Union, *Joint Declaration of the Prague Eastern Partnership Summit, Prague, 7 May 2009*, at: [http://ec.europa.eu/commission\\_barroso/president/pdf/speech\\_20090507.pdf](http://ec.europa.eu/commission_barroso/president/pdf/speech_20090507.pdf); cf. also the extensive documentation available at: [ec.europa.eu/external\\_relations/belarus/index\\_en.htm](http://ec.europa.eu/external_relations/belarus/index_en.htm).

within the Eastern Partnership and argued in favour of comprehensive dialogue between state and civil society in Belarus.<sup>21</sup>

NGOs make a key contribution to increasing awareness of the EU and other European organizations within Belarusian society. For example, the *Public Union Education Center "POST"* created EU-themed teaching materials and ran many in-service training courses for teachers.<sup>22</sup> In contrast to most of the political opposition, NGOs such as the Lev Sapiega Foundation, which specializes in issues related to local self-government, also spoke out in favour of restoring Belarus's special guest status in the Parliamentary Assembly of the Council of Europe. Belarus had already been granted observer status in the Council of Europe's Congress of Local and Regional Authorities in December 2008, after Minsk had announced its interest in joining the European Charter of Local Self-Government. Both the head of the Sapiega Foundation, Miroslav Kobasa, and the Deputy Chair of the Council of the Republic, Anatoli Rubinov, were invited to the Congress's debate on Belarus at its session on 10 June 2009. Shortly beforehand, on 8 June 2009, the Council of Europe had opened an information office in Belarus for the first time. Still, the decision by the Parliamentary Assembly of the Council of Europe on 23 June 2009 to restore Belarus's special guest status was conditional upon the government at least implementing a moratorium on inflicting the death penalty.<sup>23</sup>

Despite this, in recent months, President Lukashenko has made clear in several statements that he considers the establishment of the Civil Society Forum and the discussion of issues such as democracy to be superfluous components of the Eastern Partnership, and the criticisms made by European organizations of the democratic deficits in the country to be disproportionate. In conversation with OSCE Chairman-in-Office Alexander Stubb, he explicitly requested them not to demand from Belarus what they cannot deliver.<sup>24</sup> He also made clear that he did not attach any particular expectations to the activities of the newly established councils.<sup>25</sup> In the first year of their existence, the councils were in effect unable to achieve any results that the public could recognize. For instance, the Public Advisory Council in the Presidential Administration met three times in the first half of the year. After its opening session on 6 February 2009, it met again on 30 April to consider Belarus's economic development in the face of the global economic crisis, and on

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21 Cf. Belarusian Institute for Strategic Studies, *Chto dolzhno prinesiti Belarusi Vostochnoe partnerstvo?* [What Should the Eastern Partnership Bring to Belarus?], 1 June 2009, available online at: [http://belinstitute.eu/index.php?option=com\\_content&task=view&id=406&Itemid=1](http://belinstitute.eu/index.php?option=com_content&task=view&id=406&Itemid=1); see also the [eurobelarus.info](http://eurobelarus.info) website.

22 See the POST website at: <http://www.centerpost.org>.

23 The resolution also contains an extensive enumeration of Belarus's deficits regarding the Council of Europe's standards.

24 Cf. Lyakhovich, cited above (Note 11), p. 78.

25 Cf. Pokhoronyat li Obshestvenno-konsul'tatsionnyi sovet? [Will the Public Advisory Council be Buried?], in: *Zavtra tvoei strany*, 11 February 2009, at: [www.zavtra.by/art.php?sn\\_nid=3760](http://www.zavtra.by/art.php?sn_nid=3760).

17 June where the topic was the humanization of the penal system. The Public Co-ordination Council on the Media sat on 26 March 2009 for the first time and again on 4 June, when it considered questions including allowing all Belarus's independent media access to the state distribution system.<sup>26</sup> In the face of the lack of public response to the councils' activities, civil society organizations launched a meeting with the members of the Public Advisory Council with the aim of increasing the role of civil society in the activities of the council.<sup>27</sup>

### Outlook

Against the background of the world economic crisis, the Belarusian government is clearly interested above all in investments in the development of its economy and infrastructure. In early 2009, by drastically devaluing the Belarusian rouble and imposing a public sector wage freeze, it even fulfilled the conditions necessary to receive its first loan from the International Monetary Fund. At the same time, the Belarusian leadership continued to seek loans from Russia, whose payment, however, the Russian side delayed. The subtle signs of a change of direction in both domestic and foreign policy are particularly threatened by the pressure Russia will place on Belarus in the upcoming negotiations on the price of energy to, for instance, adopt the Russian rouble. The ruling Belarusian elite considers co-operation with the EU to have a central role in reducing the country's dependency on Russia, particularly in the economic sphere. Simultaneously, they will use the threat of Belarus taking a European turn as an instrument to encourage Russia to raise its subsidies. This balancing act between Brussels and Moscow looks likely to remain the dominant factor in Belarusian foreign policy for the immediate future. The economic benefit of co-operation with the EU will have a decisive influence on it.

In contrast to earlier short-lived attempts at rapprochement, since 2008, relations between Minsk and the European organizations seem to have reached a new level, evident above all in Belarus's greater willingness to talk and openness to the EU's policy of conditionality. However, the Belarusian leadership continues to be of a mind to retain its specific state form and monopoly of control over society. This is where the danger stems from that the simulated integration with Russia could be replaced by simulated rapproche-

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26 Cf. *Vlasti slushayut nezavisimykh ekspertov, no ne slyshat* [The Authorities Hear Independent Experts but Don't Listen], in: *Belorusskie novosti*, 18 May 2009, at: [http://naviny.by/rubrics/politic/2009/05/18/ic\\_articles\\_112\\_162672/](http://naviny.by/rubrics/politic/2009/05/18/ic_articles_112_162672/); cf. also: Zhanna Litvina, *Eticheskii kodeks – eto instrument samoregulirovaniya* [Ethical Codex – an Instrument of Self-Regulation], in: *Novaya Evropa*, 10 June 2009, at: <http://baj.by/m-p-viewpub-tid-1-pid-6979.html>.

27 Cf. *Mozhet li konsultativnyi sovet stat' obshchestvennym* [Can the Advisory Council Become Public?], in: *Belorusskaya delovaya gazeta*, 10 July 2009, at: <http://bdg.by/analytics/213.html>.

ment with the European organizations. The institutionalized dialogue and cooperation structures that have now been introduced, in combination with the pressure to act created by the financial crisis, however, provide an opportunity for a gradual change of mindset to occur among both the general population and the leadership, bringing an end, in particular, to the official tendency to see oppositional and independent civil society forces as enemies. Without the development of a new political culture based on participation and compromise, a thoroughgoing transformation of the structural environment will not be possible. The European organizations therefore need to take care to pursue a balanced policy that addresses all target groups: state structures, opposition, civil society, and the passive population.