

EUROPEAN PARLIAMENT

DELEGATION FOR RELATIONS WITH BELARUS

NOTICE TO MEMBERS

INFORMATION NOTE

ON THE WORK OF THE DELEGATION FOR RELATIONS WITH BELARUS

**DIRECTORATE-GENERAL FOR
EXTERNAL POLICIES OF THE UNION**

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CC

Introduction

The European Parliament Delegation for relations with Belarus currently has no official relations with the parliament or the government of the Belarusian regime, due to its failure to conduct free and fair elections, to establish the rule of law and to respect its citizens' human rights and fundamental freedoms. However, the delegation maintains an active and regular dialogue with the representatives of the democratic opposition and nongovernmental organisations, as well as with the civil society of Belarus.

Due to repeated refusals by the authorities in Minsk to provide entrance visas to Members of the European Parliament, the delegation has been unable to travel to Belarus in recent years. The latest visit of the Delegation took place in 2002. However, it meets regularly in Brussels and in Strasbourg to discuss the developments in the European Union's (EU) policy towards Belarus, to assess the political and economic situation in the country, as well as to provide recommendations to the Council of the EU and the European Commission regarding possible steps to improve the situation of democracy, human rights and the rule of law in Belarus and to move this important neighbouring country closer to the EU.

Legal basis and context

The Delegation for relations with Belarus was established in 2004, following the fifth enlargement of the European Union, which made Belarus a direct EU neighbour.

Initially this Delegation was part of the joint delegation for relations with Ukraine, Moldova and Belarus, which had been created in 1994. Negotiations of Partnership and Cooperation Agreements (PCAs) were conducted with these countries and motivated the creation of such a joint delegation. The PCAs set up a bilateral framework for political and economic cooperation on the basis of shared values and principles, while also providing for political dialogue at parliamentary level, which is foreseen by creating Parliamentary Cooperation Committee (PCC) between the European Parliament and the national parliament of the country concerned. PCCs exert parliamentary control over the implementation of the PCAs and act as an open forum for debate on questions of mutual and common interest.

The EU-Ukraine PCC and EU-Moldova PCC were indeed established, while the EU-Belarus PCC never saw the light. Even though the EU-Belarus PCA was signed in 1995, its ratification was frozen in 1997 in response to worrying political developments in the country. The joint delegation therefore remained without an official counterpart in Belarus. As a result, the delegation for relations with Belarus became a single, separate delegation, operating in a peculiar political context.

EU-Belarus relations

EU-Belarus relations are currently governed by the Conclusions of the Foreign Affairs Council as last set out on 15 October 2012.

An overview

The EU is committed to a policy of critical engagement towards Belarus, through:

- restrictive measures targeted against those responsible for the violations of electoral standards, crackdowns and violations of human rights, as well as those supporting the regime or drawing benefit from it

- sectoral dialogues and within the multilateral track of the Eastern Partnership initiative support to civil society and victims of repression
- the negotiations on visa facilitation and readmission agreements to the benefit of the public at large (launched on 30 January 2014)
- dialogue with Belarusian society on the reforms needed to modernise Belarus and on the potential for developing relations with the EU, including possible EU financial support. (The "European Dialogue on Modernisation with Belarus society" was launched in March 2012 by Commissioner for Enlargement and Neighbourhood Policy, Stefan Füle.)

Belarus is covered by the European Neighbourhood Policy but, in view of the political situation, no action plan is yet in place. The country is also a member of the Eastern Partnership initiative; a policy launched by the EU on 7 May 2009 in Prague, but participates only in its multilateral track.

Current priorities and funding of the ENP (European Neighborhood Policy) Action Plan:

As of May 2014, the indicative financial allocation foreseen for Belarus under the European Neighborhood Policy Instrument for the years 2014-2020 is as follows:

• <u>Belarus:</u>	EUR 129.000.000 – 158.000.000
<i>Social inclusion</i>	30%
<i>Environment</i>	25%
<i>Local and Regional Economic Development</i>	25%
<i>Complementary support to civil society</i>	10%
<i>Complementary support to capacity building</i>	10%

Background

After his election in 1994, President Lukashenko decided, in 1996, to replace the directly elected parliament of Belarus with a national assembly nominated by him, and started carrying out a brutal policy of repression of the opposition and of the media. All subsequent elections held in the country under his rule (parliamentary elections of 2000, 2004, 2008 and 2012 and presidential elections of 2001, 2006 and 2010) failed, according to international observers, to meet basic international standards for democratic elections. Besides, the regime keeps sending its political opponents to jail.

The EU has repeatedly expressed concern about the lack of respect for human rights, democracy and the rule of law in Belarus, and frequently calls for the immediate release and rehabilitation of all political prisoners. Due to this political situation, Belarus has excluded itself from the EU's main regional frameworks. The EU maintains a technical dialogue with Belarus, including through the multilateral track of the Eastern Partnership, and frequently reiterates that the positive development of EU-Belarus relations is conditional to progress towards the principles of human rights, the rule of law and democracy.

On 3 May 2011, the Euronest Parliamentary Assembly was constituted to form the parliamentary dimension of the Eastern Partnership. Unfortunately, it has not been possible, to date, to admit a Delegation from Belarus to the Parliamentary Assembly, due to the fact that Belarus does not fulfill the membership criteria as described in Article 3 of the Constituent Act.

The EU started imposing restrictive measures in 2004, following the disappearance of four opposition activists. It also imposed measures after the 2004, 2006 and 2010 elections, against those responsible for frauds, violations of international electoral standards and the repression of peaceful demonstrations.

EU-Belarus relations have at times, but inconclusively, been through phases of relative warming-up. In 2008, following the release of political prisoners, the EU temporarily suspended the visa ban for high Belarusian officials, including the President. The regime subsequently showed some signs of cooperation, with the authorisation of registration granted to two independent newspapers and with the adoption of positive amendments to the electoral legislation, in 2009 and 2010.

In 2009, the European Parliament had welcomed the suspension of targeted sanctions, while maintaining the pressure on the Belarusian authorities to demonstrate their genuine commitment to reform. However, further to the December 2010 presidential elections, which were marked by large-scale frauds and a violent crackdown on the opposition, civil society and the media, the Parliament quickly adopted, on 20 January 2011, a resolution calling for the re-application and the extension of visa bans. The travel ban against Lukashenko was reinstated and restrictive measures were expanded. EU-Belarus relations blew cold again and the European Parliament pointed out that sanctions should remain in place until all political prisoners are exempt from charges. The Council reinstated these sanctions on 31 January 2011. An embargo on arms and repression material was also imposed in June 2011.

In January 2012, the criteria for imposing sanctions was expanded to include the persons responsible for serious human rights violations, repression of the opposition and civil society, and persons and entities benefiting from or supporting the regime. The parliamentary elections in 2012 unfortunately re-confirmed this undemocratic path. Furthermore the Council of the EU decided on 15 October 2012 to maintain its measures for another 12 month. These measures include travel bans and freeze of assets within the EU. On 29 October 2013, the EU Council extended the EU sanctions against Belarus until 31 October 2014. 232 persons and 25 entities now remain subject to EU sanctions.

The inclusion of Belarus in the Eastern Partnership seemed to announce the gradual reintegration of Belarus in regional structures and the advancement of bilateral EU-Belarus relations. In June 2010, the EU made an offer to start negotiations on visa facilitation and a readmission agreement. This offer remained unanswered until recently. In November 2013, at the Eastern Partnership Summit in Vilnius, the Belarusian Foreign Minister announced the Belarusian government's decision to accept the EU proposal. Technical talks are now in progress.

Activities of the European Parliament and of the Delegation

During the 7th legislature the European Parliament has adopted several resolutions on the situation in Belarus, either addressing the general political situation or more specific issues, such as the situation of civil society and national minorities and death penalty, as well as the arrests of political opponents and civil society representatives;

2010

10 March 2010 – EP resolution on the situation of civil society and national minorities in Belarus

2011

20 January 2011 – EP resolution on the situation in Belarus

10 March 2011 – EP resolution on Belarus (in particular the case of Ales Mikhalevich and Natalia Radina)

12 May 2011 – EP resolution on Belarus

15 September 2011 – EP resolution on Belarus: the arrest of human rights defender Ales Bialatski

2012

16 February 2012 – EP resolution on the death penalty in Belarus, in particular the cases of Dzmitry Kanavalau and Uladzislau Kavalyou

29 March 2012 – EP resolution on the situation in Belarus

5 July 2012 – EP resolution on Belarus, in particular the case of Andrzej Poczobut

26 October 2012 – EP resolution on the situation in Belarus after the parliamentary elections of 23 September 2012

2013

12 September 2013 – EP recommendation to the Council, the Commission and the European External Action Service on EU Policy towards Belarus

These resolutions play an important role in shaping the EU's policy towards Belarus, through specific recommendations to the Council and the Commission

In all its resolutions on Belarus, the European Parliament expresses a consistent message; denouncing;

- the violations of the principles of human rights, democracy and the rule of law in the country calling on the authorities;
- to ensure the freedoms of expression, of the media and of association
- to protect the independence of the judiciary
- to stop harassing journalists and civil society activists
- to liberate all political prisoners
- to pass and implement thorough political reforms, including the reform of the electoral law.

Besides, the European Parliament has regularly called on the Council to maintain the political pressure on the authorities in Minsk, and on the Commission to step up its engagement with the Belarusian civil society and democratic forces through appropriate support (most recently in the EP recommendation of 12 September 2013).

The European Parliament has awarded its Sakharov Prize for Freedom of Thought to Belarusians twice: in 2004 to the Belarusian Association of Journalists, and in 2006 to Aliaksandr Milinkevich, the former presidential candidate of the united democratic opposition forces.

The European Parliament's Delegation for relations with Belarus has been very active in raising the awareness of Belarus in the European Union and in maintaining close dialogue with the representatives of the Belarusian civil society and democratic opposition, despite its inability to travel to Belarus.

Former Delegation Chairs

Since 5 June 2012 the delegation is chaired by Mr Filip KACZMAREK (EPP, Poland).

Previous chairpersons of the Delegation were

- Mr Jacek PROTASIEWICZ (EPP-ED, Poland) between 2008 and 2012
- Mr Bogdan KLICH (EPP-ED, Poland) between 2004 and 2007
- Mr Jan Marinus WIERSTMA (PES, Netherlands) between 1999 and 2004
- Mrs Erika MANN (PES, Germany) between 1997 and 1999
- Mrs Elisabeth SCHROEDTER (Greens/EFA, Germany) between 1994 and 1996.

Visits to Belarus:

Ad-hoc delegation to Minsk on 25-27 February 2010

Delegation meetings (7th legislature):

Delegation meeting	15.10.2009	Brussels
Exchange of views with 6 representatives of the Belarusian opposition	18.11.2009	Brussels
2010		
Exchange of views with Mr Aliaksandr Milinkevich and Ms Angelica Borys	23.02.2010	Brussels
Debriefing of the Ad-hoc delegation to Minsk on 25-27 February 2010	03.03.2010	Brussels
Video conference with H.E. Ms Rosemary Thomas, British Ambassador in Minsk (representing the Spanish presidency)	19.05.2010	Strasbourg
Exchange of views with students from the European Humanities University (in exile in Vilnius, Lithuania)	09.06.2010	Brussels
Meeting with Commissioner Štefan FÜLE	08.09.2010	Strasbourg
2011		
Exchange of views with Commissioner Štefan FÜLE and 8 representatives of the Belarusian opposition - exchange of views on presidential elections	12.01.2011	Brussels
Exchange of views with Mr Aleh Hulak (Belarusian Helsinki Committee), Mr Vladimir Labkovich (Human Rights Centre "Viasna") and Ms Stefanie Schiffer (European Exchange)	17.03.2011	Brussels
Exchange of views with Mr Ales Michalevich (Presidential candidate in the elections of 19 December 2010) and - by video conference - with Mr Andrzej Poczobut (correspondent of Gazeta Wyborcza")	07.04.2011	Brussels
Exchange of views with Ms Yulia Bandarenka and Ms Olga Bandarenka (wife and daughter of Mr Dzmitry Bandarenka, political prisoner)	29.06.2011	Brussels
Exchange of views with 7 representatives of the Belarusian opposition	29.11.2011	Brussels
2012		
Exchange of views on the EU approach towards Belarus since the presidential elections of 19 December 2010, in association with AFET (in the presence of Ms Maira Mora, Head of the EU Delegation to Belarus and Mr Gunnar Wiegand, Director, EEAS)	12.01.2012	Brussels

Exchange of views with three Human Rights defenders Mr Valiantsin Stefanovich (Viasna), Mr Yuri Dzhibladze (Centre for Development of Democracy and Human Rights, Moscow), Ms Olga Zakharova (Russian civil society), in association with DROI	24.01.2012	Brussels
Videoconference: D-BY + WG on BY of the Euronest PA with Mr Gunnar Wiegand (Director, EEAS) and Mr Stefan Tressing (Desk officer for BY, EEAS)	16.12.2012	Brussels/ Strasbourg
Exchange of views with experts on the situation in Belarus: Me Alexei Pikulik (BISS), Me Aleh Hulak (BHK), Mr Alexandr Adamiants (New Europe)	06.03.2012	Brussels
Election of the Chairman of the Delegation and an exchange of views with Mr John Kjaer (Head of Unit, EEAS)	05.06.2012	Brussels
Presentation of a study "Impact of targeted sanctions on Belarus by Julia Korosteleva, in association with AFET and in the presence of Mr Gunnar Wiegand (Director, EEAS)	18.06.2012	Brussels
Exchange of views with Mr Matteo Mecacci (Member of the Italian Chamber of Deputies, leader of the OSCE short-term observer mission and Special co-ordinator, head of the OSCEPA Delegation in Belarus	18.09.2012	Brussels
Exchange of views on the parliamentary elections in Belarus with Mr Aleh Hulak (BHK), Mr Vladimir Labkovich (Viasna) and Ms Stefanie Schiffer (European Exchange)	26.09.2012	Brussels
Exchange of views with Ms Natallia Pinchuk (wife Ales Bialatski) and Ms Marina Adamovich (spouse of the former presidential candidate Mikola Statkevich), in association with DROI	07.11.2012	Brussels
Exchange of views with Ms Zhanna Litvina (Head of the Belarusian Association of Journalists, Sakharov Prize laureate of 2004) and Mr Valiantsin Stefanovich (Viasna), in association with DROI	05.12.2012	Brussels
2013		
Discussion on the activities of the Delegation and the question of sending a mission to Belarus	23.01.2013	Brussels
Exchange of views with the Belarusian coordinators of the working groups of the European Dialogue for Modernisation with Belarusian society	21.02.2013	Brussels
Preparatory meeting in view of the planned mission to Belarus on 15-18 July, 2013 (mission later postponed), including an exchange of views with a representative of the EEAS on the current political and economic situation in Belarus and the state of play of relations between the EU and Belarus	20.06.2013	Brussels
Exchange of views with Belarusian Sakharov Prize Laureates: 2004 – Belarusian Association of Journalists 2006 – Mr Milinkevich	20.11.2013	Strasbourg

BELARUS



Official name: Republic of Belarus

Capital: Minsk

Presidential republic with a bicameral parliament

President of Belarus: Alexander Lukashenko (1994-present)

Prime Minister of Belarus: Mikhail Myasnikovich (2010)

Official languages: Belarusian and Russian

Independence day: 3 July

The Belarusian President is directly elected by the people of Belarus for a **5-year term of office**.



Government

The Belarusian Government (Council of Ministers) is made up of the Prime Minister of Belarus, his deputies and ministers. The Government is accountable to the President of the Republic of Belarus and its powers are determined by the Constitution of the Republic of Belarus.



Parliament

The Parliament of Belarus is known as the National Assembly of the Republic of Belarus. It acts as the representative and legislative body of the Republic of Belarus. The Parliament serves a 4-year term.



It is a bicameral parliament with two chambers ;

- House of Representatives – The Lower House
- Council of the Republic – The Upper House

They meet for 2 regular sessions every year. Extraordinary sessions can be called by a presidential decree.

The House of Representatives (The Lower House)

Latest election in 2012

Speaker: Vladimir Andreichenko

110 members elected by the people of Belarus

The role of the House of Representatives is to:

- consider draft legislation
- run the presidential elections
- approve the President's nomination for the post of Prime Minister
- approve or oppose the Government's activities
- propose no-confidence votes where necessary

The Council of the Republic (The Upper House)

Speaker: Anatoli Rubinov

64 members

Regional representative body

Local Councils elect a total of 56 members: 8 in each region and 8 in Minsk. The Belarusian President selects the final 8 members.

The main role of the Council of the Republic is to approve or decline draft legislation that has been approved by the House of Representatives.

Any bill must be initially considered in the House of Representatives and then in the Council of the Republic. According to the Constitution, any bill that impacts the state budget must be approved by the President or the government before being voted on.

Customs Union and Eurasian Economic Union

Belarus is a member of the Customs Union, which was created in 2010, together with Russia and Kazakhstan. Furthermore on 29 May 2014 Belarus, together with Russia and Kazakhstan, signed the Treaty on the Formation of the Eurasian Economic Union, which will be launched on 1 January 2015.