

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. RES. 105

To condemn the December 19, 2010, elections in Belarus, and to call for the immediate release of all political prisoners and for new elections that meet international standards.

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## IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. MCCAIN, Mr. CARDIN, Mrs. SHAHEEN, Mr. GRAHAM, Mr. KYL, Mr. BARRASSO, Mr. UDALL of Colorado, Mr. KIRK, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to

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## RESOLUTION

To condemn the December 19, 2010, elections in Belarus, and to call for the immediate release of all political prisoners and for new elections that meet international standards.

Whereas the people of Belarus have lived under the brutal dictatorship of Alexander Lukashenko for almost 2 decades;

Whereas, under Mr. Lukashenko's rule, Belarus—which is known as “the last dictatorship of Europe”—has defied the post-Soviet democratic transformation that swept eastern and central Europe by maintaining an abhorrent human and political rights record and denying its citizens fundamental freedoms;

Whereas, according to the United States Department of State 2009 Human Rights Country Report on Belarus, elections in Belarus are consistently unfair and undemocratic; politically motivated arrests and detentions are ongoing; Belarus' judiciary is not independent; beatings, poor treatment, and disease are widespread in prisons in Belarus, where detainees lack access to food, proper clothing, and medical treatment; and the Government of Belarus has severely and systematically restricted basic freedoms of press, speech, assembly, association, and religion;

Whereas Mr. Lukashenko had an opportunity to move Belarus closer to the community of democracies by holding free and fair presidential elections on December 19, 2010, and allowing for multiple opposition candidates to run for president;

Whereas the Lukashenko regime squandered this opportunity for the people of Belarus by orchestrating a fraudulent election that failed to meet minimal international standards;

Whereas, following the elections, the Lukashenko regime arrested 5 of the 6 opposition presidential candidates, severely beating one candidate, Uladzimir Niakliayeu, and arbitrarily beating many of the thousands of Belarusians who were peacefully protesting the stolen election in the largest public demonstration the country had seen in over 5 years;

Whereas, during the course of election day and its aftermath, Lukashenko's security forces, the State Security Agency (KGB), detained or arrested over 600 additional people, including journalists, civil society representatives, political activists, and ordinary Belarusians who were peacefully

seeking to exercise their fundamental human rights to free assembly and expression;

Whereas the Organization for Security and Cooperation in Europe's Election Observation Mission, which monitored the election in Belarus, issued a statement of preliminary findings and conclusions on December 20, 2010, that criticized the election's campaign environment as "characterized by the lack of a level-playing field" and reported that international observers assessed the vote count as "non-transparent" and "bad or very bad in almost half of all observed polling stations";

Whereas, according to Organization for Security and Cooperation in Europe observers, prominent international websites, including Gmail and Hotmail, and Belarusian websites including Charter97.org, euroradio.by, gazetaby.com, and zapraudu.info were rendered inaccessible on election day;

Whereas, on February 22, 2011, the Organization for Security and Cooperation in Europe stated in its final report on the December 19, 2010, election that the final vote count was "flawed and lacked transparency";

Whereas Department of State spokesperson Philip J. Crowley said on December 20, 2010, "We cannot consider the election results as legitimate.";

Whereas, on December 20, 2010, the Obama Administration called for the release of all detained presidential candidates and protestors arrested around the election and strongly condemned the violence used by the Lukashenko regime to "undermine the democratic process";

Whereas on December 23, 2010, Secretary of State Hillary Clinton and European Union High Representative for

Foreign Affairs and Security Policy Catherine Ashton strongly condemned the Lukashenko regime's disproportionate use of violence and called for "the immediate release of the presidential candidates and the over 600 demonstrators who have been taken into custody in the wake of the presidential elections in Belarus";

Whereas the heads of the foreign affairs committees of the German and Polish parliaments issued a joint statement on December 31, 2010, stating that the presidential election in Belarus showed "a complete lack of respect for European values and standards";

Whereas, on January 20, 2011, the European Parliament adopted a resolution that condemns the December 19, 2010, elections in Belarus and their violent aftermath; demands the immediate and unconditional release of political prisoners; and calls for "new elections to be held" in Belarus under "free and democratic conditions" and "according to OSCE standards";

Whereas, on December 31, 2010, the Government of Belarus refused to extend the mandate of the Organization for Security and Cooperation in Europe office in Minsk, thereby shuttering the democratic institution building efforts of the Organization for Security and Cooperation in Europe in Belarus;

Whereas, on January 4, 2011, Department of State spokesperson Philip J. Crowley and Darren Ennis, Spokesperson for European Union High Representative Catherine Ashton, issued a joint statement expressing regret over the closure of the Organization for Security and Cooperation in Europe Office in Belarus and calling on authorities in Belarus "to fulfill their commitments to the

OSCE by reforming the election process and providing greater respect for human rights”;

Whereas the Belarusian KGB continues to detain at least 32 political opposition leaders and activists associated with the December 19, 2010, elections who face dubious charges that carry prison sentences up to 15 years;

Whereas, on February 28, 2011, Ales Mikhalevich, a presidential candidate who was arrested following the December 19, 2010, elections and released on January 19, 2011, issued a statement detailing the abuse and torture that he endured during his 2-month detention by the Belarusian KGB, in violation of existing Belarusian laws as well as international agreements, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, to which Belarus has been a signatory since December 1985;

Whereas families of presidential candidates and political opposition leaders and their lawyers face continued harassment and intimidation by Lukashenko’s KGB, including repeated interrogations, raids, pressure, and threats of dismissal from places of employment and schools;

Whereas the detained presidential candidates and political opposition leaders are being denied regular access to family, lawyers, medical treatment, and open legal proceedings;

Whereas authorities in Belarus continue to carry out searches and seizures across the country, including the offices and homes of journalists, political activists, civil society representatives, former presidential candidates and their advisers, and ordinary Belarusians with tenuous connections to members of the political opposition;

Whereas, according to the Stockholm International Peace Research Institute, an internationally reputable source on global arms trade, the Lukashenko regime delivered a shipment of military equipment to the Qaddafi regime in Libya in February 2011, just before Qaddafi prepared to initiate the widely condemned bloody crackdown undertaken against the people of Libya;

Whereas, on January 31, 2011, the United States and the European Union imposed targeted travel and financial sanctions on an expanded list of officials of the Government of Belarus, including Alexander Lukashenko and those helping prop up his regime;

Whereas, on January 31, 2011, the United States Government also restricted economic transactions with Lakokraska OAO and Polotsk Steklovolokno OAO, 2 subsidiaries of Belarus's largest state-owned petroleum and chemical conglomerate, Belneftekhim;

Whereas, on February 2, 2011, the United States Government pledged to supplement its democracy assistance to Belarus by \$4,000,000 in fiscal year 2011;

Whereas, on March 2, 2011, Lukashenko's regime sentenced 3 of the political detainees, Alyaksandr Atroshchankau, Zmitster Novik, and Alyaksandr Malchanau, to between 3 and 4 years in a top-security prison;

Whereas on March 4, 2011, Department of State Spokesman P.J. Crowley said, "The United States remains gravely concerned over the continuing post-election crackdown by the Government of Belarus on civil society, independent media, and the political opposition. Through its ongoing detentions, trials, and harsh prison sentences, the government is creating new political prisoners. We urge the un-

conditional release of those detained in the crackdown without trials, and the creation of space for the free expression of political views, the development of civil society, and the ability of citizens to expand their contact with open societies.”; and

Whereas Congress passed the Belarus Democracy Act of 2004 (Public Law 108–347) and the Belarus Democracy Reauthorization Act of 2006 (Public Law 109–480) as expressions of support consistent with these aims: Now, therefore, be it

1       *Resolved*, That the Senate—

2               (1) condemns the December 19, 2010, election  
3       in Belarus as illegitimate, fraudulent, and not rep-  
4       resentative of the will or the aspirations of the vot-  
5       ers in Belarus, and joins the European Parliament  
6       in calling for new elections to be held in Belarus  
7       that meet international standards;

8               (2) condemns the beating, arrest, fining, and  
9       imprisonment of presidential candidates, opposition  
10       leaders, and activists by Alexander Lukashenko’s  
11       KGB in the wake of the December 19, 2010, elec-  
12       tion;

13              (3) condemns the Lukashenko regime’s system-  
14       atic efforts to prevent freedom of expression and as-  
15       sociation in Belarus, including its efforts to censor  
16       the Internet and stifle freedom of the press;

1           (4) stands in solidarity with the people of  
2 Belarus, those political prisoners being unjustly de-  
3 tained, and those who continue to fight for peaceful  
4 democratic change and their fundamental human  
5 rights in Belarus;

6           (5) applauds the pledges of the United States  
7 Government and the European Union to impose tar-  
8 geted sanctions, including visa bans and asset  
9 freezes, on Belarusian officials and their associates  
10 responsible for the recent crackdown and human  
11 rights abuses against the people of Belarus;

12           (6) applauds the decisions of the United States  
13 Government, the European Union, and other demo-  
14 cratic allies to expand assistance to civil society in  
15 Belarus;

16           (7) calls on the Lukashenko regime—

17           (A) to immediately and unconditionally re-  
18 lease all political prisoners in Belarus who were  
19 arrested in association with the December 19,  
20 2010, election, including 3 presidential can-  
21 didates, Andrei Sannikov, Nikolai Statkevich,  
22 and Uladzimir Nyaklyaeu, who are still in pris-  
23 on or under house arrest;



1 (B) to immediately cease the harassment  
2 of the families, friends, and lawyers of political  
3 prisoners in Belarus;

4 (C) to authorize the extension of the man-  
5 date of the Organization for Security and Co-  
6 operation in Europe Office in Belarus;

7 (D) to hold new presidential and par-  
8 liamentary elections in Belarus that are free,  
9 fair, inclusive, and meet international stand-  
10 ards; and

11 (E) to meet its international obligations  
12 and cease any illegal efforts related to the pro-  
13 vision of arms to rogue regimes;

14 (8) urges the President and the Secretary of  
15 State—

16 (A) to continue to closely coordinate  
17 United States and European Union policies to-  
18 wards Belarus;

19 (B) to resume direct technical and material  
20 support to the opposition and civil society in  
21 Belarus, including political parties, civic groups,  
22 and independent media outlets;

23 (C) to ensure that the United States list  
24 includes any other officials of the Government  
25 of Belarus responsible for the crackdown fol-

1           lowing the December 19, 2010, election in  
2           Belarus, associated human rights abuses, and  
3           the continued detention, prosecution, and mis-  
4           treatment of all political prisoners, and to im-  
5           pose targeted sanctions on those individuals and  
6           their family members where warranted; and

7                   (D) to identify any other entities that en-  
8           rich Mr. Lukashenko and his regime at the ex-  
9           pense of the people of Belarus and prohibit  
10          business with and freeze the assets of such enti-  
11          ties;

12          (9) urges the European Union—

13                   (A) to join the United States in prohibiting  
14          business with, and freezing the assets of, the  
15          Belarusian state-owned oil and petrochemicals  
16          company Belneftekhim and its subsidiaries  
17          Lakokraska OAO and Polotsk Steklovolokno  
18          OAO, as well as other entities that enrich Mr.  
19          Lukashenko and his regime at the expense of  
20          the people of Belarus;

21                   (B) to cut all European projects linked to  
22          the authorities in Belarus responsible for the  
23          crackdown and associated human rights abuses  
24          and to exclude officials of the Government of  
25          Belarus from meetings under the European

1 Union's Eastern Partnership policy—including  
2 the planned European Union summit with post-  
3 Soviet countries scheduled to take place in Bu-  
4 dapest in May 2011—but to ensure that this  
5 suspension not apply to nongovernmental and  
6 civil society organizations in Belarus;

7 (C) to ensure that the European Union list  
8 includes any other officials of the Government  
9 of Belarus responsible for the crackdown fol-  
10 lowing the December 19, 2010, election in  
11 Belarus, associated human rights abuses, and  
12 the continued detention, prosecution, and mis-  
13 treatment of political prisoners, and to impose  
14 targeted sanctions on those officials and their  
15 family members where warranted; and

16 (D) to increase support to the opposition  
17 and civil society in Belarus, including political  
18 parties, civic groups, and independent media  
19 outlets;

20 (10) calls on other members of the international  
21 community, including Russia, to take similar tar-  
22 geted actions against the leaders of the Government  
23 of Belarus;

24 (11) calls on the Government of Lithuania, as  
25 chair of the Organization for Security and Coopera-

1       tion in Europe for 2011, to make the reestablish-  
2       ment of the Organization for Security and Coopera-  
3       tion in Europe Office in Belarus one of its chief pri-  
4       orities for its tenure; and

5               (12) calls on the International Ice Hockey Fed-  
6       eration to suspend its 2014 International World Ice  
7       Hockey championship to be hosted in Minsk,  
8       Belarus until all political prisoners in Belarus are  
9       released.

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