



Assembly of Belarusian pro-democratic NGOs

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Main Tendencies of the Belarusian Third Sector Development and Functioning during June-September, 2005

Summer months did not become a slack period before traditional autumn active phase. This is due to the government that is not weakening its pressure on the third sector even for a second. This time changes of legislation on public organizations and funds were added to traditional methods of struggle such as deprivation of registration, notifications and fines. In fact the authorities are creating a base for the next stage of 'purges' of independent NGOs.

Demonstrative action

Without doubt the developments around the Union of Poles in Belarus (UPB) attract the public attention in our country and in the world during the defined period. The government was not satisfied with the independent policy of the newly elected leadership of the organization. In order to take the Union under state control the Ministry of Justice, police, KGB, courts and local administration, and a group of UPB members that expressed their loyalty to the regime were involved.

Firstly it was illegal confiscation of the circulation of the newspaper of the organization, then the riot squad and KGB officers occupied its office in Horadnia. The authorities declared the start-up of preparation process for the another congress of UPB in Vaukavysk; the delegates to this congress were not elected, but they were selected through the local state administration resources. The UPB activists under the leadership of Anžalika Borys held protest actions that were violently stopped, the participants were sentenced to administrative arrest or they were imposed heavy fines on.

After August 27, when so-called 'Sixth Congress of UPB' was held and parallel leadership was elected (in fact, appointed by government), it's possible to say that the presidential administration created one more puppet organization, the UPB-2 headed by Józef Łuczniak is totally controlled by the present authorities, dependent from them financially and will stay in the ranks with such pseudoNGOs as BRSM or 'Pioneer organization'. No wonder that among independent organizations this structure has no recognition: two largest networks of Belarusian public sector – the Assembly of Belarusian Pro-Democratic NGOs and Belarusian Association of Resource Centers declared that they consider A.Borys legal head of the UPB. But, the state organs, of course, has different opinion. Thus the UPB have joined the wide circles of the «illegal» organizations, i.e. unrecognized by the Ministry of Justice.

The attack on the Union of Poles in Belarus is aimed at demonstrating to other dissidents and Western democracies that the regime is controlling the situation in the country. President Łukašenka feared that branchy structures of the UPB will join democratic forces during the presidential election campaign. Additionally, the authorities worked out a mechanism of grasping a strong independent public organization under their control and this experience can be used in future.

The Authorities are Against Summer Camps

The peculiar feature of these summer months was the ‘war’, started by the authorities against summer camps that were organized by public organizations in different regions of the country. It is likely that the government officials saw an element of preparation of mobilization campaign for future presidential election, or they have become victims of their own hallucinative propaganda ‘about trainings for oppositional militants’. The police and special forces showed interest for some of them and several summer camps were deranged.

The most notorious case was the one of ban on law summer school in Miensk voblaść. Several tens of students of law from Belarus were to take part in 10-day training prepared by Innovation Fund of Law Technologies. After the training was banned, the initiators of the summer training launched SOS campaign, turned for help to foreign partners and succeeded. In August the training was organized in the Ukraine.

In July the summer camp organized by Belarusian Association of Youth Public Organizations ‘Suzorje’ on Lake Miednaje (Bieraście region) was conducted under strict control of frontier guards. The participants of the camp were detained several times by them, also armed officials executed checks in the camp. It is necessary to point out that the summer camp on Lake Miednaje is a regular one; however within four years it is the first time when it attracts such attention. At the end of July the policemen started to check documents of all the participants of youth summer camp at ‘Biełaje voziera’ recreation centre in Beraście region and then drew up reports on several people regarding ‘conducting of unapproved meeting’; in August they were fined.

However, several NGOs were able to held their summer camps. For example in July the summer camp for youth and children was organized near Masty by Horadnia youth public organization ‘Young Social Democrats – Maładaja Hramada’ together with youth organization ‘Falcons’ and Independent Trade Union of Industrial Association ‘Azot’. At the beginning of August ecological summer camp ‘Pure Džvina – Pure Baltics’ was held without excesses near Vierchniadžvinsk (Viciebsk voblaść). Activists from Belarus, Russia, Latvia, the Ukraine and Greece took part in it. They were engaged in complex monitoring of the environment on the territory of Vierchniadžvinsk burial ground for pesticides.

Two week international ecological summer camp was organized in Brasław (Viciebsk voblaść) at the beginning of August, there were no hinders or obstacles from the authorities. Sometimes NGOs simply ignored prohibitions and did they work. For example, after Bieraście city executive committee refused to allow traditional summer camp that was dedicated to putting in order territory of the monastery of St. Bernard nuns, Belarusian Association of Youth Public Organizations ‘Suzorje’ waited for some time and organized the summer camp without permission of the authorities.

The ‘Purges’ continue

A wave of juridical liquidations, notifications and fines is not stopped. Traditionally public organizations suffer more; also independent unions and religious organizations experience problems.

Fines (in the amount of millions of rubles) remain to be spread and efficient (in the view of the authorities) method of influence on activists of public and political structures. In July Hanna Hataviec was imposed a fine of 1 275 000 rubles by the court of Kirauski rajon (Mahilou voblaść) for... conducting a seminar on studying the labour legislation. She was found guilty of organization of unapproved meeting though this educational seminar was held in the rented premises.

In different regions of the country the courts fined the local activists for ‘illegal distribution of printed materials’. The exceptional incident took place in Ivacevičy rajon where policemen swooped on village houses to confiscate printed materials that had been previously distributed by democratic activists.



The unprecedented booty was caught by policemen on July 1, when they confiscated 70 thousand of information bulletins from regional coordinators of public initiative 'Partnership' on the way from Miensk.

During last months the authorities paid more attention to public initiatives as the number of these initiatives drastically increased and a lot of them have political aims. For example in September the work on the creation of Association of People that Suffered from State Contract System was launched, the organization does not exclude the possibility of initiating a referendum on abolition of contract system in the country. Almost immediately the organizational committee (that is to form an initiative group for carrying out a national referendum) declared about its creation. Among the third proposed questions for the referendum there is a question on abolition of state contract system and amendments to election legislation. The informal initiative, started by Uładzimier Mackievič, was noticeable in the period; its declared aim was to «adopt a single plan of actions on achieving the victory» at the future presidential election.

In July Siarhiej Dubaviec, journalist and coordinator of 'Martyrologue of Belarus' organization, declared about plans to publish biographies of 50 thousand of our compatriots that were victims of Stalin repressions on Internet site **martyraloh.org**, which mr.Dubaviec bought from unidentified KGB official in an underhand way. This information is still considered 'secret' by neo-soviet Łukašenka's regime. The KGB called this initiative 'a provocation' and threatened Dubaviec.

Public attention was attracted by the case of unregistered initiative 'Treci šlach' that took part in the project of creation of cartoons of political content. In August the KGB conducted searches at flats of activists, confiscated computer equipment, conducted interrogations. On this occasion the Belarusian Helsinki Committee addressed the authorities with the appeal to 'stop the new wave of struggle with dissidence'. The answer was the resolution of Hałavanau, the Minister of Justice, according to which movements, initiatives and coalitions of citizens should have state registration, otherwise administrative proceedings will be initiated against the participants.

In September the Ministry of Justice informed about possible liquidation of the Union of Belarusian Writers. The reason is that some of the members of the public organization of Belarusian poet and prose writers live abroad. The Leu Sapieha Fund found itself in a difficult situation. The Viciebsk branch of the fund was forced to leave its rented office, this leads to loss of their legal address. The Ministry of Justice offered the L.Sapieha Fund to reorganize itself by liquidating the vobłaśc departments that were accused of conducting activity that is not registered in their statute.

The fact that some religious organizations did not have legal addresses was a ground for their liquidation in courts. In August Christian religious congregation Belarusian Evangelic Reformatory Association was juridically liquidated through court proceedings and in September Belarusian Evangelic Church was liquidated also. Miensk Protestant Church 'New Life' is threatened with liquidation and is actively struggling for its existence.

Provocations and propaganda

The elements of psychological war that is waged against public activists become more evident in the defined period. One of its methods is 'telephone terrorism'. At the beginning of September the telephone numbers of activists of public organizations and political parties of Homel were published in advertising newspaper in the advertisements of sale of different goods. The victims of numerous telephone calls named this incident a 'purposeful provocation of special forces'. This is not a single case in Belarus.

Several neo-fascist and neo-stalinist organizations, which act hand in hand with KGB against democratic opposition popped off. At the end of July leaflets signed by Russian National Unity fascist organization

appeared in Kryčau (Mahilou voblaść) that contained threats against editorial staff of the local independent newspaper. The doors of Miensk offices of the Belarusian Language Society and Belarusian Popular Front Party were several times stained with paint or anti-Belarusian captions, The branch of Russian neo-stalinist organization took the responsibility for these actions, but the investigation of these actions by the police never succeeded, of course. This summer several websites, which belong to democratic public organizations and political parties were attacked. There is an opinion that this is working-out of possible large-scale action on blocking internet resources that are not controlled by the authorities that can be executed during future political campaigns.

The KGB continues its attempts to recruit public activists. In August a group of citizens of Śvietłahorsk (Homiel voblaść) turned to the prosecutor of Interregional prosecutor's office and interregional department of KGB with the request to check the legality of actions of an officer of the special forces towards one of the participants of the trip of the representatives of NGOs, mass media and business to Czech. In their appeal the actions of the officer are evaluated as an 'attempt of the special forces to establish their control over the activities of public organizations and to bring moral and psychological pressure on the citizens and to intimidate them.'

In September the official of Mahilou voblaść department of KGB proposed cooperation to Pavał Usau, the head of Mahilou branch of youth public organization. He was interested in information about recent trip of activists to Poland aimed at learning the processes of preparation of parliamentary election. It is necessary to underline that Usau came to the meeting because an unknown man asked for a consultation in the question of registration of a new public organization.

As we see the special forces are interested firstly in information that concerns foreign contacts of public organizations.

Belarusian Republican Union of Youth (BRSM, pro-regime youth organization) is taking part in 'war', declared on democratic opposition. During last months the authorities try to use it actively in political actions. In September the head of the administration of the president of Belarus declared that the state put 'a lot of effort and funds into BRSM and is waiting for corresponding effect from it'. The same was told by Alaksandar Łukašenka at the recent congress of this organization. One of the state investments to the BRSM is, evidently, a permission to break the law. At the beginning of August the members of this organization held pickets in front of the Polish Embassy in Minsk during several days in order to show their support of the position of the government of Belarus in the situation around the Union of Poles in Belarus. As the independent lawyers pointed out they violated the law on mass events that does not allow to hold such events nearer than 50 meters to the diplomatic representative office. However they did not have any problems with that, while members of oppositional Young Front who tried to conduct an action to support the Union of Poles of Belarus at the same place were detained immediately by the policemen.

Juridical resistance

In the conditions of repressions against NGOs, even small victories of public activists over the impudence of the authorities are very noticeable. In August the Supreme Court of Belarus obliged the Belarusian Radio and TV campaign to apologize to Michaś Varaniec, the head of Słonim public organization 'Will to Development' because of lies that were shown in a TV report of March, 2004.

However, not everyone manages to carry the initiated work through. The vivid example of the last summer is a failure to conduct a referendum on a question of central streets renaming in Miensk. The action stopped at the stage of collection of notarized applications of the members of initiative group that were too little. On the other hand the preparation for the referendum, collection of more than 120 000 signatures would pull aside a lot of activists from the work on organization of the Congress of Democratic Forces in Miensk. It is

likely that the same fate had the initiative of republican campaign 'Chopić!' ('Enough!') that was launched by a youth organization.

It is possible to seek justice in international structures also. In September the UN Human Rights Committee made a decision on an appeal of founders of a religious association "Krishna Consciousness", according to which the refusal of the authorities to register this religious organization in 2002 is a violation of the International Treaty on civil and political rights signed by our country. Now the authorities of Belarus had to react somehow to the decision of the international organization.

Prominent action

During summer months public organizations and initiatives conducted a lot of prominent actions and events. Public organizations and their members took part in a campaign aimed against refusal of Deutsche Welle radio station to broadcast Belarusian programs in Belarusian language. In addition to collection of signatures pickets were organized in Miensk. In August the youth of Viciebsk conducted collection of signatures under the appeal to increase the number of Belarusian language articles in 'Viciebski Courier' newspaper. On September 1, a flashmob with the motto 'We want to study in Belarusian' was organized by pupils in Miensk.

Under the badge of consolidation of forces in the democratization of the country the Fourth Congress of The Belarusians of the World was held in Miensk in July. New projects are launched in regions on the initiative of local public organizations. It is important to mention that «European Popular University» started its work in Viciebsk at the beginning of September. During last months creation of new not registered youth periodic editions was recorded in the capital as well as in the regions.

One of the best publishing projects realized by public organizations during last months is a publication of the first national reference book on organization of civil and political activities in underground conditions 'Bielaruski Kanšpiratar'. Soon after that the trainings for public activists were organized on the basis of this edition.

In spite of special attention of the state authorities to contacts of NGOs with their colleagues from abroad, this cooperation is developing. Moreover the activity is performed by different regions of the country. The cooperation of Mahilou vobłaść public organizations with Polish and German colleagues is developing actively. Public organizations of Bieraście vobłaść are establishing contacts with Ukrainian colleagues. In July an international bike race 'From Baltic Sea to Black Sea' was organized in Bieraście vobłaść. The race aimed at increase of cultural outlook, widening of friendly contacts between different countries.

The visit of 19 year old activist of youth public organization of Common House (Moldova) to Bieraście was extraordinary. In order to establish partner contacts with representatives of local NGOs he went hundreds of kilometers on his bike.

One of the positive news of the last summer was the nomination of Halina Drebiezava, the head of Belarusian Association of Woman Lawyers and the leader of Belarusian Public Organization of Experts of Anticrisis Management from Bieraście to Peace Prize 2005 '1000 women of the Planet'.

Congress of Democratic Forces

During summer months the third sector played a noticeable role in the preparation of the Congress of Democratic Forces. However, in September the attempts to decrease the quota of participation of representatives of NGOs in the Congress were taken by some members of 'Dziasiatka' ('Ten') party coalition. Though the common sense was protected and all NGOs that would like to take part in the event were allowed to participate, it is important not to repeat this mistake in future. Unfortunately some isolated politicians see public



activists just as working force that can thoughtlessly work for any team, and not as conscious force that bears the brunt of the fight with the authoritarian regime as well as political parties.

The Amendments to the Legislation on the Third Sector of Belarus

During summer months Belarusian legislation on not commercial organizations took a turn for the worse. A.Łukašenka signed new versions of the laws ‘On Public Organizations’ and ‘On Political Parties’.

These drafts were adopted by the House of Representatives during special proceedings on June 29 during the last day of the spring session. Before that it was planned that the law would be considered in autumn. The amendments to two laws that are dangerous for Belarusian society will come into force in three month after they are officially published.

P u b l i c o r g a n i z a t i o n s

New version of the law ‘On Public Organizations’ gives legal grounds to three main repressive methods that were used earlier by the Ministry of Justice towards NGOs.

The list of reasons for liquidation is lengthened, the ban on activities of not registered organizations is stipulated in the law, the proceedings of registration are made more complicated by ungrounded limitations. The new norms include: the possibility to stop activities of public organizations, duty of public organizations to present reports about their activities to the departments of justice, ban on executing commercial activities by public organizations. The requirements to the statutes of public organizations are changed to some extent. Now some organizations have to change their statutes which do not correspond to new norms.

F u n d s

In addition to deterioration of legal norms of existence of public organizations it is important to point out changes in the legislation on other form of non-commercial organizations – funds. On July 1, 2005 A.Łukašenka signed decree #302 ‘On Some Means of Regulating of Funds Activity’. This decree changes drastically legal status of funds, conditions of its creation and activity.

Now funds are similar to public organizations in juridical sense. They are to be registered and controlled by the Ministry of Justice as public organizations, the notion of territory of activity is introduced (they are divided in international, local and nation-wide), there is a minimal amount of funds (\$10 000 for nation-wide funds). The list of grounds for liquidation of funds is enlarged.

The people that were members of leading bodies of liquidated by court public organizations can not create funds and there are also a number of other limitations.

S p o n s o r s u p p o r t

On July 1 Decree #300 ‘On Rendering and Using of Sponsor Assistance’ was signed by the president. It stipulates conditions according to which legal entities and private entrepreneurs can render help to organizations and individuals in form of money, goods, property and services. The Decree covers all kinds of donations regardless of the form of proprietorship or kinds of legal entities that are rendering help. The definition of sponsor assistance in the Decree allows to say that provision of premises without rent or provision of office equipment is sponsor assistance that is to be regulated by this decree. The peculiarity of the new order is that the decree definitely stipulated aims that can be sponsored by donators. It is forbidden to donate funds

on other purposes. The list of these aims does not include: independent scientific research, publishing activity that is not connected with educational literature (including publishing of newspapers and magazines), activity of organizations of minorities, animals protection and so on. In this way the state that previously had established control over foreign donators, limited domestic sponsor activity. This can be a painful blow for social and charity NGOs. Only the donations that are rendered by individuals of Belarusian nationality to NGOs are not yet limited by the state control.

I n t e r n a t i o n a l T e c h n i c a l A s s i s t a n c e

On August 17 A.Łukašenka signed Decree #382 that changed the proceedings of receiving international technical support. After the changes of the notion 'international technical support' it covers not only funds received for programs that were approved by the government, but also support in organization and conducting of seminars, conferences and 'other public meetings'. Now in order to hold a meeting with the help donated technical help even without financial help Belarusian organizations should register international help at the Commission on International Cooperation of Council of Ministers. The decree damages interests of NGOs that previously tried to evade the requirement of registration of foreign funds while conducting seminars and conferences acting on the behalf of foreign partners. Previously a foreign organization could rent premises in Miensk and conduct a seminar without registration, now they need permission for the same activity. These rules concern events that are conducted by donators of technical support such as foreign countries, international organizations, their representative offices or commissioned legal subjects.

Conclusions

After the analysis of the activities of NGOs during the period of June-September 2005 we can make the following conclusions:

1. The question of the consolidation of forces becomes more and more important for the third sector.
2. The regime is afraid of not controlled active actions of not registered public organizations and initiatives. Previously the main forces were directed to registered organizations but not loyal organizations, now it is rational to expect increase of repressions towards 'shadow' network of organizations.
3. The important task of the third sector is preservation and widening of its international contacts. Contrary to the regime that is striving to isolate the society from the harmful influence of West' public organizations should break through this isolation.
4. Some regions of the country are falling out from the public life. They either do not have any public organizations, or these public organizations had to stop their activity because of lack of financing.
5. The third sector of Belarus has great potential. The main its resources is people. If there are not people devoted to their work, any resources will not help to enliven the public life. So the main task is to establish quickly the system of defense and support to public activists.

