

Belarus Democracy Act of 2004

[Public Law 108–347; 22 U.S.C. 5811 note]

[As Amended Through P.L. 116–260, Enacted December 27, 2020]

【Currency: This publication is a compilation of the text of Public Law 108–347. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

his Act may be cited as the “Belarus Democracy Act of 2004”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The International Covenant on Civil and Political Rights, done at New York December 19, 1966, was ratified by Belarus in 1973, guaranteeing Belarusians the freedom of expression and the freedom of association.

(2) Alyaksandr Lukashenka has ruled Belarus as an undemocratic dictatorship since the first presidential election in Belarus in 1994.

(3) Subsequent presidential elections in Belarus have been neither free nor fair and have been rejected by the international community as not meeting minimal electoral standards, with the jailing of opposition activists frequently used as a tool of government repression before and after the elections.

(4) In response to the repression and violence during the 2006 presidential election, Congress passed the Belarus Democracy Reauthorization Act of 2006 (Public Law 109–480).

(5) In 2006, President George W. Bush issued Executive Order 13405, titled “Blocking Property of Certain Persons Undermining Democratic Processes or Institutions in Belarus”, which authorized the imposition of sanctions against persons responsible for—

(A) undermining democratic processes in Belarus; or

- (B) participating in human rights abuses related to political repression in Belarus.
- (6) In March 2011, the Senate unanimously passed Senate Resolution 105, which—
- (A) condemned the December 2010 election in Belarus as “illegitimate, fraudulent, and not representative of the will or the aspirations of the voters in Belarus”; and
- (B) called on the Lukashenka regime “to immediately and unconditionally release all political prisoners in Belarus who were arrested in association with the December 19, 2010, election”.
- (7) The Government of Belarus, led illegally by Alyaksandr Lukashenka, continues to engage in a pattern of clear and persistent violations of human rights and fundamental freedoms.
- (8) The Government of Belarus, led illegally by Alyaksandr Lukashenka, continues to engage in a pattern of clear and uncorrected violations of basic principles of democratic governance, including through a series of fundamentally flawed presidential and parliamentary elections undermining the legitimacy of executive and legislative authority in that country.
- (9) The Government of Belarus, led illegally by Alyaksandr Lukashenka, continues to subject thousands of pro-democracy political activists and peaceful protesters to harassment, beatings, and imprisonment, particularly as a result of their attempts to peacefully exercise their right to freedom of assembly and association.
- (10) The Government of Belarus, led illegally by Alyaksandr Lukashenka, continues to suppress independent media and journalists and to restrict access to the internet, including social media and other digital communication platforms, in violation of the right to freedom of speech and expression of those dissenting from the dictatorship of Alyaksandr Lukashenka.
- (11) The Government of Belarus, led illegally by Alyaksandr Lukashenka, continues a systematic campaign of harassment, repression, and closure of nongovernmental organizations, including independent trade unions and entrepreneurs, creating a climate of fear that inhibits the development of civil society and social solidarity.
- (12) The Government of Belarus, led illegally by Alyaksandr Lukashenka, has pursued a policy undermining the country’s sovereignty and independence by making Belarus political, economic, cultural, and societal interests subservient to those of Russia.
- (13) The Government of Belarus, led illegally by Alyaksandr Lukashenka, continues to reduce the independence of Belarus through integration into a so-called “Union State” that is under the control of Russia.
- (14) In advance of the August 2020 presidential elections in Belarus, authorities acting on behalf of President Lukashenka arrested journalists, bloggers, political activists, and opposition leaders, including 3 leading presidential candidates (Syarhey Tsikhanouski, Mikalay Statkevich, and Viktor Babaryka), who were barred from running in the elec-

tion by the Central Election Commission of the Republic of Belarus.

(15) While the 3 opposition candidates were imprisoned, 2 of their wives and 1 of their campaign managers (Sviatlana Tsikhanouskaya, Veranika Tsepkala, and Maria Kalesnikava) joined together and ran in place of the candidates.

(16) Thousands of Belarusian people demonstrated their support for these candidates by attending rallies, including 1 rally that included an estimated 63,000 participants.

(17) On August 5, 2020, the Senate unanimously passed Senate Resolution 658, which calls for a free, fair, and transparent presidential election in Belarus, including the unimpeded participation of all presidential candidates.

(18) On August 9, 2020, the Government of Belarus conducted a presidential election that—

(A) was held under undemocratic conditions that did not meet international standards;

(B) involved government malfeasance and serious irregularities with ballot counting and the reporting of election results, including—

(i) early voting ballot stuffing;

(ii) ballot burning;

(iii) pressuring poll workers; and

(iv) removing bags full of ballots by climbing out of windows;

(C) included restrictive measures that impeded the work of local independent observers and did not provide sufficient notice to the OSCE to allow for the OSCE to monitor the elections, as is customary.

(19) Incumbent president Alyaksandr Lukashenka declared a landslide victory in the election and claimed to have received more than 80 percent of the votes cast in the election.

(20) The leading opposition candidate, Sviatlana Tsikhanouskaya—

(A) formally disputed the government's reported election results;

(B) explained that her staff had examined the election results from more than 50 polling places; and

(C) found that her share of the vote exceeded Lukashenka's share by many times.

(21) On August 10, 2020, Sviatlana Tsikhanouskaya was detained while attending a meeting with the Central Election Commission of the Republic of Belarus and forced to flee to Lithuania under pressure from government authorities.

(22) On August 11, 2020, Lithuanian Foreign Minister Linas Linkevičius announced that Sviatlana Tsikhanouskaya was safe in Lithuania and has continued to be one of the strongest voices supporting the pro-democracy movement in Belarus within the European Union and globally.

(23) On August 18, 2020, Sviatlana Tsikhanouskaya announced the formation of a Coordination Council to oversee a resolution to the crisis in Belarus and a peaceful transition of power by subjecting the Council's senior members to violence, detention, and forced exile. The Government of Belarus, led il-

legally by Alyaksandr Lukashenka, has sought to stop the work of the Coordination Council.

(24) Before the European Parliament on August 25, 2020, Sviatlana Tsikhanouskaya stressed that a “peaceful revolution” was underway in Belarus, and that “It is neither a pro-Russian nor anti-Russian revolution. It is neither an anti-European Union nor a pro-European Union revolution. It is a democratic revolution.”

(25) On or around September 6, 2020, opposition leader Maria Kalesnikava and members of the Coordination Council, including Anton Ronenkov, Ivan Kravtsov, and Maxim Bogretsov, were detained by authorities who sought to forcibly expel them to Ukraine. Ms. Kalesnikava tore up her passport at the Ukrainian border in a successful effort to prevent this expulsion, subsequently disappeared, and was discovered in a Minsk prison on September 9, 2020.

(26) On August 11, 2020, the European Union High Representative for Foreign and Security Policy, Josep Borrell, issued a declaration on the presidential election in Belarus stating that the elections were neither free nor fair.

(27) On August 28, 2020, United States Deputy Secretary of State Stephen Biegun declared that the August 9th election in Belarus was fraudulent.

(28) Following Alyaksandr Lukashenka’s September 23, 2020, secret inauguration, the United States, the European Union, numerous European Union member states, the United Kingdom, and Canada announced that they did not recognize Mr. Lukashenka as the legitimately elected leader of Belarus.

(29) Since the sham election on August 9, 2020, tens of thousands of Belarusian citizens have participated in daily peaceful protests calling for a new, free, and fair election, and the release of political prisoners.

(30) According to Amnesty International, on August 30, 2020, Belarusians held one of the largest protest rallies in the country’s modern history in Minsk and in other cities, which was attended by at least 100,000 people who demanded the resignation of President Lukashenka and an investigation into the human rights violations in Belarus.

(31) Women have served as the leading force in demonstrations across the country, protesting the police brutality and mass detentions by wearing white, carrying flowers, forming “solidarity chains”, and unmasking undercover police trying to arrest demonstrators.

(32) The Government of Belarus has responded to the peaceful opposition protests, which are the largest in Belarus history, with a violent crackdown, including, according to the United Nations Special Rapporteur, the detention by government authorities of more than 10,000 peaceful protestors as of September 18, 2020, mostly for taking part in or observing peaceful protests, with many of these arrests followed by beatings and torture at the hands of Belarusian law enforcement.

(33) According to the Viasna Human Rights Centre, at least 450 detainees have reported being tortured or otherwise

ill-treated while held in incommunicado detention for up to 10 days, including through—

- (A) severe beatings;
- (B) forced performance of humiliating acts; and
- (C) sexual violence and other forms of violence.

(34) At least 4 Belarusians have been killed at protests, and dozens of Belarusians who were detained during the protests are still missing.

(35) The Belarus Ministry of Defense threatened to send the army to confront protestors, warning that in case of any violation of peace and order in areas around national monuments, “you will have the army to deal with now, not the police”.

(36) The Government of Belarus, led illegally by Alyaksandr Lukashenka, has consistently restricted the free flow of information to silence the opposition and to conceal the regime’s violent crackdown on peaceful protestors, including by—

- (A) stripping the accreditation of journalists from major foreign news outlets;
- (B) detaining and harassing countless journalists.
- (C) arresting dozens of journalists, 6 of whom report for Radio Free Europe/Radio Liberty;
- (D) halting the publishing of 2 independent newspapers; and
- (E) disrupting internet access;
- (F) blocking more than 50 news websites that were covering the protests; and
- (G) limiting access to social media and other digital communication platforms.

(37) Internet access in Belarus has been repeatedly disrupted and restricted since August 9, 2020, which independent experts and monitoring groups have attributed to government interference.

(38) Thousands of employees at Belarusian state-owned enterprises, who have been seen as Alyaksandr Lukashenka’s traditional base during his 26-year rule, went on strike across the country to protest Lukashenka’s illegitimate election and the subsequent crackdowns, including at some of Belarus’s largest factories such as the BelAZ truck plant, the Minsk Tractor Works, and the Minsk Automobile Plant.

(39) After the employees of state media outlets walked off the job in protest rather than help report misleading government propaganda, Lukashenka confirmed that he “asked the Russians” to send teams of Russian journalists to replace local employees.

(40) On August 19, 2020, European Council President Charles Michel announced that the European Union would impose sanctions on a substantial number of individuals responsible for violence, repression, and election fraud in Belarus.

(41) On October 2, 2020, the Department of Treasury announced new sanctions under Executive Order 13405 on eight individuals “for their roles in the fraudulent August 9, 2020

Belarus presidential election or the subsequent violent crackdown on peaceful protesters”.

(42) Similar sanctions have also been applied to Belarusian human rights violators by the Government of Canada and the Government of the United Kingdom.

(43) Against the will of the majority of the Belarusian people—

(A) Alyaksandr Lukashenka appealed to Russian President Vladimir Putin to provide security assistance to his government, if requested; and

(B) President Putin has agreed to prop up the Alyaksandr Lukashenka regime by—

(i) confirming that a Russian police force was ready to be deployed if “the situation gets out of control”;

(ii) providing significant financial support; and

(iii) sending Russian propagandists to help disseminate pro-regime propaganda on Belarus state television.

(44) The Governments of the United States, the European Union, the United Kingdom, and Canada have—

(A) condemned the violent crackdown on peaceful protestors;

(B) refused to accept the results of the fraudulent election; and

(C) called for new free and fair elections under independent observation.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to condemn—

(A) the conduct of the August 9, 2020, presidential election in Belarus, which was neither free nor fair;

(B) the Belarusian authorities’ unrelenting crackdown on, arbitrary arrests of, and violence against opposition candidates, peaceful protestors, human rights activists, employees from state-owned enterprises participating in strikes, independent election observers, and independent journalists and bloggers; and

(C) the unjustified detention and forced or attempted expulsion of members of the Coordination Council in Belarus;

(2) to continue demanding the immediate release without preconditions of all political prisoners in Belarus and those arrested for peacefully protesting, including all those individuals detained in connection with the August 9, 2020, presidential election;

(3) to stand in solidarity with the people of Belarus, including human rights defenders, bloggers, and journalists, who are exercising their right to freedom of assembly, freedom of expression, and rule of law and to continue supporting the aspirations of the people of Belarus for democracy, human rights, and the rule of law;

(4) to continue actively supporting the aspirations of the people of the Republic of Belarus—

(A) to preserve the independence and sovereignty of their country; and

(B) to freely exercise their religion, including the head of the Catholic Church in Belarus, Archbishop Tadeusz Kondrusiewicz, who was barred from entering the country after criticizing Belarusian authorities;

(5) to recognize the leading role of women in the peaceful protests and pro-democracy movement in Belarus;

(6) to continue—

(A) rejecting the invalid results of the fraudulent August 9, 2020 presidential election in Belarus announced by the Central Election Commission of the Republic of Belarus; and

(B) supporting calls for new presidential and parliamentary elections, conducted in a manner that is free and fair according to OSCE standards and under the supervision of OSCE observers and independent domestic observers;

(7) to refuse to recognize Alyaksandr Lukashenka as the legitimately elected leader of Belarus;

(8) to not recognize any incorporation of Belarus into a “Union State” with Russia, since this so-called “Union State” would be both an attempt to absorb Belarus and a step to reconstituting the totalitarian Soviet Union;

(9) to continue calling for the fulfillment by the Government of Belarus of Belarus’s freely undertaken obligations as an OSCE participating state and as a signatory of the Charter of the United Nations;

(10) to support an OSCE role in mediating a dialogue within Belarus between the government and genuine representatives of Belarusian society;

(11) to recognize the Coordination Council as a legitimate institution to participate in a dialogue on a peaceful transition of power;

(12) to applaud the commitment by foreign diplomats in Minsk to engage with Coordination Council member and Nobel Laureate, Svetlana Alexievich, and to encourage an ongoing dialogue with her and with other leaders of the democratically-oriented political opposition in Belarus;

(13) to urge an expanded United States diplomatic presence in Belarus to advocate for the aspirations of the people of Belarus for democracy, human rights, and the rule of law;

(14) to encourage the United States Government—

(A) to continue working closely with the European Union, the United Kingdom, Canada, and other countries and international organizations to promote the principles of democracy, the rule of law, and human rights in Belarus; and

(B) to impose targeted sanctions, in coordination with the European Union and other international partners, against officials in Belarus who are responsible for—

- (i) undermining democratic processes in Belarus;
- or
- (ii) participating in human rights abuses related to political repression in Belarus;
- (15) to call on the Government of Belarus to uphold its human rights obligations, including those rights enumerated in the International Covenant on Civil and Political Rights; and
- (16) to support—
 - (A) the continued territorial integrity of Belarus; and
 - (B) the right of the Belarusian people to determine their future.

SEC. 4. ASSISTANCE TO PROMOTE DEMOCRACY, CIVIL SOCIETY, AND SOVEREIGNTY IN BELARUS.

(a) **PURPOSES OF ASSISTANCE.**—The assistance under this section shall be available for the following purposes:

(1) To assist the people of the Republic of Belarus in their pursuit of freedom, democracy, and human rights and in their aspiration to join the Trans-Atlantic community of democracies.

(2) To assist the people of Belarus in building the sovereignty and independence of their country.

(3) To encourage free, fair, and transparent presidential, parliamentary, and local elections in Belarus, conducted in a manner consistent with internationally accepted standards and under the supervision of internationally recognized observers and independent domestic observers.

(4) To assist in the development of a democratic political culture and civil society in Belarus.

(b) **AUTHORIZATION FOR ASSISTANCE.**—To carry out the purposes of subsection (a), the President is authorized to furnish assistance and other support for the activities described in subsection (c), to be provided primarily for indigenous Belarusian groups and Belarusian groups outside of Belarus that are committed to the support of democratic processes and Belarusian sovereignty.

(c) **ACTIVITIES SUPPORTED.**—Activities that may be supported by assistance under subsection (b) include—

(1) expanding independent radio and television broadcasting to and within Belarus;

(2) facilitating the development of independent broadcast, print, and Internet media working within Belarus and from locations outside the country and supported by nonstate-controlled printing facilities;

(3) countering internet censorship and repressive surveillance technology that seek to limit free association, control access to information, and prevent citizens from exercising their rights to free speech;

(4) aiding the development of civil society through assistance to nongovernmental organizations promoting democracy and supporting human rights, including youth groups, entrepreneurs, and independent trade unions;

(5) supporting the work of human rights defenders;

(6) enhancing the development of democratic political parties;

(7) assisting the promotion of free, fair, and transparent electoral processes;

(8) enhancing international exchanges and advanced professional training programs for leaders and members of the democratic forces in skill areas central to the development of civil society;

(9) supporting the work of women advocating freedom, human rights, and human progress;

(10) supporting the development of Belarusian language education;

(11) enhancing the development of the private sector, particularly the information technology sector, and its role in the economy of Belarus, including by increasing the capacity of private sector actors, developing business support organizations, offering entrepreneurship training, and expanding access to finance for small and medium enterprises;

(12) supporting political refugees in neighboring European countries fleeing the crackdown in Belarus;

(13) supporting the gathering of evidence on and investigating of the human rights abuses in Belarus;

(14) supporting the public health response, including filling the information void, in Belarus during the COVID-19 pandemic; and

(15) other activities consistent with the purposes of this Act.

(d) SENSE OF CONGRESS.—It is the sense of Congress that, in light of the political crisis in Belarus and the unprecedented mobilization of the Belarusian people, United States foreign assistance to Belarusian civil society should be reevaluated and increased—

(1) to carry out the purposes described in subsection (a); and

(2) to include the activities described in subsection (c).

(e) COORDINATION WITH EUROPEAN PARTNERS.—In order to maximize impact, eliminate duplication, and further the achievement of the purposes described in subsection (a), the Secretary of State shall ensure coordination with the European Union and its institutions, the governments of countries that are members of the European Union, the United Kingdom, and Canada.

(f) REPORT ON ASSISTANCE.—Not later than 1 year after the date of the enactment of the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, the Secretary of State, acting through the Office of the Coordinator of U.S. Assistance to Europe and Eurasia, and in coordination with the Administrator of the United States Agency for International Development, shall submit a report to the appropriate congressional committees describing the programs and activities carried out to achieve the purposes described in subsection (a), including an assessment of whether or not progress was made in achieving those purposes.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out this section such sums as may be necessary for each of the fiscal years 2021 and 2022.

SEC. 5. INTERNATIONAL BROADCASTING, INTERNET FREEDOM, AND ACCESS TO INFORMATION IN BELARUS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should support and reallocate resources to radio, television, and internet broadcasting conducted by Radio Free Europe/Radio Liberty in languages spoken in Belarus;

(2) the United States should also support other independent media providing objective information to the Belarusian people, particularly in the Belarusian language;

(3) the President should provide the United States Agency for Global Media with a surge capacity (as such term is defined in section 316 of the United States International Broadcasting Act (22 U.S.C. 6216)) for programs and activities in Belarus;

(4) the Chief Executive Officer of the United States Agency for Global Media, working through the Open Technology Fund and in coordination with the Secretary of State, should expand and prioritize efforts to provide anti-censorship technology and services to journalists and civil society in Belarus in order to enhance their ability to safely access or share digital news and information without fear of repercussions or surveillance; and

(5) the United States should continue to condemn the Belarusian authorities' crackdown on independent media, including the harassment and mass detentions of independent and foreign journalists and the denial of accreditation.

(b) STRATEGY TO PROMOTE EXPANDED BROADCASTING, INTERNET FREEDOM, AND ACCESS TO INFORMATION IN BELARUS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, the Chief Executive Officer of the United States Agency for Global Media and the Secretary of State shall jointly submit to the appropriate congressional committees a comprehensive strategy, including a cost estimate, to carry out the following:

(A) Expand independent radio, television, live stream, and social network broadcasting and communications in Belarus to provide news and information, particularly in the Belarusian language, that is credible, comprehensive, and accurate.

(B) Support the development and use of anti-censorship and circumvention technologies by the Open Technology Fund and the Bureau of Democracy Human Rights and Labor that enable the citizens of Belarus to communicate securely and undertake internet activities without interference from the Government of Belarus.

(C) Assist efforts to overcome attempts by the Government of Belarus to disrupt internet access and block content online.

(D) Monitor the cooperation of the Government of Belarus with any foreign government or organization for purposes related to the censorship or surveillance of the internet, including an assessment of any such cooperation in the preceding ten years.

(E) Monitor the purchase or receipt by the Government of Belarus of any technology or training from any foreign government or organization for purposes related to the censorship or surveillance of the internet, including an assessment of any such purchase or receipt in the preceding ten years.

(F) Assist with the protection of journalists who have been targeted for free speech activities, including through the denial of accreditation.

(G) Provide cyber-attack mitigation services to civil society organizations in Belarus.

(H) Provide resources for educational materials and training on digital literacy, bypassing internet censorship, digital safety, and investigative and analytical journalism for independent journalists working in Belarus.

(I) Build the capacity of civil society, media, and other nongovernmental organizations to identify, track, and counter disinformation, including from proxies of the Government of Russia working at Belarusian state television.

(2) FORM.—The report required under paragraph (1) shall be transmitted in unclassified form, but may contain a classified annex.

SEC. 6. SANCTIONS AGAINST THE GOVERNMENT OF BELARUS.

(a) APPLICATION OF SANCTIONS.—The sanctions described in subsections (c) through (f) should apply with respect to the Republic of Belarus until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b).

(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

(1) The release of individuals in Belarus who have been jailed based on political or religious beliefs or expression, including those individuals jailed based on political beliefs or expression in connection with repression that attended the presidential election of August 9, 2020.

(2) The withdrawal of politically motivated legal charges against all opposition activists, peaceful protesters, and independent journalists in Belarus, including politically motivated legal charges made in connection with repression that attended the presidential election of August 9, 2020.

(3) The cessation of all forms of harassment and repression against the independent media, independent trade unions, nongovernmental organizations, youth groups, religious organizations (including their leadership and members), and the political opposition in Belarus.

(4) The prosecution of senior leadership of the Government of Belarus responsible for the administration of fraudulent elections and violations of human rights, including violations of human rights committed in connection with the presidential election of August 9, 2020.

(5) The holding of free, fair and transparent presidential and parliamentary elections in Belarus consistent with OSCE

standards and under the supervision of OSCE observers and independent domestic observers.

(c) DENIAL OF ENTRY INTO THE UNITED STATES OF SENIOR LEADERSHIP OF THE GOVERNMENT OF BELARUS AND RUSSIAN INDIVIDUALS COMPLICIT IN THE CRACKDOWN THAT OCCURRED AFTER THE AUGUST 9, 2020, ELECTION.—Notwithstanding any other provision of law, the President may exercise the authority under section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) to deny the entry into the United States of any alien who—

(1) holds a position in the senior leadership of the Government of Belarus;

(2) is an immediate family member of a person inadmissible under paragraph (1);

(3) through his or her business dealings with senior leadership of the Government of Belarus derives significant financial benefit from policies or actions, including electoral fraud, human rights abuses, or corruption, that undermine or injure democratic institutions or impede the transition to democracy in Belarus;

(4) is a member of the Central Election Commission of Belarus or assisted the Commission in manipulating the presidential election of August 9, 2020;

(5) is a member of any branch of the security or law enforcement services of Belarus, including the KGB, Interior Ministry, and OMON special police unit, and is responsible for, or complicit in, ordering, controlling, materially assisting, sponsoring, or providing financial, material, or technological support for, or otherwise directing, the crackdown on opposition leaders, journalists, and peaceful protestors that occurred in connection with the presidential election of August 9, 2020; or

(6) is a member of any branch of the security or law enforcement services of Belarus and has participated in the persecution or harassment of religious groups, human rights defenders, democratic opposition groups, or independent media or journalists.¹

(7) is a government official, including at the Information Ministry, responsible for the crackdown on independent media, including revoking the accreditation of journalists, disrupting internet access, and restricting online content;

(8) is an official in the so-called “Union State” between Russia and Belarus (regardless of nationality of the individual); or

(9) is a Russian individual that has significantly participated in the crackdown on independent press or human rights abuses related to political repression in Belarus, including the Russian propagandists sent to replace local employees at Belarusian state media outlets.

(d) PROHIBITION ON LOANS AND INVESTMENT.—

(1) UNITED STATES GOVERNMENT FINANCING.—It is the sense of Congress that no loan, credit guarantee, insurance, financing, or other similar financial assistance should be extended by any agency of the Government of the United States

¹The period at the end of paragraph (6) is so in law. It should be a semicolon.

(including the Export-Import Bank of the United States and the United States International Development Finance Corporation) to the Government of Belarus, except with respect to the provision of humanitarian goods and agricultural or medical products.

(2) TRADE AND DEVELOPMENT AGENCY.—It is the sense of Congress that no funds available to the Trade and Development Agency should be available for activities of the Agency in or for Belarus.

(e) MULTILATERAL FINANCIAL ASSISTANCE.—The Secretary of the Treasury should instruct the United States Executive Director at each international financial institution of which the United States is a member to use the voice and vote of the United States to oppose any extension by those institutions of any financial assistance to the Government of Belarus, except for loans and assistance that serve humanitarian needs.

(f) BLOCKING OF ASSETS AND OTHER PROHIBITED ACTIVITIES.—

(1) BLOCKING OF ASSETS.—It is the sense of Congress that the President should block all property and interests in property, including all commercial, industrial, or public utility undertakings or entities, that, on or after the date of the enactment of the Belarus Democracy Reauthorization Act of 2006—

(A) are owned, in whole or in part, by the Government of Belarus, or by the senior leadership of the Government of Belarus or by any member or family member closely linked to the senior leadership of the Government of Belarus, or an official of the so-called “Union State” with Russia, or any person who through his or her business dealings with senior leadership of the Government of Belarus derives significant financial benefit from policies or actions, including electoral fraud, human rights abuses, or corruption, that undermine or injure democratic institutions or impede the transition to democracy in Belarus; and

(B) are in the United States, or in the possession or control of the Government of the United States or of any United States financial institution, including any branch or office of such financial institution that is located outside the United States.

(2) PROHIBITED ACTIVITIES.—Activities prohibited by reason of the blocking of property and interests in property under paragraph (1) should include—

(A) payments or transfers of any property, or any transactions involving the transfer of anything of economic value by any United States person, to the Government of Belarus, to any person or entity acting for or on behalf of, or owned or controlled, directly or indirectly, by that government, or to any member of the senior leadership of the Government of Belarus, or an official of the so-called “Union State” with Russia;

(B) the export or reexport to any entity owned, controlled, or operated by the Government of Belarus, or the

so-called “Union State” with Russia,² directly or indirectly, of any goods, technology, or services, either—

(i) by a United States person; or

(ii) involving the use of any air carrier or a vessel documented under the laws of the United States; and

(C) the performance by any United States person of any contract, including a contract providing a loan or other financing, in support of an industrial, commercial, or public utility operated, controlled, or owned by the Government of Belarus.

(3) PAYMENT OF EXPENSES.—All expenses incident to the blocking and maintenance of property blocked under paragraph (1) should be charged to the owners or operators of such property. Such expenses may not be paid from blocked funds.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit any contract or other financial transaction with any private or nongovernmental organization or business in Belarus.

(5) EXCEPTIONS.—Paragraphs (1) and (2) do not apply to—

(A) assistance authorized under section 4 or 5 of this Act; or

(B) medicine, medical equipment or supplies, food, as well as any other form of humanitarian assistance provided to Belarus as relief in response to a humanitarian crisis.

(6) PENALTIES.—Any person who violates any prohibition or restriction imposed under this subsection should be subject to the penalties under section 6 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as for a violation under that Act.

(7) DEFINITIONS.—In this subsection:

(A) AIR CARRIER.—The term “air carrier” has the meaning given that term in section 40102 of title 49, United States Code.

(B) UNITED STATES PERSON.—The term “United States person” means—

(i) any United States citizen or alien admitted for permanent residence to the United States;

(ii) any entity organized under the laws of the United States; and

(iii) any person in the United States.

SEC. 7. MULTILATERAL COOPERATION.

It is the sense of Congress that the President should continue to coordinate with the European Union and its institutions, European Union member states, the United Kingdom, and Canada to develop a comprehensive, multilateral strategy—

(1) to further the purposes of this Act, including, as appropriate, encouraging other countries to take measures with respect to the Republic of Belarus that are similar to measures described in this Act; and

²The double commas in paragraph (2)(B) is so in law. See amendment provided by section 326(5)(B)(ii) of division FF of Public Law 116-260.

(2) to deter the Government of the Russian Federation from undermining democratic processes and institutions in Belarus or threatening the independence, sovereignty, and territorial integrity of Belarus.

SEC. 8. REPORTS.

(a) **REPORT ON THREAT TO SOVEREIGNTY AND INDEPENDENCE OF BELARUS.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, the Secretary of State, in coordination with the Director of National Intelligence and the Secretary of the Treasury, shall transmit to the appropriate congressional committees a report describing the threat that the Government of Russia poses to the sovereignty and independence of Belarus.

(2) **MATTERS TO BE INCLUDED.**—The report required under paragraph (1) shall include—

(A) an assessment of how the Government of Russia is exploiting the current political crisis in Belarus to push for deeper political and economic control of or integration with Belarus;

(B) a description of the economic and energy assets in Belarus that the Government of Russia, including Russian state-owned or state-controlled companies, controls;

(C) a description of Belarus major enterprises that are vulnerable of being taken over by Russian entities amid the country's worsening financial crisis;

(D) a description of how and to what ends the Government of Russia seeks to augment its military presence in Belarus;

(E) a description of Russian influence over the media and information space in Belarus and how the Government of Russia uses disinformation and other malign techniques to undermine Belarusian history, culture, and language;

(F) a description of other actors in Belarus that the Government of Russia uses to advance its malign influence, including veterans' organizations and extrajudicial networks;

(G) a description of efforts to undermine Belarusian language, cultural, and national symbols, including the traditional red and white flag and the "Pahonia" mounted knight; and

(H) the identification of Russian individuals and government agencies that are significantly supporting or involved in the crackdown on peaceful protestors and the opposition or the repression of independent media following the August 9, 2020, presidential election.

(3) **FORM.**—The report required under this subsection shall be transmitted in unclassified form, but may contain a classified annex.

(b) **REPORT ON PERSONAL ASSETS OF ALYAKSANDR LUKASHENKA.**—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, the Director of National Intelligence, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit to the appropriate congressional committees a report describing—

(A) the total assets under the direct or indirect control of Alyaksandr Lukashenka, including estimated assets and known sources of income of Alyaksandr Lukashenka and his immediate family members, including assets, investments, bank accounts, and other business interests; and

(B) an identification of the most significant senior foreign political figures in Belarus, as determined by their closeness to Alyaksandr Lukashenka.

(2) WAIVER.—The Director of National Intelligence may waive, in whole or in part, the reporting requirement under paragraph (1)(A) if the Director submits to the appropriate congressional committees—

(A) a written justification stating that the waiver is in the national interest of the United States; and

(B) a detailed explanation of the reasons therefor.

(3) FORM.—The report required under this subsection shall be transmitted in unclassified form, but may contain a classified annex.

SEC. 9. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Financial Services of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(2) OSCE.—The term “OSCE” means the Organization for Security and Cooperation in Europe.

(3) SENIOR LEADERSHIP OF THE GOVERNMENT OF BELARUS.—The term “senior leadership of the Government of Belarus” includes—

(A) the President, Prime Minister, Deputy Prime Ministers, government ministers, Chairmen of State Committees, governors, heads of state enterprises, and members of the Presidential Administration of Belarus;

(B) any official of the Government of Belarus who—

(i) is personally and substantially involved in the suppression of freedom in Belarus, including judges, prosecutors, members of the security and intelligence services, and heads of professional associations and educational institutions;

(ii) is otherwise engaged in public corruption, electoral fraud, online censorship, or restrictions on independent media and journalists in Belarus; and

(C) any other individual determined by the Secretary of State (or the Secretary's designee) to be personally and substantially involved in the formulation or execution of the policies of the Government of Belarus that are in contradiction of internationally recognized human rights standards.