

105TH CONGRESS
2D SESSION

H. CON. RES. 237

Voicing concern about the serious limitations on human rights and civil liberties in Belarus, including lack of compliance with Organization for Security and Cooperation in Europe (OSCE) commitments, and urging the President to take these into consideration in his determination of most-favored-nation (MFN) status for Belarus.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1998

Mr. SMITH of New Jersey (for himself, Mr. GILMAN, Mr. WOLF, Mr. PORTER, Mr. HOYER, and Mr. MARKEY) submitted the following concurrent resolution; which was referred to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

CONCURRENT RESOLUTION

Voicing concern about the serious limitations on human rights and civil liberties in Belarus, including lack of compliance with Organization for Security and Cooperation in Europe (OSCE) commitments, and urging the President to take these into consideration in his determination of most-favored-nation (MFN) status for Belarus.

Whereas the Republic of Belarus, a country of 10,000,000 people, is a participating state of the Organization for Security and Cooperation in Europe (OSCE);

Whereas the human rights record of Belarus has steadily deteriorated since President Alyaksandr Lukashenka took office in 1994, reversing nearly all the advances in human rights and democratization of the post-Soviet period;

Whereas President Lukashenka has steadily amassed excessive executive powers and has eroded the legislative and judicial constitutional checks on his power;

Whereas the November 1996 referendum, which President Lukashenka used to give himself sweeping powers over parliament and the judiciary, was in contradiction with provisions of the 1994 constitution and cannot be considered as legitimate;

Whereas the Belarusian Supreme Soviet, elected in 1995 under the 1994 democratic constitution, remains the only rightful parliament in Belarus;

Whereas following the November 1996 referendum, President Lukashenka disbanded the Supreme Soviet, formed the National Assembly subordinate to his rule, and has used it to ratify his own increasingly repressive decrees;

Whereas the Parliamentary Assembly of the OSCE recognizes the Belarusian Supreme Soviet as the legitimate parliament of Belarus;

Whereas the “separation of powers” established by the 1994 constitution, and in conformity with principles observed in democracies around the world, has virtually ceased to exist in Belarus, and President Lukashenka has increasingly resorted to rule by decree;

Whereas the Constitutional Court has been brought entirely under the control of President Lukashenka and independence of the judiciary is not guaranteed in Belarus;

Whereas the Belarusian Government continues to violate its OSCE human dimension commitments, especially in freedoms of expression, association and assembly, and media;

Whereas freedoms of expression and media continue to be severely restricted, including the subordination of some major media organizations to the President Lukashenka's administration, the jailing of reporters, and the closing of newspapers and independent radio stations;

Whereas in November 1997, the Belarusian-language *Svaboda*, the largest independent newspaper in Belarus, was closed down by the government;

Whereas the government of President Lukashenka is attempting to squelch all expressions of opposition to the regime, and individuals who criticize the president or government are harassed, intimidated, or arrested;

Whereas nongovernmental organizations in Belarus have been intimidated and harassed through the use of tax audits and exorbitant rent increases;

Whereas the Belarusian Soros Foundation, which since 1993 has donated some \$13,000,000 to educational, humanitarian, cultural, and media projects in Belarus, was forced to close its office in Minsk in September 1997 as a result of the Belarusian Government's orchestrated campaign of harassment;

Whereas restrictions on freedom of assembly dramatically increased in Belarus in 1996 and early 1997;

Whereas police have without justification broken up opposition demonstrations, and often resorting to violence, have arrested protesters and bystanders;

Whereas the Government of Belarus agreed on September 18, 1997, to establish an OSCE Advisory and Monitoring

Group in Belarus, whose task is to assist the Belarusian authorities in promoting democratic institutions and in complying with other OSCE commitments, and to monitor and report on this process;

Whereas on December 18, 1997, the Government of Belarus signed a Memorandum of Understanding with the OSCE on the OSCE Advisory and Monitoring Group enabling it to begin its work;

Whereas the OSCE Advisory and Monitoring Group can make a valuable contribution in assisting the Government of Belarus in improving its human rights record, thus reducing its isolation from the international community; and

Whereas Belarus enjoys most-favored-nation (MFN) status under the annual waiver of the Jackson-Vanik amendment of the Trade Act of 1974: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That the Congress—*

3 (1) voices its concern about the current and se-
4 rious limitations on human rights and civil liberties
5 in Belarus;

6 (2) calls upon the Government of Belarus to
7 follow the principles embodied in the 1994 constitu-
8 tion, both in practice and intent;

9 (3) calls upon the Government of Belarus to
10 abide by its commitments under the Helsinki Final
11 Act and subsequent agreements of the Organization

1 on Security and Cooperation in Europe (OSCE) and
2 other international commitments;

3 (4) urges the Belarusian President Alyaksandr
4 Lukashenka to restore the rights of the Supreme
5 Soviet;

6 (5) urges the President of the United States,
7 the Secretary of State, the United States Embassy
8 in Miensk, the United States mission to the United
9 Nations, and the United States mission to the
10 OSCE to utilize every appropriate opportunity, pri-
11 vately and publicly, to encourage the Government of
12 Belarus to respect its international human rights
13 commitments, including OSCE principles and norms;

14 (6) supports the development of independent
15 nongovernmental organizations in Belarus dedicated
16 to promoting democracy and respect for fundamen-
17 tal human rights and freedoms;

18 (7) welcomes the work of the OSCE Advisory
19 and Monitoring Group in assisting in the develop-
20 ment of democratic institutions in Belarus and en-
21 courages the Government of Belarus to cooperate
22 fully with the OSCE Advisory and Monitoring
23 Group; and

24 (8) urges the President to take into consider-
25 ation the human rights record of Belarus in his de-

1 termination of most-favored-nation (MFN) status
2 for Belarus and, if sufficient improvements are not
3 undertaken, urges that the President not renew the
4 extension of nondiscriminatory treatment (most-fa-
5 vored-nation treatment) to the products of the Re-
6 public of Belarus.

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