


<p>ЦЭНТАР ПАЛІТЫЧНАЙ АДУКАЦЫІ CENTER FOR POLITICAL EDUCATION</p>	 <p>grösslingova 4, 811 09 bratislava, slovakia, phone 421 2 5296 2215, 5296 2231, fax 421 2 5263 2362, pontis@pontisfoundation.sk</p>
<p>Miensk, Republic of Belarus E-mail: cpe@tut.by</p>	

Gutta
cavat
lapidem

Belarus before Voting: The Referendum (Past, Presence and Perspectives)

Introduction:

This analysis was prepared from August 25-September 25, 2004 by Andrei Liakhovich, the head of the Minsk-based Center for Political Education (CPE), focusing on the referendum on a possible third term in office for President Alexander Lukashenka, which is scheduled – together with the parliamentary elections – on October 17, 2004.

Since September 2003, the Pontis Foundation of Slovakia has been implementing a project in Belarus assisting think-tank and analytical groups mainly through exchange programs.¹ As part of this project, Pontis is distributing two analyses before the parliamentary elections (and the referendum) to help increase the flow of analytical information. The views in the analysis are by the CPE. The Pontis Foundation does not necessarily share them.

Summary:

The democratic opposition could stop President Lukashenka's bid for a third term only if it were to implement the "Yugoslav variant" in Belarus. However, there are no pre-conditions for such an approach. Most Belarusian voters believe that the elections will be falsified. Despite the fact that there is general disappointment regarding the democrats, the ideas of democracy and European Belarus are still popular among citizens.² The problem is the lack of (personal) alternatives to Lukashenka, and the fact that Belarusian voters (including the traditional supporters of the democrats) are resigned to the up-coming falsification. According to "official" surveys, around 75% of Belarusians are supportive of Lukashenka. One can predict that this will likely be the result President Lukashenka will receive in "victory" in the referendum.

The Referendum:

On September 7, Lukashenka announced the referendum on amending the Constitution of Belarus to ensure his right to run for a third term in office in 2006. The referendum will be held simultaneously with the Parliamentary elections on October 17. The amendment concerns the elimination of the constitutional restriction for the same person hold the office of president for more than two terms.

¹ The project was supported by the National Endowment for Democracy, Washington, D.C.

² Around 60% of Belarusian voters are supportive towards the integration of Belarus into the EU. Despite the official propaganda, the majority (41% vs. 30%) believes the enlargement of NATO to the East does not constitute a threat for Belarus. Around 23% of Belarusian voters would like Belarus to join NATO.

Since the 2001 presidential elections, Lukashenka has been purposefully preparing for the referendum and for the prolongation of his presidential carrier after 2006. Within this period, Lukashenka has been able to achieve the following:

Mobilization of administrative resources: The president ordered the Office of Public Prosecution (headed by Lukashenka's closest crony Viktor Sheiman) to investigate "obedience to the law" (i.e., the loyalty) of people working at regional, city, and oblast executive committees,³ and their preparedness to execute orders of the central authorities. The results of these investigations lead to a rotation of staff within the executive authority in which more high positions were given to representatives of the "Mogilev clan,"⁴ who proved their loyalty to the president. The investigations were officially organized by the Office of the Public Prosecutor. Usually, it would be the task for a commission created by the Administration the President.⁵ This proves that the goal of the investigations was not only to apply new measures by the administration, but mainly to intimidate the employees before the elections/referendum. This was basically a warning: if someone will disrupt the work of the authorities during the referendum, he/she might be the subject of criminal (not only of disciplinary) prosecution.⁶ Lukashenka and his supporters have already begun criminal proceedings against ex-Prime Minister Mikhail Chigir, his son Alexander, and former Minister of International Economic Relations Mikhail Marynich. These cases are meant to be (punitive) examples to those working in the state administration of what could happen to them, if they were to support any other line than the official one.

In addition, the specialized Commission for Inspecting the Activities of Courts, Offices of Public Prosecution and Agencies of Internal in Minsk and Minsk Region created by the president has investigated the activity of the courts, offices of public prosecution, and departments of internal affairs in Minsk and the Minsk region. This commission was headed by Prosecutor General Viktor Sheiman. Since President Lukashenka foresaw the intensification the domestic political debate before the referendum, he took all possible measures to ensure that the structures of repression work efficiently in the country's most politically important regions. As a result of these investigations, one judge in every regional and city court has been tasked with adopting court decisions on "political cases." These judges were de-facto obliged to follow the instructions given from the offices of public prosecution and from the directorate of the executive committee.⁷

In order to mobilize administrative resources, President Lukashenka used not only methods of intimidation, but also some encouraging methods. In 1995, in striving to broaden his authority, the president⁸ issued a decree introducing changes in the implementation of the state budget.⁹ Expenses for the KGB¹⁰ and the ministry of foreign affairs were increased by 22%, expenses for the office of the public prosecutor by 51%, and expenses for the executive by 52%.¹¹ After 1995, the budget process became subject to state secrecy. However, there is information proving that with economic

³ The structures of the "executive authority" of the relevant administrative and territorial units

⁴ Lukashenka was born in Skhlov, Mogilev region.

⁵ Administration of the President regularly creates various commissions for inspecting activities of the executive structures (such as Commission on the issues of capital building, etc.)

⁶ The Office of Public Prosecution is responsible for supervising executive authorities and possess discreditable materials on the activity of a number of state administration employees. If they are not loyal, this information might be used for initiating criminal proceedings against them.

⁷ According to Art. 84 of the Constitution, judges are appointed by the president.

⁸ By the Decree No.267 "On specification of the budget of the Republic of Belarus" enacted on July 25, 1995.

⁹ By this decree he violated the Constitution, and the Law on Budget in 1995, enacted by the Parliament (Supreme Council) on January 17, 1995.

¹⁰ The Belarusian Secret Service

¹¹ In 1995 the GDP of Belarus was 90% of 1994 GDP (decreased in 10%)

growth¹² Lukashenka has kept his policy of providing priority funding to those agencies playing an important role in keeping his political position in Belarus. In particular, employees of the agencies mentioned above tend to receive special subsidies, including free apartments or the ability to buy merchandise confiscated by customs officials (including cars) at discount prices. The administration made sure that many state officials would have something to lose in the case of change.

Financing for the “Praetorian Guards” (the division of special forces¹³ under the command of Dmitrij Pavlichenko¹⁴) is another chapter of the budget. The ruling elite and bureaucracy have consolidated around Lukashenka also due to the hasty statements of the politicians who pretend to be the leaders of the opposition. In particular, the businessman Andrej Klimov¹⁵ -- who has already declared his intent to run for president in 2006 -- states often that if the democrats win, they will engage in radical clean-up of all state and administration institutions.

Counter-reaction to the referendum: In April 1991, in response to the rapid increase of prices, around 100,000 workers went out to protest in the streets of Minsk. The Belarusian ruling elite still sees the picture of this rally on the square in front of the Houses of Parliament as public threat No.1. During the two terms of Lukashenka, workers and trade unions have never been able to organize such a demonstration. However, Lukashenka has always remembered about this threat,¹⁶ and he has purposefully undertaken measure to ensure it does not happen again: he has tightened his control over the organizations able to get workers into the streets, i.e. trade unions and associations of the trade unions. After the 2001 presidential elections, the more favourable economic situation has decreased the political activity of workers. As a result, the Administration of the President¹⁷ has put loyal persons in the position of directors of the 31 and 32 branch associations of the trade unions. On July 16, 2002 officials managed to take control over the Republican Association of Trade Unions.¹⁸

Criminal proceedings have been started against the economic leaders/elite.¹⁹ Through these proceedings the authorities have eliminated the political activity of the economic elite. The rationale behind this strategy was that Belarusian voters believe that a successful director of a large and profitable business would be able to organize the whole country effectively, as well as solve the most important social and economic problems the country faces. Recently the administration realized the possible threat from perspective protests organized by the directors of large factories (who are respected by their workers²⁰). Therefore, there have been great efforts to make the formerly bankrupt Minsk Traktor Plant²¹ profitable under the qualified administration of Mikhail Leonov.

¹² In comparison, GDP in the first half of 2004 was 10.3%.

¹³ On the territory of a military division based in Minsk, the authorities have built a complex of expensive multistoried houses.

¹⁴ In 1995-1996, the division was used as the main force for suppressing the most massive protests organized by the opposition. The personal staff of the division is around 3,000 well-trained military men, most of whom are aggressive towards Lukashenka's opponents.

¹⁵ Andrei Klimov, member of the 13th Supreme Soviet was one of the initiators of the impeachment of President Lukashenka in 1996. Later, he was sentenced for four years imprisonment for tax violations and other illegal economic crime.

¹⁶ The agencies of internal affairs have always known that workers would use force for the protection of their rights, so police never tried to disperse even a 3,000-person demonstration organized by the labor group/trade union of a company. The police would always only observe such an action.

¹⁷ The president's Administration was authorized to solve the “trade union issue.”

¹⁸ The Plenum (the main body of the Federation of Trade Unions of Belarus) approved Leonid Kozik, the Chair Deputy of the Administration of the President as the Chair of the Federation.

¹⁹ Mikhail Leonov, the Director of the Minsk Tractor Plant and Leonid Kalugin, the Director of the Minsk Plant of Refrigerators.

²⁰ Officials of the Ministry of Internal Affairs did not risk arresting Leonov and Kalugin on the property the companies they run; this would cause worker protests.

²¹ One of the biggest businesses in Belarus, the Minsk Tractor Plant employs 20,000 people, with around 100,000 working at companies connected to the plant

Oversight over election commissions: The authorities have tightened the control over constituency²² electoral commissions. According to the practice of the authoritarian state, constituency electoral commissions are created by regional executive committees (local governments) mostly out of secondary school teachers. School teachers are most influenced by the (new) policy on employee contracts.²³ There is information about orders from the regional executive committees to school directors to force teachers (employees) to sign contracts for the shortest possible period, up to two years. This means that if a member of a constituency electoral commission (teacher) does not follow the instructions of the executive officials who control the activity of the constituency commissions (e.g. gives out election results not corresponding with the official data), he or she risks being fired. Since there are no possibilities to work outside the state education system as a professional teacher, the percentage of unemployed teachers in Belarus is extremely high, and usually such people are under the supervision of local authorities who seek to punish “anti-state elements” and suppress potential employers.

After the 2001 presidential elections, there was a serious strike by civil society structures in Belarus. A number of nationwide NGOs, those playing key roles in organizing independent observation of the elections (Human Rights Center “Viasna”) and in mobilizing Lukashenka’s opponents (Belarusian Students Association, Youth Information Center), were liquidated by the court. Moreover, a number of influential NGOs that played an important role in democratic movement in regions were also liquidated.²⁴

Improving Lukashenka’s image: Officials have been running an up-to-date information campaign to improve Lukashenka’s image. Before the 2001 presidential elections, the information policy of President Lukashenka was organized to create the image of Lukashenka as the (only) guarantee for (good) cooperation with Russia, Belarus’ most important trade and economic partner. The idea of “building the union of Belarus and Russia” and related statements of Lukashenka were aimed first of all at his supporters and voters, who cared most about “daily bread” (e.g. social and economic issues). President Lukashenka avoided discussion about the future of Belarus as a sovereign state, which made the voters supportive toward pro-independence democrats believe in the real threat of incorporation of Belarus into Russia. This provoked generally unpopular anti-regime protests activities by the democratic opposition. The Chechen factor and the difficult economic and social situation in Russian regions made many Belarusian voters shift their position regarding the sovereignty of Belarus.²⁵ In June 2002, President Lukashenka made clear that the union of Belarus with Russia (and the issue of independence) had lost its urgency. The period of cold Belarusian-Russian relations (June-November 2002) was used by President Lukashenka to develop his own image as the protector of Belarusian sovereignty from the center-right opposition forces (taking the agenda of the Belarusian Popular Front – a member of the 5+ coalition).

Efforts of the Democratic Opposition: In July 2004 the administration received confirmation about their effort regarding preparations for the referendum. On July 24, only a few hundred people

²² The current practice is that district electoral commissions are created by oblast local governments out of trustworthy officials loyal to the president.

²³ The Decree of the President No.28 “On additional measures for improvement of labor and social discipline” enacted on April 8, 2004 obliged the employers (directors of state and private legal entities – companies, organizations, institutions) in a one-year-time to sign contracts with the employees for one to five years. According to the Decree, if the employee refuses to sign a contract, he/she shall be fired.

²⁴ NGO “Ratusha” (Grodno region), Agency of regional Development “Varuta” (Brest region), “Center for Civic Initiatives”(Gomel Region) and others.

²⁵ According to the recent data of IISEPS (Minsk), only 15% of Belarusians support the incorporation of Belarus into Russia (mostly senior citizens). According to the data of experts from the International Republican Institute (IRI-Baltic Surveys), currently around 90% of Belarusians support the idea of Belarusian independence.

gathered to take part in a protest rally¹⁹ dedicated to the tenth anniversary of Lukashenka taking office.²⁶ The recent dynamics of public protests is not in favor of the opponents of the regime.²⁷ This was an important sign for the regime and was one of the most important reasons why the administration has chose to announce the referendum at the last moment (September 7, 2004).²¹ The rationale behind this decision was to limit the possibilities of the opposition to organize a counter-reaction to the referendum.

On September 8, 2004 the leaders of the 5+ Coalition, the European Coalition/Free Belarus, and other civic organizations adopted a declaration on the unity of democratic forces and announced protest actions in Minsk for October 10, 2004 and October 18, 2004 (a day after the referendum/elections). Later, the attempts of the opposition to distribute leaflets with calls to take part in the protests were suppressed by the KGB and other law enforcement agencies. Most of the leaflets were withdrawn in the process of searches at party offices and NGO offices. These activities were sufficient to disrupt the distribution of the information about the protests. It seems that a thorough and well-tailored strategy is being undertaken against the democratic opposition. Authorities' attempts to suppress the opposition are nothing unexpected in Belarus. Authorities acted the same way in 1999, when they tried to disrupt the opposition's attempts to hold alternative presidential elections (co-organized by Viktor Gonchar, former head of the CEC, who disappeared after this event). The opposition so far seems unable to create (and win) the information war by finding an alternative form of distributing information. Better coordination also seems to be a problem, since opposition political parties and NGOs do not use their human resources fully, despite the fact that in Minsk alone they have no less than 4,000 active people.

Actually, it seems, President Lukashenka himself was surprised by the (rather passive) reaction of the opposition to the referendum announcement. Before the actual announcement on September 7, 2004, but also in the previous referendum²⁸ initiated by Lukashenka, there were cars packed with police and special forces all around the building of the Administration of the President. However, today the situation is nothing different from the regular day-to-day one before the third referendum.

Even if the democrats manage to inform sufficient numbers of citizens, there is a threat that voters will do not believe in their ability to act together. There is still significant public skepticism among supporters of democracy about their ability to influence the situation by taking part in protests, not to mention the daunting risks they would face in taking part in protests against the regime. One can be detained, beaten up, or loose one's job. Even the opposition's supporters are not sufficiently motivated to take part in such activities. Among the public, the opposition is viewed as not acting effectively, not proposing alternative programs for reforming Belarusian society, and – most importantly – not offering a personal alternative to Lukashenka. Addressing these problems will be the most important task immediately following the referendum.

²⁶ The demonstration was organized by the MP's from Respublika group (V.Frolov, V.Parfenovich, S.Skrebets), and backed by the 5+ coalitions and European Coalition/Free Belarus.

²⁷ On April 26, 1996 around 60 000 took part in the demonstration in Minsk, on July 20, 1999 around 15 000.

²⁸ Referendums were hold on May 14, 1995 and November 24, 1996