Title: The EU Policy Towards Belarus in the Context of the Presidential Elections on 19 December 2010

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ABSTRACT

The authoritarian regime of the president of Belarus A. Lukashenko makes the European Union’s policy towards Belarus completely different from the policy with regard to its other neighbours. The main aim of the paper is to show and analyze EU’s policy towards Belarus in the context of presidential elections in Belarus in December 2010. In the first part of the paper, the author very briefly describes the UE’s policy towards Belarus before elections. The following part is devoted to the most important events in the EU’s policy towards Belarus in the context of the last Belarusian presidential elections. The summary contains an analysis of reasons why the UE’s policy towards Belarus and its president A. Lukashenko is so difficult and, up to the present, rather ineffective.

Keywords: EU – Russia relations, Belarus in EU policy, EU external relations, EU foreign policy

INTRODUCTION

THE INTERNAL SITUATION in Belarus and the nature of its political system since taking the presidential office in 1994 by A. Lukashenko¹ – clearly very different from what it is faced in Europe today – makes the relations of Belarus with other

¹ In 2004, Belarus held a referendum which resulted in lifting the constitutional limitation that the office of President of Belarus can be served no more than two terms.
countries regarded as quite special. The relations between Belarus and the European Union (EU) are also shaped very specifically, it should be also noted that the EU policy towards Belarus and its effects are significantly different compared to the EU’s actions and their results to other neighbouring countries. The specificity of the political situation in Belarus and its impact on the foreign relations of this country were strongly manifested on the presidential elections on 19 December 2010 and related to those events. It is not surprising that as a result of the elections, the office of President of Belarus continues to be exercised by A. Lukashenko. The manner of the election, and especially the very repressive actions by the Belarusian authorities against the opposition after the elections, resulted in the biggest crisis in the EU-Belarus relations in many years and the significant change – compared to the period immediately preceding the elections – in the EU policy towards Belarus. Therefore, the aim of this paper is to present the EU policies towards Belarus in the context of the presidential elections on 19 December 2010 with the attempt of its analysis (in Conclusions). This article also briefly outlines the EU policy towards Belarus in the period before 2010, which is an essential background for the events related to the Belarusian presidential election of 2010.

**BELARUS AND THE EU POLICY BEFORE THE PRESIDENTIAL ELECTION IN 2010 – AN OUTLINE OF THE PROBLEM**

The EU-Belarus relations can be divided into two stages: first is the years of 1992–1996 and the second starts in the years of 1996/1997 and continues to the present day. In the first period the relationships were properly arranged and the EU policies towards Belarus were very similar to that of other Central and Eastern European countries.

In August 1992, diplomatic relations between the European Communities (EC) were establish and on 6 March 1995, during the President of Belarus A. Lukashenko’s visit to Brussels, the Partnership and Cooperation Agreement was establish between the EU and Belarus. The EU has also begun to assist Belarus in its programmes to support and accelerate the country’s political, economic and social transitions. In the early ‘90s, even the perspective of Belarus becoming a part of the EU seemed to be a realistic².

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Breakthrough in the EU-Belarus relations and in the EU politics towards that country took place in 1996 – on 24th November Belarus held a referendum on changes in the constitution, which among others, dramatically increased the powers of the president and made his office strongly dominant in the political system of Belarus. In fact, changes in the constitution of Belarus introduced by the above referendum transformed the political system in Belarus with an overwhelming dominance of the president’s office. In addition, the way Lukashenko’s office was run, from the end of 1996, Belarus is an authoritarian state.

The very next day after the referendum, the EU Council concluded that it “remains seriously concerned” about the situation in Belarus. After the referendum in 1996, the EU policies towards Belarus were determined by the Council on 15 September 1997. The Council deplored because of the attitude of the Belarus authorities to its policy towards the EU, which was considered “unconstructive” and acknowledged that only the Belarus constitution from 1994 and parliament elected the same year had the democratic legitimacy.

As a result, from 1996/1997 to the present, the EU policy towards Belarus leads in two directions. Firstly, in the official political contacts with authorities of the country, it primarily appeals to change the internal politics of Belarus and applies pressure and sanctions aimed at enforcing such a reform. Secondly, consist of actions designed to support all these actors and participants in social and political life in Belarus, who can contribute to the development of civil society, and who declare their willingness to activities aimed at the democratization of Belarus.

Next activities within the EU policy towards Belarus, after the referendum of 1996, are primarily responding to A. Lukashenko’s actions, and attempts to put pressure on Belarus by introducing and suspending sanctions, focusing mainly on prohibiting Belarusian politicians the entry into the EU. For the first time this measure was used in 1998, after the Belarusian authorities had ordered the EU diplomats to leave the “Drozdy” estate. This ban affected over a hundred top

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politicians and officials of Belarus, together with A. Lukashenko and was repealed in 1999\textsuperscript{6}. For the second time the sanctions to prevent the entry into the EU were introduced in November 2002, in response to the removal of all foreign representatives of the OSCE from Minsk by the Belarusian authorities\textsuperscript{7}. This time the prohibition included the president of Belarus, members of the government, ministers of Lukashenko's administration and bosses of some of the state institutions.

Another manifestation of bad EU-Belarus relations was only formal inclusion of the country in the EU European Neighbourhood Policy\textsuperscript{8} (ENP), adopted in 2004 and intended to prevent consolidation of the division of Europe after the EU enlargement that year. Belarus was included in the ENP; however, as before, the inclusion of the country in the ENP remains formal and the bilateral EU-Belarusian Action Plan, which was supposed to form the basis of EU-Belarus relationship, has not been adopted\textsuperscript{9}. The chances of a real and active participation of Belarus in the ENP have been buried back in 2004 – first on April 28, the Parliamentary Assembly of European Council received a report\textsuperscript{10} (prepared by Ch. Pourgourides) about the loss of four people in Belarus in 1999/2000: former Home Secretary Yuri Zakharenko, former Parliament Deputy Speaker of Belarus, Viktor Gonchar, businessman Anatoly Krasovsky, who disappeared along with W. Gonchar and ORT Russian television journalist Dmitry Zavadski. In response to this document, on 24 September 2004, the EU Council adopted a common position under which it banned the four Belarusian officials responsible for the disappearance of mentioned above people the entry into the EU\textsuperscript{11}.

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\textsuperscript{9} The document only stated that the Belarus can take part in the three Neighbourhood Programmes, i.e., Baltic Sea Programme, Latvia-Lithuania-Belarus and Poland-Ukraine-Belarus and the new European Neighbourhood Instrument.


Such an outline of the EU-Belarus relations and the EU policies towards Belarus – i.e. certain events in Belarus (most often parliamentary or presidential elections) and activities of country’s authorities, were assessed by the EU as a violation of democratic principles, respect for human rights, etc., followed by the EU diplomatic sanctions against the Belarusian politicians and mitigation or suspension of these sanctions, has lasted and functioned later as well. After the parliamentary elections and referendum in 2004 (considered fraudulent), the number of people who were banned the entry into the EU territory has increased to six, these sanctions were in force for 12 months and afterward they were extended. The presidential elections in Belarus in 2006 were also evaluated negatively by the EU, which increased the list of people banned from the entry into its territory by 31 people, including A. Lukashenko. A few weeks later, the Council made sanctions stricter and by the subsequent common position froze all financial assets stored in the Union’s countries which were owned, at the disposal of, or controlled by persons covered by the prohibition of the entry into the EU. In March 2007, cited above sanctions were extended for another 12 months, so it happened in April 2008.

Since autumn 2008, it could seem that the policy of the EU sanctions against Lukashenko and his politics has begun to deliver some results; the EU noticed positive changes in the course of formal election campaign and as a result introduced an extension of the Common Position 2006/276/CFSP for another year; however, the travel restrictions for certain officials of Belarus were suspended until

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13 April 2009 (with the exception of restrictions of those involved in the disappearances of mentioned earlier four people in 1999–2000 and President of the Central Election Commission Lidia Jarmoszin)\textsuperscript{18}. Another sign of improvement of the EU-Belarus relations was the visit of the EU High Representative for CFSP Javier Solana in Minsk in February 2009. During that visit, A. Lukashenko said he wants to “develop good relations with Europe.”\textsuperscript{19} Once again, the suspension of sanctions for 32 officials of Belarus was extended\textsuperscript{20} and afterwards Belarus was formally included in the Eastern Partnership. In December 2009, once again, the EU Council extended the suspension of the above sanctions\textsuperscript{21}.

\textbf{THE EU’S RESPONSE TO THE EVENTS IN BELARUS AFTER THE PRESIDENTIAL ELECTIONS OF 19 DECEMBER 2010}

Some aspects of the presidential election campaign on 19 December 2010 could give the impression that the situation in Belarus in terms of respecting the principles of democracy, civil liberties, etc. has improved. The opposition managed to gather the signatures necessary to register their candidates in the elections and these registrations did take place – apart from the incumbent president Lukashenko, there were nine more people who were running in the elections. Authorities also permitted for demonstrations of the opposition candidates supporters who have obtained a certain level of public access to the media. For the first time since 1994, in the Belarusian national television, a presidential debate of the candidates took place (Lukashenko and U. Nyaklajeu did not take a part); it also accredited over a thousand foreign election observers\textsuperscript{22}.


\textsuperscript{19} \textit{Lukashenko to EU: We want a dialogue without intermediaries} “Gazeta Wyborcza”, 20.02.2009, p. 13.


The EU has shown activity in the period immediately before the election – it has continued a policy of incentives and simultaneously not withdrawing the opportunity to continue the sanctions. It resulted in another extension of sanctions involving officials of Belarus (in total 41 people, including A. Lukashenko) who were prohibited the entry into the EU and their assets were frozen (for 40 people, including A. Lukashenko), together with their resuspension, which took place in late October 2010\textsuperscript{23}.

Foreign Ministers of Germany – Guido Westerwelle and Poland – Radoslaw Sikorski visited Minsk at the beginning of November. During their talk with A. Lukashenko, they offered financial assistance to Belarus from the EU – 3 billion Euros in the next 3 years, provided that the forthcoming elections would be democratic. Lukashenko assured them that they would be Belarusian President also insisted that elections in Belarus have always been democratic\textsuperscript{24}.

According to the Central Election Committee’s announcement from 24 December 2010, the turnout was 90.65%. Selected in the first round, A. Lukashenko became the President of Belarus with 79.65% of votes. The remaining candidates received from 0.39% to 2.43% votes\textsuperscript{25}.

The actions of Belarusian authorities that took place after the elections (including violent dispersal of demonstrators, arrests, prosecutions and convictions of several hundred people, including several candidates involved in the presidential election) have been widely and strongly criticized and the elections recognized by international organizations as not fulfilling the democratic requirements. This position was adopted in the report of the Office for Democratic Institutions and Human Rights\textsuperscript{26}. The Resolution of the Council of Europe Parliamentary Assembly stated that, among others, it is “dismayed by the unprecedented wave of violence, intimidation, mass arrests and prosecutions” against the opposition, human rights defenders and journalists which took place after the elections on 19 December


\textsuperscript{24} Trzy miliardy euro za demokrację “Gazeta Wyborcza”, 3.11.2010, p. 9.


2010. A number of reports confirming violations of human rights, which took place after the election, and condemning these practices by Belarusian authorities have been prepared and presented by Amnesty International.

One of the first reactions of the representatives of the EU countries to the events associated with the presidential elections in Belarus was a common article called: “Lost Lukashenko”, published on 23 December 2010 in “The New York Times” by the Foreign Ministers of Sweden (Carl Bildt), Czech Republic (Karel Schwarzenberg), Poland (Radoslaw Sikorski) and Germany (Guido Westerwelle). Already in the first sentence, they claimed that after the events which followed the elections on 19 December 2010 in Belarus, “there is no possibility for business-as-usual between the European Union and the President of Belarus A. Lukashenko. They noted that few months before the elections, there was a hope for those elections to be different – A. Lukashenko had invited international observers to the elections and improved operating conditions for opposition in the election campaign. In response, the EU suspended the sanctions, presented the offer of political dialogue, economic cooperation and financial assistance. However, according to the authors, even if the voting process was proceeded correctly, it was done otherwise in vote counting – according to a report by independent observers in almost half of polling stations the process was “bad” or “very bad” and one can assume that other stations were even worse. However, the ministers considered the events that occurred after the elections as the worst, which included beatings and detention of opposition candidates, repression and convictions against people involved in their election campaigns. According to four ministers, these events resemble the imposition of martial law in Poland in 1981. They announced that the EU would not remain indifferent to not respecting the human rights, democracy and the rule of law and expressed the opinion that at this point continuation of a positive cooperation with “Mr. A. Lukashenko seems to be a waste of time and money”.

The events in Belarus in the period after the elections on 19 December 2010 also met with reaction from the EU institutions. First, on the 20th January the European Parliament adopted a resolution, in which they stated that these elections “failed to meet international standards of free, fair and transparent elections” and consid-

ered them as “another missed opportunity for democratic transformation in Belarus”. They also condemned the repression, police and KGB operations against the leaders of the opposition, peaceful demonstrators and their arrests (including presidential candidates), and called for their immediate release. The Parliament also called on the Council, Commission and High Representative of the EU, among others, to review the EU policy towards Belarus, including “consideration of targeted economic sanctions” and “consideration of possibility to suspend” the participation of Belarus in the activities of the Eastern Partnership, if there is no “vast improvement” of the situation in this country and to reintroduce the prohibition for visas for Belarusian leaders, extending this ban on all persons, who might be considered responsible for the falsification of election results and the brutal repression and arrests that followed 30.

Afterwards, on 31 January 2011, the Council of the European Union decided – among others, that “in connection with counterfeiting presidential election” and “brutal persecution of the opposition, civil society and representatives of independent media in Belarus” it would change its previous decision from October 2010 and end the suspension of the travel ban and freeze the assets for the officials of Belarus. At the same time, a list of people included in these sanctions has been very clearly extended, as it added another 117 names recognized by the EU as guilty of “violation of international electoral standards” and “the persecution of civil society and democratic opposition and the people associated with it” (Article 1, paragraph 1). Now, the travel restrictions were imposed on 158 people from Belarus and the assets freezing on 157 (both cases included A. Lukashenko) 31.

In addition to the European Parliament and the Council, Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy, also expressed condemnation for the arrests, trials, political convictions applied to the representatives of Belarusian civil society and opposition, including presidential candidates 32.

CONCLUSIONS

The EU policy towards A. Lukashenko's Belarus, is broadly speaking, aimed at democratization of country’s political system. For several years, on the one hand, it has been aiming to reduce the isolation of contacts of the country’s highest authorities, pressure and apply restrictions. On the other hand, it has been aiming to encourage and persuade to democratization of the political system, and promise it would improve their relationships if the democratization actions were taken. However, so far it has not brought any results, and events in Belarus related to the presidential elections on 19 December 2010 were the very eloquent proof. In fact, democratization of Belarus failed – even if adopting that it would be possible with remaining in power A. Lukashenko. Even more obvious, it has failed to move the current president of Belarus away from power, what would be a prerequisite for the democratization of Belarus under the assumption that a change in policy by Mr Lukashenko is unrealistic. Finally, even when defining the goal of the EU policy towards Belarus and its gradual change in the political situation in the country (through, among others, strengthening and development of Belarusian civil society, protection and support of the Belarusian opposition, etc.), the events following the elections on 19 December 2010 meant that also in this respect it is difficult to talk about the success of the EU policy. Perhaps, it would not be easy to prove, without any doubt, that in Belarus there is a gradual, even slow but clearly visible increase in importance and political power of the Belarusian democratic opposition, thanks to its existence and activities it could be anticipated that in not too distance future there will be significant changes towards democratization of the political system.

It seems that there are at least a few reasons for past failures in the EU policy towards Belarus. Firstly, the EU has no coherent policy towards Belarus, namely a strategy which is thought through and accepted by its Member States and institutions, which would not be politics on “paper”, rather it would be supported by continuous, systematic and consistent actions with the involvement of specific measures. Entry into force of the Lisbon Treaty, which signifies the formal institutional strengthening of the EU in the sphere of external relations, gives a chance that this situation will change. However, it does not mean it will happen for sure. Apart from the existence of formal legal and institutional framework, political will and readiness are also necessary in order to take decisive and consequent action.

Secondly, Belarus and the policy towards this country get very little attention from vast majority of the EU member states and the EU institutions. Belarus has
neither stand for the EU membership, nor manifested any signs of internal instability, and therefore has not occupied much attention of institutions and leaders of the EU\textsuperscript{33}. According to Alan Mayhew, after the collapse of the Soviet Union, Eastern Europe was plunged into chaos; however, this has not been an immediate threat to the EU, and therefore the EU’s response to the challenges that emerged in Eastern Europe was rather weak\textsuperscript{34}. The EU policy towards Belarus is mainly “reactive”, i.e. the EU reacts and takes some action against Belarus only if there are any abnormal events in the country, there is no initiative in the EU policy towards Belarus. As a result, if the Belarusian “case” is not especially “urgent”, the EU lacks motivation to pay more attention, time and resources to it. It seems that activities, as mentioned earlier visit of Foreign Ministers of Germany and Poland in November 2010, could be an example of such attempts to engage more actively in measures against Belarus. When taking into account the events and A. Lukasenko’s actions after the elections on 19 December 2010, the visit can hardly be recognized as successful; however, the attempt was made; an alternative behaviour would have been passivity and not doing what could have been attempted to do.

Thirdly, “cumbersome” of Belarus to the EU is a result of the fact that the EU does not have a very effective means of affecting the internal situation in that country, which effects could be noticeable not after a very long period of time. The most effective instrument has been and still is the prospect of adoption of the country to the EU. But the problem is that Belarus does not declare willingness to join the EU, which means that the most effective tool of the EU to influence the countries with their immediate neighbours in the case of Belarus remains, at least for the time being, useless. Another theoretically possible tool of pressure to use on A. Lukashenko’s regime – more or less severe economic sanctions – is a subject to certain risks. They would bring loss for the EU companies trading with Belarus and would negatively impact the financial situation of Belarusians working in companies cooperating economically with companies from the EU. There would also be a probability of the Belarusian authorities trying to use the transit position of their country for energy supplies from Russia. The EU economic restrictions would probably bind Belarus and Russia even more. In the end, it would probably be used by Lukashenko’s regime as propaganda – he could blame the EU for...
worsening the economic situation in Belarus and consolidate the Belarusian society, arguing that it is “the EU’s fault”. It is doubtful; however, whether economic sanctions would prompt larger groups of Belarusian society to take action to change the authorities in their country.

Fourthly, there is still a lack of strong and well organized partner in Belarus for the EU’s efforts aimed at democratization in the country. Democratic opposition is relatively small, fragmented and weak. The fact that next to A. Lukashenko there were nine candidates in the election in 2010 is very compelling. In Belarus, there is a lack of a strong and influential environment, social organization or a leader around whom the focus would be on seeking to change the political situation. A very large part of Belarusian society remains passive and does not demonstrate any willingness to fight for changes in the existing political system. Political or economic elites and other beneficiaries of the current system find themselves well in this reality and do not seem to be willing to take the risk of a deeper change. Simultaneously, the President A. Lukashenko’s domestic policy, aiming to maintain himself in power and keeping the status quo is, at least so far, effective. He propitiates supporters and ensures their loyalty with material privileges, positions in the administration and his departments, etc. In addition, he uses more or less severe but effective repression on political opposition, independent media, non-governmental organizations, etc. As it can be assumed so far, A. Lukashenko has “done his homework” on cause of the collapse of non-democratic systems in Central and Eastern Europe countries, which broke not when they were the most repressive but usually just when attempts were made to reforms and alleviate the internal policy. No doubt the president’s domestic policy of Belarus had also been influenced by so called “colourful revolutions” and the events in Ukraine, Georgia and Moldova. Therefore, A. Lukashenko is trying to avoid emergence and strengthening of any environments that could become strong and long lasting centres of opposition to his regime, and consequently he remains in no reform policy-making, which could at the first glance seem small, but in the long run could lead to changes over which he would no longer be able to control.

It is worth noting that with no doubt, A. Lukashenko is a very difficult opponent for the EU. If it is assumed that the main aim of his policy is to stay in power and counteract changes in the political situation in Belarus, which could culminate in the emergence of the threat of losing this power, then so far his policy is effective. A. Lukashenko has been in this position since 1994 which is a relatively long time. During this time, not once appeared a real possibility of him losing his power. In his policy, Lukashenko very smoothly balances between the main “players” whose
actions and behaviour could have a significant impact on the situation in Belarus, i.e. EU, Russia and the Belarusian society, skilfully drawing into the game any of these sites in order to strengthen his position against the other and get the best results. Manifestations of A. Lukashenko’s lenient policies towards Belarus opposition, is supposed to improve Belarusian President’s image in the eyes of the EU and show that he is a politician worth talking with. Improving the EU – Belarus relations means strengthening the position of the latter in A. Lukashenko’s policy toward Russia and specific “rate increase” in the policy-game with that country. This, in turn, is to maximize economic benefits from the Belarus-Russia cooperation, which is very important for the Belarusian economy. The warming of the Belarus-Russia relations for A. Lukashenko means more room for manoeuvre in his policy towards the EU. Without a doubt, crucial for the Belarusian president’s activities after the elections on 19 December 2010 was signed agreement on 9 December 2010 concerning the creation of joint economic space by Belarus, Russia and Kazakhstan. The better the economic situation in Belarus (or lack of its rapid deterioration) – both through close economic cooperation with Russia as well as exchanges with the EU member states – the stronger the position of the Belarusian President in the game with mentioned subjects and the easier it is for him to stay in power. Improvement of the relations between Belarus and the EU or Russia is used by A. Lukashenka as propaganda in domestic politics towards the faithful electorate, and is to show how the Belarusian president is an effective and enjoying international respect politician.

The brutal hearing of A. Lukashenko and the opposition after the elections on 19 December 2010 was, however, very risky step for this politician. On the one hand, such actions represent intimidation of the public and the opposition, and probably, at least for a certain period of time, less tendency to active political actions. On the other hand, such actions also mean a very serious deterioration in the Belarus-EU relations. At least in the near future, the EU will probably not get “caught up” in a game with the Belarusian president and without real, concrete and lasting concessions from Lukashenko it will not soften its policy on Belarus. Especially that the Belarusian President’s actions after the elections on 19 December 2010 signified not only the failure of the EU policy towards Belarus, but also took into account the suspension of sanctions from October 2010, and especially the visit of Foreign Ministers of Poland and Germany at the beginning of November of 2010 – prestigious defeat of the EU.

In the context of the EU policies towards Belarus it is necessary to reiterate one more very important circumstance. The point is that the expectations under which
Lukashenko would agree to democratization of the system (or lead to it) are probably not very realistic. It would be associated with the threat of the politician’s power loss, which in turn could be very risky for him personally. After the loss (return) of the power, he could somehow be held accountable for his activities in the period of his presidency. It seems that the EU politicians and institutions should in their actions – which aim at change of the current situation in Belarus – take this fact into consideration and more carefully approach to the signals sent by Mr Lukashenko and the people around him who give the impression of readiness to change their policy. Such sort of Lukashenko’s activities is probably a part of the game, to strengthen his position towards Russia and the Belarusian society. Truly dangerous situation for the president of Belarus would be a situation where, in addition to the EU policy aimed at change in Belarus, Russia would strongly and consistently start seeking the same and that would strengthen and consolidate Belarusian opposition. At present, it seems that the EU can do in its policy towards Belarus is to focus on comprehensive assistance for Belarusian opposition and promote the development and strengthening of the Belarusian society. In favourable internal and external circumstances in Belarus, such actions may prove essential for change in this country.