



Adopted by the Conference of the Belarusian National Platform
of the Eastern Partnership Civil Society Forum
on November 28-29, 2015

POSITION

of the Belarusian National Platform of the Eastern Partnership Civil Society Forum
"On open opportunities of European-Belarusian cooperation"

We, the participants of the National Platform of the EaP CSF, appeal to the responsible authorities of the Republic of Belarus, the EU institutions, EU Member States, relevant international organizations and civil society in Belarus regarding the opportunities that opened up for the expansion of EU-Belarus cooperation.

New possibilities

We note that the release of political prisoners in Belarus removed from the agenda one of the most principal barriers to the improvement of the Belarusian-European relations. In this regard, the EU temporarily froze the sanctions against Belarusian officials and other persons responsible for political repressions against Belarusian citizens and election fraud. We believe that this decision opens up new prospects for a positive change in Belarus. We urge all the parties concerned by the Belarusian civil society and the Belarusian authorities, the political opposition, the EU institutions, EU Member States, civil society organizations, the European Union and international organizations to make every effort to organize a constructive dialogue about the implementation of these prospects and opportunities.

The current situation in Belarus

At the same time, we draw attention to the fact that in principle the human rights situation and respect for fundamental rights and freedoms in Belarus has not changed for the better. The victims of political persecution by the authorities are still not rehabilitated, and the pressure and repressive actions against civil society activists, media and political players have not disappeared from the practice, but only took the other, more subtle and indirect forms.

As before, in Belarus continues the practice of politically motivated prosecutions. Ales Mikhalevich, a candidate for the presidential elections of 2010, which returned to the country remains in the status of the accused person. Investigation in the case of political graffiti respected to Yaraslau Ulyanenko, Maxim Pekarsky, Vadzim Zharomsky and Viachaslau Kasinerau is still in progress. Evidently unfounded expulsion of well-known public figure, human rights activist Elena Tonkacheva still continues. The

practice of violations of freedom of speech, freedom of conscience, freedom of assembly, continued pressure on independent associations, harassment of human rights defenders, activists of the opposition political forces and civil society hasn't been terminated.

We have to note the lack of positive changes in the attitude of the state to civil society participation in the process making important decisions at national level, especially in matters related to human rights, judiciary reform, good governance, democratic mechanisms. We emphasize that a real change in the situation of human rights should be linked to specific actions of the Belarusian authorities on the abolition of restrictions on basic civil society, namely:

- Abolition of Article 193-1 of the Criminal Code, which establishes criminal responsibility for activity on behalf of unregistered organizations;
- Simplification of the process of registration of non-profit organizations, including the introduction of declarative principle of registration;
- Simplification of the process of registration of foreign donations for non-profit organizations;
- Abolition of restrictions on peaceful assembly and to freedom of expression.

We also have to admit that at the moment there is no guarantee that the human rights situation can not be changed for the worse at any time, since there are no mechanisms for balancing the interests of the government and interests of other public institutes (business, civil society, church, media). The creation of this kind of guarantee can be one of the tasks of human rights dialogue, which was announced as a running process between Belarus and the European Union.

We have a positive attitude to Belarus' accession to the European Higher Education Area. However, we emphasize discrepancy of higher education in Belarus to values and norms of the EHEA. We focus attention on the need to not only the implementation of the roadmap for reform of higher education, but note the lack of visible progress in this regard and the need for independent monitoring of the Belarus provisions of this roadmap. A wave of pressure on the independent student initiative, which took place in November 2015, is a very negative sign which once again confirms the unwillingness of institutions of higher education to the perception of and respect for the European academic values.

We welcome the long-awaited signing of Belarus the UN Convention "On the Rights of Persons with Disabilities" and look forward to a rapid process of ratification and implementation of the legislation in the Republic of Belarus. We also expect that, in accordance with the provisions of this Convention independent mechanisms for monitoring the implementation of its conditions shall be provided and we are ready to participate in the creation and implementation of this mechanism by efforts of civil society organizations.

We unfortunately note that for 25 years of the existence of an independent and sovereign state of Belarus the state hasn't offered the public any strategy of creation and development of one of the basic democratic institutes - local self-government.

Today Belarus - the only European country that has not signed the European Charter of Local Self-Government.

We responsibly declare that the current system of local government in the Republic of Belarus in is not able to realize the goals of self-government and does not allow local authorities to fully comply with the definition of "self-government".

To create a real local self-government organization and activities of local authorities in Belarus should be systematically reformed on the basis of the provisions and principles of the European Charter of Local Self-Government.

We are concerned about the situation of protracted systemic economic crisis in Belarus, which is evident, in particular, in growth of unemployment and reduction of real incomes of people. We believe that the way out of this situation is possible only through the implementation of structural economic reforms, development of small and medium-sized businesses, as well as through the development of social dialogue between government representatives, employers, trade unions and other civil society organizations, where the necessary assistance from the the European Union and international financial institutions can be provided. We acknowledge that the actions of the Belarusian authorities in the direction of economic reform are, lately, more focused and specific, but are still far from consistent and large-scale economic reforms.

We are concerned about the situation of regional instability and aggression that Russia continues against Ukraine. We guess that the policy of Russia threatens the interests of Belarus and is aimed at the direct and indirect involvement of the Republic of Belarus in the conflict, which continues. This is reflected in the negotiations on the establishment of a new Russian military base in Belarus, as well as the involvement of Belarus in various forms of trade and economic confrontation with the EU and Ukraine.

The specific mechanisms and perspectives of cooperation

Considering the cooperation and dialogue as the only way to solve a number of urgent problems and contradictions both within the Belarusian society and in the Belarusian-European relations, we continue to insist on respect for and the introduction to the dialogue practice the key principles of such cooperation: transparency, civic control, equal participation of civil society organization and other mandatory social partners in multilateral dialogue.

We believe that it is now necessary to focus on the work in specific thematic areas of cooperation where it is possible to achieve the minimum sustainable change. Among these areas, we see:

1) **Human Rights.** We estimate positively the resumption of dialogue on human rights between the EU and Belarus, and look forward to more active involvement of the Belarusian human rights organizations in the dialogue process. We also consider it appropriate urgent development of the roadmap of reforms in the field of human rights, aimed to achieve feasible and time-based results.

2) **Reforms in higher education.** We insist on the need to implement the roadmap for reform of higher education in Belarus, adopted as a liability in the process of accession to the Bologna Process. We also look forward to the full inclusion of civil society representatives, namely representatives of the Civil Society Forum of the Eastern Partnership, in the control group (expert committee) for the implementation of the road map within the frame of activity of BFUG (Bologna Follow-up Group).

3) **Climate change.** Climate change and the active transition to renewable energy sources must be taken into account in development strategies at the level of the entire state and its regions and each entire locality. Detailed analysis of the opportunities to reduce greenhouse gas emissions and effective adaptation to climate change for the entire spectrum of social and economic life is highly required. The success of implementation of policies and plans in this area should be a matter that is always in the focus of attention of the Belarusian state. Public participation in matters related to climate change, should be provided at an adequate level and comply with the provisions of the Aarhus Convention and the UN Framework Convention on Climate Change. The public should timely receive information about the plans for the development of policies and other legal and regulatory documents and to have the opportunity to participate in the discussion.

4) **Culture.** We urge to start developing the overall concept of cultural policy in the Republic of Belarus and, in particular, include the conceptions of the culture contained in the European Cultural Convention, the Universal Declaration on Cultural Diversity, the Convention on the Protection and Promotion of the

Diversity of Cultural Expressions, in legal and regulatory documents and fulfil them in practical forms of implementation.

5) **Local self-government.** We believe fundamentally important for Belarus to join the European Charter of Local Self-Government.

We urge to start preparation of the Concept of local self-government in the Republic of Belarus and development of Program of its implementation, based on the principles and norms of the European Charter (the decentralization of power, following the principle of subsidiarity, fiscal decentralization enshrined in legislation the concept of "community", de-bureaucratization of forms of citizen participation in the implementation of local self-government, openness and transparency of local self-government bodies etc.).

6) **The rights of persons with disabilities.** In September 2015 the Republic of Belarus signed the Convention on the Rights of Persons with Disabilities, which means a declaration of intentions to fulfill its international obligations to implement the Convention. We believe it is crucial to start the process of ratification of the Convention in the near future, including the preparation of the Law on ratification in close cooperation with Belarusian organizations of persons with disabilities. We look forward to the full use of the mechanisms for implementing and monitoring the implementation of the Convention provided in Article 33 of the Convention on the Rights of Persons with Disabilities. We draw attention to the fact that the implementation process should not only be a matter of organizations of disabled persons, but become a common cause of wide civil society and the state in Belarus.

7) **Gender policy.** We call to include representatives of the Belarusian National Platform in composition of the National Council on Gender Policy at the Council of Ministers of the Republic of Belarus. We believe it is necessary to begin the development and adoption of the Belarusian Law on Gender Equality and invite to participate in the process of developing representatives of civil society organizations. We also believe it is necessary to bring the measurement of Gender Development Index in Belarus closer to the European standards and include in it statistics on domestic violence and intersectional inequality.

8) **Social Dialogue.** In the period of social and economic crisis social dialogue is even more important tool for the harmonization of the different interests of social partners, its framework and structure in Belarus need further development. At the same time we need to be based on values and basic regulations of the European Union in the field of social dialogue, the Belarusian government is important to take into account the practices and structural construction of dialogue, which the European Commission practices with its social partners, including a variety of civil society organizations, which are represented in the European Economic and Social Committee. To share this experience it is required to hold within the frame of EU programs particular measures with participation of Belarusian state bodies and public organizations, including professional mediators and conflict-resolution specialists. We urge the adoption of laws "On social dialogue", "On self-regulatory organizations", "On Employers' Associations", as well as to unify Belarusian legislation on the dialogue of employers and workers with the conventions of the International Labour Organization.

9) **Youth policy.** We believe that youth organizations of civil society should start developing a roadmap on youth policy that will contribute to the consolidation of actions of independent youth organizations of Belarus, the Belarusian authorities and EU institutions.

We urge to start developing Eastern Europe Youth Program in the framework of the Eastern Partnership initiative. We consider the Belarusian independent youth organizations (including unregistered initiative) as one of the main stakeholders in this process. We also suggest to open Youth window of the Eastern Partnership in Erasmus + Program.

10) **Pension policy.** Taking into account unfavorable demographic situation in Belarus, we consider urgently necessary to start discussing changes in the pension policy of the country with all stakeholders. We also insist on joining Madrid Plan on Aging of 2002.

We stress that the period of new possibilities of cooperation may be limited in time. We also do not exclude that the actions of the Belarusian authorities can lead to a deterioration of the human rights situation and new closing of the situation. In this regard, we once again draw attention to:

- The risk of narrowing Belarusian-European cooperation mainly to relations with the Belarusian authorities and government bodies with the exclusion of civil society from the process of dialogue between Belarus and the EU;
- The risk of substitution of participation of real civil society organizations by state-public structures (GoNGO) in the process of Belarusian-European cooperation.

Observing the political fluctuations of the Belarusian-European relations over the years, we have to state the short and incomplete sequence of EU policy towards Belarus. This fact actualizes the need to develop and implement a long-term and aim-oriented strategy of the European Union towards Belarus, independent from sudden desires and present actions of the Belarusian authorities. Such a strategy should come not only from the geopolitical and economic interests, but, above all, of the real value postulates of democracy and human rights.

Belarusian National Platform of the Eastern Partnership Civil Society Forum unites over 70 civil society organizations of Belarus