



Беларуская нацыянальная платформа
Форум грамадзянскай супольнасці
УСХОДНЯГА ПАРТНЁРСТВА

POSITION

of the Belarusian National Platform of the Eastern Partnership Civil Society Forum **on Opportunities for EU-Belarus 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 important barriers to the improvement of the EU-Belarus relations. In this regard, the EU temporarily froze the sanctions against Belarusian officials and other persons responsible for political repressions against Belarusian citizens and for the election fraud. We believe that this decision opens up new prospects for a positive change in Belarus. We urge all the parties concerned from the Belarusian civil society and the Belarusian authorities, the political opposition, EU institutions, EU Member States, civil society organizations, the European Union and international organizations to make every effort to organize a constructive dialogue on 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 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 an accused person. Investigation in the case of political graffiti against Yaraslau Ulyanenka, Maxim Pekarsky, Vadzim Zharomsky and Viachaslau Kasinerau is still ongoing. And obviously the unfounded expulsion of the well-known public figure and human rights activist Elena Tonkacheva still continues. The practice of violation of the freedom of speech, freedom of conscience, freedom of assembly, and the continued pressure on independent associations, harassment of human rights defenders, activists of the opposition political forces and civil society has not been stopped.

We have to note the lack of positive changes in the attitude of the state towards the participation of civil society in the process of 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 of the human rights situation should be linked to specific actions of the Belarusian authorities on the abolition of restrictions on 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 would not deteriorate at any time, since there are no mechanisms for balancing the interests of the government and interests of other public institutions (business, civil society, church, media). The creation of this kind of guarantee can be one of the tasks of the 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 the attention on the need to implement the roadmap for reform of higher education, and also, due to the lack of visible progress in this regard, we stress on 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 respect the European academic values.

We welcome the long-awaited signing by Belarus of 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 will be ensured. We are ready to participate in the creation and implementation of these mechanisms through the effort of civil society organizations.

We note with regret that for 25 years of independence and sovereignty of Belarus, the state has not offered to the public any strategy for the creation and development of one of the basic democratic institutes – the local self-government. Today Belarus is the only European country that has not signed the European Charter of Local Self-Government.

We declare that the current system of local government in the Republic of Belarus 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, the 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 the reduction of the real income 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 businesses, as well as through the development of social dialogue between government representatives, employers, trade unions and other civil society organizations, with the necessary assistance from the the European Union and international financial institutions where it

can be provided. We acknowledge that the actions of the Belarusian authorities in the direction of economic reforms are, lately, more focused and specific, but are still far from being consistent and large-scale economic reforms.

We are concerned about the regional instability and the aggression that Russia continues against Ukraine. We consider that the policy of Russia threatens the interests of Belarus and is aimed at involving directly and indirectly the Republic of Belarus in the conflict. 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.

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 relations with the EU, we continue to insist on the respect for and the introduction of the dialogue practice, as well as on the key principles of such cooperation: transparency, civic control, equal participation of civil society organizations and other mandatory social partners in multilateral dialogue.

We believe that it is necessary now 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 positively assess 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 appropriate the urgent development of the roadmap of reforms in the field of human rights, aimed at achieving 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 of accession to the Bologna Process. We also look forward to the full inclusion of civil society representatives, namely of representatives of the Eastern Partnership Civil Society Forum, in the expert committee for the implementation of the road map within the frame of the 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 the development strategies at the state, regional and local levels. There is highly required a detailed analysis of the opportunities to reduce greenhouse gas emissions and the effective adaptation to climate change for the entire spectrum of social and economic life. The success of implementation of policies and plans in this area should be always in the focus 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 receive timely 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 in legal and regulatory documents the concepts of 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 Expression, and implement them in practice.

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

We urge to start the preparation of the Concept of local self-government in the Republic of Belarus and the development of a Program for its implementation, based on the principles and norms of the European Charter (decentralization of power, principle of subsidiarity, fiscal decentralization, concept of "community" enshrined in legislation, de-bureaucratization 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 is a declaration of intention 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 the 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.

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

8) **Social Dialogue.** In times of social and economic crisis, social dialogue is even a more important tool for the harmonization of different interests of social partners. Thus, its framework and structure in Belarus need further development. At the same time, it should be based on values and basic regulations of the European Union in the field of social dialogue. Therefore, the Belarusian government should take into account the practices and structural construction of dialogue that 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 framework of EU programs particular measures with participation of Belarusian state bodies and public organizations, including professional mediators and conflict-resolution specialists. We urge to adopt the laws "On social dialogue", "On self-regulatory organizations", "On Employers' Associations", as well as to unify the 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 initiatives) 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 the 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 a new stalemate. In this regard, we once again draw the attention to:

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

Observing the political fluctuations of the EU-Belarus relations over the years, we have to state short-sightedness and incoherence of the EU policy towards Belarus. This fact stresses upon 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 be based not only on the geopolitical and economic interests, but, above all, on the real value principles of democracy and human rights.

Adopted by the Conference of the Belarusian National Platform of the Eastern Partnership Civil Society Forum on November 28-29, 2015. The Belarusian National Platform unites over 70 civil society organizations of Belarus.