

The information is aggregated from open online resources and our own practice. Today's newsletter is dedicated to political parties and trade unions in Belarus, as well we will also shortly update you on human rights violations in numbers and facts.

Summary Monday, September 7:

Unknown people kidnapped **Maria Kolesnikova**, a member of the Coordination Council. **Anton Rodnenkov**, press secretary of the Coordination Council, and **Ivan Kravtsov**, CC executive secretary, have also gone missing.¹ According to current information (Morning September, 8) - **Anton Rodnenkov** and **Ivan Kravtsov** on the territory of Ukraine, Maria Kolesnikova detained.

The Coordination Council will keep working despite the fact that only 2 out of 7 presidium members still remain. The principle of the Council's work will be changed. The Council will make decisions according to the polls in Telegram. The members of its main roster have access to a private chat.²

59 administrative hearings against people participating in peaceful protests on September 5-6 took place. At least 22 people will serve administrative arrests from 5 up to 15 days.³

Pressure on civil society representatives intensifies, artist **Nadya Sayapina** and activist **Stanislava Husakova** detained.

On Sunday, in the area of lake Komsomolskoye in central Minsk, some of the people, fearing beatings and detentions, jumped into the water. OSVOD (Belarusian Republican Society for Rescue on Waters) lifeguards transported them to the other side of the lake and helped them to warm up. After that, eight OSVOD officers were detained and transported to the Akrescina detention center.⁴

Some insights on legal framework for the freedom of association in Belarus

According to its official website, the Coordination Council is a “unified representative body of the Belarusian people,” recognized by its united opposition. Nevertheless, on August 20, the Prosecutor General of Belarus initiated criminal proceedings against the members of the Coordination Council presidium under Article 361⁵ of the Belarusian Criminal Code, on the

¹ <https://news.tut.by/economics/699502.html>

² <https://internetua.com/beloruskaya-oppoziciya-nacsala-prinimat-resheniya-cserez-telegram>

³ <http://spring96.org/be/news/99416>

⁴ <https://people.onliner.by/2020/09/07/lyudi-prygali-v-vodu-boyas-zaderzhanij-osvodovcy-pomogli-ix-zabr-ali-v-ruvd>

⁵ <https://xn----ctbcgfviccvibf9bq8k.xn--90ais/statya-361>

grounds of attempting to seize state power and to harm national security. On August 25, the head of the country's Supreme Court ruled that the "establishment of the Council is unconstitutional."⁶

It should be emphasized that, since its establishment, the Coordination Council has refrained from direct coordination and the facilitation of peaceful protest activities to avoid any possible legal complications: According to the Belarussian legislation such an activity could be qualified as a breach of the above-mentioned Article 361 and could provide the authorities a formal reason to detain or arrest members of the Council.

On August 31, 2020, Mr. Viktor Babaryka (who was denied registration as a candidate for the presidential election, was detained on June 18, and later arrested) and Ms. Maria Kolesnikova (a headquarters coordinator of Babaryka's presidential campaign and a member of Coordination Council) announced a formation of a new political party "Vmeste" ("Together"). This information was published on the Youtube channel of V. Babaryka.⁷ The address made by Babaryka was recorded before he was detained. According to the founders of the Party, it will allow consolidation of the opposition and creation of a platform uniting the Belarussian people in order to initiate constitutional reform as its main goal.

It should be mentioned that, despite the Article 36⁸ of the Constitution, which states that "Everyone shall be entitled to freedom of association," and Article 2 of the Law on Political Parties, which states that "The citizens of the Republic of Belarus have the right for freedom of association to the political parties," the new party – with a high probability – will face all possible barriers and will be eventually denied registration.⁹

According to the Official Internet Portal of the President of the Republic of Belarus, as of January 1, 2020, there are 15 political parties, 25 trade unions, and 2995 public associations registered in the Republic of Belarus.¹⁰

Since February, 2000, no single political party has been registered in Belarus, according to the Information about political parties registered in the Republic of Belarus.¹¹ The Ministry of Justice declined registration of several parties: the Belarussian Communist Party of Workers at least seven times, the Party of Freedom and Progress was refused registration at least five times, the Young Front was refused registration seven times; the Belarussian Christian Democracy was denied registration as a political party four times and it was denied

⁶ <http://www.kc.gov.by/document-67563>

⁷ <https://www.youtube.com/watch?v=ynf9F0FOTa8>

⁸ <https://www.legislationline.org/documents/action/popup/id/8783>

⁹ https://www.legislationline.org/download/id/7831/file/Belarus_law_political_parties_1994_am2015_ru.pdf

¹⁰ http://president.gov.by/ru/society_ru/

¹¹ See website of the Ministry of Justice of Belarus at:

https://web.archive.org/web/20120120231757/http://minjust.by/ru/site_menu/about/struktura/obschestv/registr/politpart

registration as a public association ten times. The main typical reasons for denial were a failure to prove the existence of at least 1000 members (required by the legislation), or/and the signatures and personal data of members, provided with the application for registration, were disqualified.

It should be underlined that in 2019 public hearings were organized to discuss the Draft Law "On amendments to laws on the activities of political parties and other public associations," aimed to reduce the minimum requirements in order to "simplify the procedure for the creation and operation of republican and local public associations."^{12,13} However, this law if adopted could hardly bring any improvement or change to the electoral processes: the 110 members of the House of Representatives were elected from single-member constituencies by first-past-the-post voting.¹⁴ Owing to the peculiarities of the electoral system, most of the parties lack incentives to grow and develop.

According to the Law on Political Party of the Republic of Belarus, a "Political party is a voluntary public association, pursuing political aims, assisting to reveal and express citizens` political will and participating in elections."¹⁵ Therefore – by this definition – political parties in Belarus do not claim as their main goal to acquire and exercise political power, as is the goal of **any** political party.

Unlike political parties, the trade unions and number of public associations are very powerful in Belarus.

On September 4, 2020, the Coordination Council announced the creation of an on-line platform – "Trade Union Online"¹⁶ – in order to facilitate a quick and easy transition to independent trade unions for those who want to leave the state-controlled organizations: the Federation of Trade Unions of Belarus¹⁷, the National Public Association Belaya Rus^{18,19}, Belarusian Republican Youth Union (BRSM), the Belarusian Republican Pioneer Organization, and similar others. The independent trade unions will organize and coordinate support for those workers and students who decide to join the strikes or want to express their support of protesters, but have found themselves in a difficult situation.

¹² <https://forumpravo.by/forums/npa.aspx?forum=15&topic=13545;>

https://forumpravo.by/files/Obosnovanie_proekt_Zakon_izm_o_politicheskikh_partiyah.pdf

¹³ https://www.legislationline.org/download/id/4633/file/Belarus_Law_political_parties_1994_am2011_en.pdf

¹⁴ https://en.wikipedia.org/wiki/2019_Belarusian_parliamentary_election

¹⁵ https://www.legislationline.org/download/id/7831/file/Belarus_law_political_parties_1994_am2015_ru.pdf

¹⁶ <https://blrs.online/>

¹⁷ <https://fpb.1prof.by/oficialnaya-informaciya/>

¹⁸ <http://www.belayarus.by/>

¹⁹ <http://brsm.by/>