CHRISTOPHER H. SMITH
4TH DISTRICT, NEW JERSEY

CONSTITUENT SERVICE CENTERS:
1540 Kuser Road, Suite A9
Hamilton, NJ 08619-3828
(609) 585-7878
TTY (609) 585-3650

108 Lacey Road, Suite 38A
Whiting, NJ 08759-1331
(732) 350-2300

2373 Rayburn House Office Building
Washington, DC 20515-3004
(202) 225-3765

http://chrissmith.house.gov

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Urging Passage of H.R. 515, The Belarus Democracy and Human Rights Act of 2011

Full Statement Submitted for the Record
by Chairman of Africa, Global Health and Human Rights Subcommittee
Congressman Chris Smith
July 6, 2011

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

First of all, let me thank Chairwoman *Ileana Ros-Lehtinen* for her leadership in bringing this bill to the floor today, the majority leader and the Speaker for scheduling it, and to *Howard Berman* for his strong support of it as well and his very eloquent statement just a moment ago.

Madam Speaker, I rise in strong support of H.R. 515, the Belarus Democracy and Human Rights Act of 2011. The bill demonstrates our strong and sustained promotion of human rights, democracy, and the rule of law in Belarus through targeted sanctions against this brutal dictatorship of Alexander Lukashenka.

H.R. 515 reinforces earlier law, the Belarus Democracy Act of 2004 and the Belarus Democracy Reauthorization Act of 2006, both of which passed the House and Senate with overwhelming bipartisan support and were signed into law.

This legislation is timely and necessary. The fraudulent December 19 elections in 2010 in Belarus and the ongoing crackdown on democracy activists and independent journalists by the Lukashenka dictatorship underscore the need for democracy-promoting legislation. Immediately after the election, the government responded to peaceful protests against electoral fraud with savage mass beatings and large-scale detentions--over 700 people.

Later on, Madam Speaker, I will put in the *Record* the list of many of the activists, many of whom were already in jail, their sentences--and these are men and women whose only crime was asking that Belarus matriculate from dictatorship to a democracy.

Of those charged, 40 have been convicted, with some receiving very harsh sentences--up to 6 years. And, of course, after those 6 years are over, what Lukashenka and his cronies usually do is find some reason to extend those jail sentences. So these sentences are awful indeed.

As *Ileana Ros-Lehtinen* pointed out a moment ago, the chairwoman of our committee, this also includes five of the nine Presidential candidates who ran against Lukashenko, their families, lawyers, journalists, and democratic activists who continue to be harassed and intimidated. It is the worst political crackdown in Europe in over a decade. And it's ongoing, Madam Speaker.

The repressive regime in Belarus was in full force earlier this week as police broke up protesters attempting to mark their country's independence day. Hundreds were detained, and 140 already received administrative sentences or fines, including independent journalists reporting on rallies held across the country.

The post-election has followed the pattern of repression that has characterized Lukashenko's 17-year rule. Through a series of rigged elections, large-scale intimidation and suppression of independent media and civil society, the dictator has long since consolidated his control over virtually all national institutions. This dictatorship, as has been said, is the worst of any in Europe today.

Perhaps most significantly about the legislation, the bill supports targeted sanctions. It expresses the sense of the Congress to deny the privilege of visiting our country to senior Belarus officials, their immediate families and others involved in human rights violations and anti-democracy actions, including those involved in the December 19 post-election crackdown. Likewise, it has provisions prohibiting U.S. Government financing, except for humanitarian goods and agricultural products or medical products and nonhumanitarian loans from international financial institutions to the Belarusan Government; and blocking assets owned by the Belarusan Government's senior leadership or their families and others involved in antidemocratic actions. These sanctions are aimed at the senior leadership of a dictatorship that displays utter contempt for the dignity and rights of the Belarusan people, and with these sanctions we stand with the Belarusan people against their oppressors.

H.R. 515 requires the State Department to issue a new report to Congress on the sale, delivery or provision of weapons or weapons-related technologies or training, Lukashenka's personal wealth and assets, and cooperation by the Belarusian government with any foreign government or organizations related to censorship or surveillance of the Internet.

H.R. 515 states a U.S. government policy of strong support for the Belarusian people in their struggle against the Lukashenka dictatorship, aspiring to live in a free and independent country where their human rights are respected, they can choose their government, and officials apply just laws that they themselves are subject to.

This bill encourages those struggling for decency and basic rights against the overwhelming pressures from the anti-democratic regime. It calls for the immediate and unconditional release of all political prisoners in Belarus, including those detained in the post-election crackdown and refuses to recognize the results of the flawed elections. It calls for a full accounting of the 1999-2000 disappearances of opposition leaders and a journalist in Belarus and the prosecution of those responsible. At the same time it explicitly opens the door to the re-evaluation of U.S. policy towards the Belarusan government should it take significant steps toward democracy and respect for human rights.

H.R. 515 supports radio, television and Internet broadcasting to Belarus, specifically Radio Free Europe/Radio Liberty, Voice of America, European Radio for Belarus and the satellite television station Belsat.

Madam Speaker, this bill comes to the floor as the Belarusan people are increasingly taking to the streets in protest against the dictatorship, and the EU Council is ramping up sanctions on Belarus. The Belarusan people deserve far better than the Lukashenka dictatorship--this bill is an act of support of their heroic struggle for human rights and democracy and is an act of profound respect and friendship for the people of Belarus.

Madam Speaker, I'd like to add to my earlier remarks in support of this legislation that, as part of a Helsinki Commission visit in to Minsk in June 2009, I had the opportunity to press Lukashenka directly on his dismal human rights record and denial of democratic freedoms.

While making clear our support for Belarus' independence, I and other members of the delegation reiterated the long-standing U.S. message that the only way to improve relations between our two countries was and is for him to take steps to increase political freedom and respect human rights. We told Lukashenka that the ball was in his court. There were even small, tentative steps in the right direction, but since December 19 any hopes for change have been crushed.

The December 19, 2010 fraudulent election, which the OSCE condemned as not having met international standards, and the continuing crackdown on democracy activists and independent journalists by the Lukashenka regime underscore the need for this legislation and our continued attention to the further deterioration of human rights and freedoms in Europe's remaining dictatorship. This ongoing repression is the harshest we have seen in Europe in more than a decade and a stark illustration that Belarus remains an anomaly--a pariah state--in today's Europe.

Peaceful protests against electoral fraud were met with mass beatings and detentions. Some of the jailed were abused and even tortured. Their families, lawyers, journalists and democratic activists have been harassed and intimidated. Students have been expelled from universities. Belarus now has more political prisoners than at any time under Lukashenka's rule, as the Belarusan tyrant has squelched dissent by convicting nearly 40 activists within the last few months on charges of mass rioting and disturbing the public order.

Some, including several opposition leaders who ran against Lukashenka in December and other political activists and civil society leaders, received severe, completely unjustified prison sentences of up to six years. Their trials were a politically motivated farce, in which policemen sometimes were not even able to identify the defendants, and which saw unexplained discrepancies between witness testimony favoring the defendants, and the judges return of guilty verdicts.

The now-6-month-long crackdown only magnifies the pattern of repression and gross and systematic human rights violations that has characterized Lukashenka's 17-year rule. He has systematically consolidated power over virtually all institutions through a series of rigged presidential and parliamentary elections, repeated violations of fundamental freedoms and the suppression of independent media and civil society, creating a climate of fear that pervades the country.

Thanks to this dictator's misrule, Belarus has the worst democracy and human rights record in Europe. Furthermore, Belarus's Soviet-style, structurally unreformed state-dominated economy is facing its worst crisis since Lukashenka came to power. Russian cut offs of energy subsidies and the explosion of the country's budget deficit following heavy state spending ahead of December's presidential elections in a populist bid to increase Lukashenka's waning popularity have contributed. Since then, Belarus has witnessed devaluation of its currency, a jump in inflation and increase in unemployment, and, in recent weeks, growing public protests.

Notwithstanding the almost universal condemnation and punitive measures by the U.S. and EU, Alexander Lukashenka continues to turn a deaf ear to the international community, and, more importantly, to the Belarusan people. The Belarusan autocrat has clearly manifested his profound mistrust of--and contempt for--the long-suffering Belarusan people at whose expense he has enriched himself for the past 17 years.

Clearly, the need for a sustained U.S. commitment to foster democracy and respect for human rights, and sanction Lukashenka and his cronies remains. I want to stress that both the Bush and Obama administrations have made good use of the previous Belarus Democracy Acts, of 2004 and 2006, reinforcing to the Belarusan goverment that the elected representatives of the American people--by overwhelming bipartisan majorities--support the policy of condemning and sanctioning the Belarusan government for its brutal human rights violations.

The visa bans and targeted financial and economic sanctions instituted by President Bush in response to the earlier legislation have been maintained, and in some ways expanded by President Obama since December 19th. Most recently, on May 27 President Obama issued a statement in which he condemned the conviction and sentencing of five opposition candidates, asserting that the United States considers these candidates, along with the other courageous activists arrested and charged in the crackdown, as political prisoners. The President also pledged to pursue new sanctions against select Belarusian state-owned enterprises, which H.R. 515 strongly encourages.

Unfortunately, two decades after the demise of the Soviet Union, Belarus remains in a time warp--unreconstructed politically and economically and isolated from its European roots, due to one man's dictatorial rule. His tactics are a chilling reminder of a darker time, more than two decades ago when the Soviet KGB hounded dissidents. It is a tragedy for the Belarusian people--who have suffered so much over the course of the last century--that Lukashenka is yet again choosing the path of self-isolation and squelching the desire for freedom. He is, yet again, making a mockery of Belarus' freely undertaken OSCE obligations.

The Belarusan people wish to live in a country where human rights are respected, democracy flourishes and the rule of law is the norm. I remain convinced that the time will soon come when Belarus will be integrated with the family of democratic nations. We must continue to resolutely stand at their side as they struggle to lift themselves from the yoke of this oppressive regime.

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