

4 April 2017

**Monitoring Mission of the Eastern Partnership Civil Society Forum (EaP CSF)
on the civil society, media and human rights situation in Belarus**

Preliminary recommendations

In light of the current situation the Belarusian civil society and the Eastern Partnership Civil Society Forum is turning to the EU for a reaction. The role of the EU as the key international partner of Belarus is crucial, as Belarusian society in general and the civil society in particular lacks resources and mechanisms to resist the repressive policies of the government. The major civil society's expectation from the EU is to review the logic of its relations with the Belarusian authorities.

In this regard, the EaP CSF Mission has developed the following preliminary recommendations to the EU institutions:

1. It is extremely important to make sure that no new political prisoners are jailed in Belarus, since this would mean that the situation is “back to square one”.
2. In the context of the EU-Belarus relations, it is important to ensure that Belarusian authorities adhere to their reform commitments, which means that a number of preliminary steps must be taken as a demonstration of good will. These concrete steps could include for instance the registration of Viasna Human Rights Center, accreditation of Belsat TV in Belarus, etc.
3. The EU-Belarus relations strategy should be built on the conditionality approach and result oriented reform activities, i.e. the deliverables should be well defined and clearly articulated. Such approach would mean that the split of one EU-Belarus cooperation agenda into two separate agendas - political and economic - is unacceptable. The EU-Belarus cooperation strategy should comprise a package of interconnected and mutually conditioned economic and political reforms, with a clear participatory and monitoring mandate for the civil society, and with the institutional involvement of the EaP CSF Belarusian National Platform.
4. The EU support to economic and infrastructure development of Belarus should be conditional on several key reforms in the sphere of human rights and democratisation. The key points of the democratisation reforms that cannot be subject to bargaining at any time in negotiations should include the following:

- a. Revision of the NGO law improving the process of NGO registration;
 - b. Withdrawal of the regulation on foreign assistance registration by NGOs;
 - c. Revision of the process for the registration and accreditation of foreign media;
 - d. Withdrawal of the unconstitutional by nature Decree No.3, as well as Decrees No.5 and No.29 that violate labour rights and establish political control over employees;
 - e. Withdrawal of Article 193-1 of the Criminal Code on illegal organisation of activities of a public association, religious organisation or foundation or participation in those activities;
 - f. Improvement of the procedure for political parties' registration;
 - g. Decriminalisation of the illegal entrepreneurial activity, since this article is often used as a tool to control and put pressure on SMEs.
5. It is of high importance to ensure that Belarus is genuinely implementing commitments it has undertaken, in particular within the framework of the Belarus Roadmap for Higher Education Reform. The recent events have shown that the lack of university autonomy is being used as a means of putting pressure on those students who have been participating in the protests. The restrictive legislation effectively rendering NGOs registration impossible, as well as Article 193-1 of the Criminal Code create serious threats for unregistered student organisations.
 6. In order to ensure that all the activities are fully implemented and result oriented, the principle of conditionality, as well as all the deliverables and their conditions should be formulated in a Roadmap as the formal basis for the future negotiations on the Framework Agreement between the EU and Belarus.
 7. In order to ensure effective planning, implementation and monitoring of the above-mentioned recommendations, it is crucial that the civil society becomes the partner integrated in this process starting from the stage of planning. This will allow for a more transparent process of the Roadmap development and implementation, as well as raising public trust in the process and commitments.
 8. It is crucial to continue supporting the Belarusian civil society both from the side of the EU institutions and EU Member States. This support should specifically target CSO networks, platforms, as well as regional organisations. The support should be oriented towards capacity building, communication, monitoring activities, as well as civil society involvement in policy dialogue between the EU and Belarus. The special focus on regional organisations and networks will significantly raise the effectiveness of the Belarusian civil society's activity.