

110TH CONGRESS
2D SESSION

H. R. 5970

To amend the Belarus Democracy Act of 2004 to reauthorize that Act,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2008

Mr. SMITH of New Jersey (for himself, Mr. HASTINGS of Florida, Mr. MCINTYRE, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MCCOTTER, Mr. PALLONE, Mr. HOLT, Mr. SHIMKUS, Mr. MCGOVERN, and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Belarus Democracy Act of 2004 to reauthorize
that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Belarus Democracy
5 Reauthorization Act of 2008”.

1 **SEC. 2. AMENDMENTS TO REAUTHORIZATION OF THE**
2 **BELARUS DEMOCRACY ACT OF 2004.**

3 The Belarus Democracy Act of 2004 (Public Law
4 109–480; 22 U.S.C. 5811 note) is amended—

5 (1) in section 2—

6 (A) in paragraph (1), by striking “the Re-
7 public of”; and

8 (B) by striking paragraphs (3) through
9 (11) and inserting the following new para-
10 graphs:

11 “(3) The Government of Belarus has subjected
12 thousands of pro-democratic political activists to fre-
13 quent harassment, beatings, and jailings, particu-
14 larly as a result of their attempts to peacefully exer-
15 cise their right to freedom of assembly and associa-
16 tion.

17 “(4) The Government of Belarus has attempted
18 to maintain a monopoly over the country’s informa-
19 tion space, targeting independent media, including
20 independent journalists, for systematic reprisals and
21 elimination, while suppressing the right to freedom
22 of speech and expression of those dissenting from
23 the regime of Aleksandr Lukashenka.

24 “(5) The Government of Belarus has mounted
25 a systematic campaign of harassment, repression,
26 and closure of nongovernmental organizations, in-

1 including independent trade unions and associations of
2 entrepreneurs, and this crackdown has created a cli-
3 mate of fear that inhibits the development of civil
4 society and social solidarity.

5 “(6) The Government of Belarus has increas-
6 ingly subjected leaders and members of ethnic and
7 religious minorities to harassment, including the im-
8 position of heavy fines, denying permission to meet
9 for religious services, prosecutions, and jail terms for
10 activities in the practice of their faith.

11 “(7) The Government of Belarus has attempted
12 to silence dissent by persecuting human rights and
13 pro-democracy activists with threats, firings, expul-
14 sions, beatings and other forms of intimidation, and
15 restrictions on freedom of movement and prohibition
16 of international travel.

17 “(8) The President of Belarus, Aleksandr
18 Lukashenka, has established himself in power by or-
19 chestrating an illegal and unconstitutional ref-
20 erendum that enabled him to impose a new constitu-
21 tion, abolishing the duly-elected parliament, the 13th
22 Supreme Soviet, installing a largely powerless Na-
23 tional Assembly, extending his term in office, and re-
24 moving applicable term limits.

1 “(9) The Government of Belarus failed to make
2 a convincing effort to solve the cases of disappeared
3 opposition figures Yuri Zakharenka, Viktor Gonchar,
4 and Anatoly Krasovsky and journalist Dmitry
5 Zavadsky, even though credible allegations and evi-
6 dence links top officials of the Government to these
7 disappearance.

8 “(10) In 2006, the Government of Belarus con-
9 ducted presidential elections that failed to meet
10 standards of the Organization for Security and Co-
11 operation in Europe (OSCE) for democratic elec-
12 tions, and the numerous detentions and arbitrary
13 use of state power which accompanied the elections
14 showed the disregard of the Government of Belarus
15 for the basic rights to freedom of assembly, associa-
16 tion, and expression, and reinforced doubts regard-
17 ing the willingness of the Government of Belarus to
18 tolerate political competition.

19 “(11) In 2008, the Government of Belarus re-
20 leased some political prisoners who had been impris-
21 oned or served ‘corrective labor’ sentences because of
22 their political activity.

23 “(12) Aleksandr Kozulin, an opposition leader
24 whom the Social Democratic Party nominated in
25 2006 as its candidate for President of Belarus, re-

1 mains in prison, where he continues to serve a five
2 and a half year term for his political activity.

3 “(13) The Department of State, Department of
4 the Treasury, and other executive branch agencies
5 have heretofore made effective use of this Act to
6 promote the purposes of this Act, as stated in sec-
7 tion 3 of this Act.”;

8 (2) in section 3—

9 (A) in paragraph (1), by striking “call
10 upon” and inserting “continue to call for”;

11 (B) in paragraphs (2) and (3)—

12 (i) by inserting “continue to” before
13 “support” each place it appears; and

14 (ii) by striking “the Republic of” each
15 place it appears;

16 (C) in paragraph (4), by striking “seek
17 and” and inserting “continue to”;

18 (D) in paragraph (5)—

19 (i) by inserting “continue to” before
20 “refuse”; and

21 (ii) by striking “fatally” and inserting
22 “fundamentally”;

23 (E) in paragraph (6)—

24 (i) by inserting “continue to” before
25 “refuse”; and

1 (ii) by striking “and” at the end;

2 (F) in paragraph (7)—

3 (i) by inserting “continue to” before
4 “work”; and

5 (ii) by striking the period at the end
6 and inserting “; and”

7 (G) by adding at the end the following new
8 paragraph:

9 “(8) to remain open to reevaluating United
10 States policy toward Belarus as warranted by de-
11 monstrable progress made by the Government of
12 Belarus consistent with the aims of this Act as stat-
13 ed in this section.”;

14 (3) in section 4—

15 (A) in subsection (a)(1), by striking “the
16 Republic of”;

17 (B) in subsection (c)(1), by striking “radio
18 and television” and inserting “radio, television,
19 and Internet”; and

20 (C) in subsection (d)(1), by striking “2007
21 and 2008” and inserting “2007 through 2010”;

22 (4) in section 5—

23 (A) in the section heading, by striking
24 “**RADIO AND TELEVISION**” and inserting
25 “**RADIO, TELEVISION, AND INTERNET**”;

1 (B) in subsection (a), by striking “radio
2 and television” and inserting “radio, television,
3 and internet”; and

4 (C) in subsection (b)—

5 (i) by inserting “, and such sums as
6 may be necessary for fiscal year 2009 and
7 each subsequent fiscal year for Internet
8 broadcasting,”; and

9 (ii) by inserting before the period at
10 the end the following: “, including broad-
11 casting by Radio Free Europe/Radio Lib-
12 erty, the Voice of America, and European
13 Radio for Belarus and Belsat”;

14 (5) in section 6—

15 (A) in subsection (b)—

16 (i) in paragraph (4), by inserting
17 “student activists, ethnic minority and”
18 before “religious organizations”; and

19 (ii) in paragraph (5), by inserting be-
20 fore the period at the end the following:
21 “and violations of human rights”;

22 (6) by redesignating section 9 as section 8; and

23 (7) in section 8, as so redesignated—

24 (A) by striking paragraph (1);

1 (B) by redesignating paragraphs (2) and
2 (3) as paragraphs (1) and (2), respectively; and
3 (C) in paragraph (3)(B)(i), by striking
4 “and prosecutors” and inserting “, prosecutors,
5 and heads of professional associations and edu-
6 cational institutions”.

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