

Calendar No. 167

117TH CONGRESS
1ST SESSION

S. RES. 345

Expressing the sense of the Senate on the political situation in Belarus.

IN THE SENATE OF THE UNITED STATES

AUGUST 9, 2021

Mrs. SHAHEEN (for herself, Mr. CARDIN, Mr. WICKER, Mr. DURBIN, Mr. PORTMAN, Mr. MURPHY, Mr. MARKEY, Mr. TILLIS, Mr. HAGERTY, Mr. RUBIO, Mr. JOHNSON, Mr. KAINE, Mr. VAN HOLLEN, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations

NOVEMBER 16, 2021

Reported by Mr. MENENDEZ, with an amendment and an amendment to the preamble

[Strike out all after the resolving clause and insert the part printed in italic]

[Strike the preamble and insert the part printed in italic]

RESOLUTION

Expressing the sense of the Senate on the political situation
in Belarus.

Whereas the United States Senate has long maintained strong bipartisan concern regarding the troubling lack of democracy in Belarus, highlighted by the passing of the Belarus Democracy Act of 2004 (Public Law 108-347; 22 U.S.C. 5811 note);

Whereas the 116th Congress, as referenced in H.R. 8438, the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, and Senate Resolution 658, which both passed with unanimous support, stated its deep concern regarding the fraudulent election in Belarus on August 9, 2020;

Whereas, on September 17, 2020, the Moscow Mechanism of the human dimension of the Organization for Security and Cooperation in Europe (OSCE) was invoked by 17 participating states with regard to credible reports of human rights violations before, during, and after the presidential election of August 9, 2020, in Belarus;

Whereas, following Alyaksandr Lukashenka's inauguration on September 23, 2020, the United States, the European Union, numerous European Union member states, the United Kingdom, and Canada announced they did not recognize the legitimacy of the election results;

Whereas, after the August 9, 2020 presidential election, the Government of Belarus responded to the resulting peaceful protests, the largest in the country's history, with a violent crackdown, including the detention of more than 10,000 peaceful protectors, according to the United Nations Special Rapporteur on the situation of human rights in Belarus;

Whereas the Government of Belarus, under the misrule of the Lukashenka regime, continues to engage in a pattern of clear and persistent violations of human rights and fundamental freedoms and disrespects the basic principles of democratic governance by subjecting tens of thousands of pro-democracy political activists, peaceful protesters, and ordinary citizens to harassment, beatings, abductions, forced deportations, and imprisonment and by commit-

ting acts of transnational repression to punish any dissent expressed by Belarusian citizens;

Whereas the Lukashenka regime continues to silence independent media, such as Nasha Niva, tut.by, and Belsat, and has unlawfully raided the offices of media outlets, including Radio Free Europe/Radio Liberty, and arrested journalists;

Whereas, on September 11, 2020, then-Deputy Secretary of State Stephen Biegun said that “we stand by our long-term commitment to support the sovereignty of Belarus as well as its territorial integrity, as the aspirations of the Belarusian people to determine their own path remains in front of us”;

Whereas, on May 23, 2021, the Lukashenka regime forced a commercial airliner flying between two European Union member states to land in Minsk in order for the regime to arrest journalist Raman Pratasevich and his partner Sofia Sapega, an action that resulted in near universal condemnation from the international community and coordinated sanctions by the United States, the United Kingdom, and the European Union;

Whereas, on May 28, 2021, the White House announced the re-imposition of full blocking sanctions against nine Belarusian state-owned enterprises and announced a new Executive order to increase sanctions on elements of the Lukashenka regime;

Whereas the Lukashenka regime has actively encouraged over 4,000 migrants from other countries to cross through Belarus into European Union member state Lithuania, amounting to people smuggling and obliging Lithuania to declare a state of emergency;

Whereas, on June 9, 2021, the Committee on Foreign Relations of the Senate held a hearing regarding the political situation in Belarus, in which United States Ambassador to Belarus Julie Fisher testified that “Despite the oppression, the violence, and the turmoil that followed the events of the past year provide glimmers of hope. A new generation of brave Belarusians, with courageous women at the front, have emerged. They represent a Belarus determined to chart its own path. They represent a Belarus in which wearing a red and white dress, hanging a flag, or playing a particular song will not result in torture, forced confessions, or even death.”;

Whereas, on July 27, 2021, President Biden met Belarusian opposition leader Sviatlana Tsikhanouskaya at the White House and declared that “The United States stands with the people of Belarus in their quest for democracy and universal human rights.”;

Whereas, on August 9, 2021, President Biden—

(1) announced an Executive order authorizing the imposition of blocking sanctions on certain sectors of the Belarus economy, including the potash, tobacco products, and construction sectors; and

(2) pursuant to such Executive order and Executive Order 13405, issued additional sanctions on Belarusian individuals and entities, including Belaruskali (a state-owned potash fertilizer company) and the Belarus National Olympic Committee; and

Whereas Belarusian opposition leader Sviatlana Tsikhanouskaya continues to represent the widely shared desire of the Belarusian people for free and fair elections and democracy. Now, therefore, be it

Whereas the United States Senate has long maintained strong bipartisan concern regarding the troubling lack of democracy in Belarus, highlighted by the passing of the Belarus Democracy Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note);

Whereas the 116th Congress, as referenced in H.R. 8438, the Belarus Democracy, Human Rights, and Sovereignty Act of 2020, and Senate Resolution 658, which both passed with unanimous support, stated its deep concern regarding the fraudulent election in Belarus on August 9, 2020;

Whereas on September 17, 2020, the Moscow Mechanism of the human dimension of the Organization for Security and Cooperation in Europe (OSCE) was invoked by 17 participating states with regard to credible reports of human rights violations before, during, and after the presidential election of August 9, 2020, in Belarus;

Whereas, following Alyaksandr Lukashenka’s inauguration on September 23, 2020, the United States, the European Union, numerous European Union member states, the United Kingdom, and Canada announced they did not recognize the legitimacy of the election results;

Whereas after the August 9, 2020 presidential election, the Government of Belarus responded to the resulting peaceful protests, the largest in the country’s history, with a violent crackdown, including the detention of more than 10,000 peaceful protestors, according to the United Nations Special Rapporteur on the situation of human rights in Belarus;

Whereas the Government of Belarus, under the misrule of the Lukashenka regime, continues to engage in a pattern of clear and persistent violations of human rights and funda-

mental freedoms and disrespects the basic principles of democratic governance by subjecting tens of thousands of pro-democracy political activists, peaceful protesters, and ordinary citizens to harassment, beatings, abductions, forced deportations, and imprisonment and by committing acts of transnational repression to punish any dissent expressed by Belarusian citizens;

Whereas the Lukashenka regime continues to silence independent media, such as Nasha Niva, tut.by, and Belsat, and has unlawfully raided the offices of media outlets, including Radio Free Europe/Radio Liberty, and arrested journalists;

Whereas on September 11, 2020, then-Deputy Secretary of State Stephen Biegun said that “we stand by our long-term commitment to support the sovereignty of Belarus as well as its territorial integrity, as the aspirations of the Belarusian people to determine their own path remains in front of us”;

Whereas on May 23, 2021, the Lukashenka regime forced a commercial airliner flying between two European Union member states to land in Minsk in order for the regime to arrest journalist Raman Pratasevich and his partner Sofia Sapega, a violation of international law resulting in near universal condemnation from the international community and coordinated sanctions by the United States, the United Kingdom, and the European Union;

Whereas on May 28, 2021, the White House announced the reimposition of full blocking sanctions against nine Belarusian state-owned enterprises and announced a new Executive order to increase sanctions on elements of the Lukashenka regime;

Whereas the Lukashenka regime has actively encouraged or forced at gunpoint more than 4,000 migrants from other countries to cross through Belarus into European Union member states Lithuania, Latvia, and Poland, amounting to people smuggling and obliging these countries to declare a state of emergency;

Whereas on June 9, 2021, the Committee on Foreign Relations of the Senate held a hearing regarding the political situation in Belarus, in which United States Ambassador to Belarus Julie Fisher testified that “Despite the oppression, the violence, and the turmoil that followed the events of the past year provide glimmers of hope. A new generation of brave Belarusians, with courageous women at the front, have emerged. They represent a Belarus determined to chart its own path. They represent a Belarus in which wearing a red and white dress, hanging a flag, or playing a particular song will not result in torture, forced confessions, or even death.”;

Whereas on July 27, 2021, President Biden met Belarusian opposition leader Sviatlana Tsikhanouskaya at the White House and declared that “The United States stands with the people of Belarus in their quest for democracy and universal human rights.”;

Whereas on August 9, 2021, President Biden—

(1) announced an Executive order authorizing the imposition of blocking sanctions on certain sectors of the Belarus economy, including the potash, tobacco products, and construction sectors; and

(2) pursuant to such executive order and Executive Order 13405, issued additional sanctions on Belarusian individuals and entities, including Belaruskali (a state-

owned potash fertilizer company) and the Belarus National Olympic Committee; and

Whereas Belarusian opposition leader Sviatlana Tsikhanouskaya continues to represent the widely shared desire of the Belarusian people for free and fair elections and democracy: Now, therefore, be it

1 *Resolved, That the Senate—*

2 (1) continues, on the first anniversary of the il-
3 legitimate presidential election in Belarus on August
4 9, 2020, to refuse to recognize Alyaksandr
5 Lukashenka as the legitimately elected leader of
6 Belarus;

7 (2) condemns Lukashenka's ongoing crackdown
8 on members of the pro-democracy movement, senior
9 members of the Coordination Council, peaceful pro-
10 testers, employees from state-owned enterprises par-
11 ticipating in strikes, independent election observers,
12 independent journalists and bloggers, medical profes-
13 sionals, professors, teachers, athletes, and cultural
14 leaders;

15 (3) continues to call for the fulfillment by the
16 Government of Belarus of Belarus' freely under-
17 taken obligations as an Organization for Security
18 and Co-operation in Europe (OSCE) member and
19 accept the OSCE's offer to facilitate a national dia-
20 logue and fully participate in the OSCE process;

1 (4) calls for new presidential and parliamentary
2 elections to be held in Belarus, conducted in a man-
3 ner that is free and fair according to OSCE stand-
4 ards and under the supervision of OSCE observers
5 and independent domestic observers;

6 (5) welcomes the United States Government's
7 close coordination with the European Union, the
8 United Kingdom, Canada, other allied and partner
9 countries, and international organizations to pro-
10 mote the principles of democracy, the rule of law,
11 and human rights in Belarus and encourages contin-
12 ued coordination to apply maximal pressure on the
13 Lukashenka regime;

14 (6) continues to call for the immediate release,
15 without preconditions, of all political prisoners in
16 Belarus;

17 (7) welcomes the recent release of Radio Free
18 Europe/Radio Liberty (RFE/RL) journalists Aleh
19 Hruzdilovich and Ina Studzinskaya and calls for
20 the unconditional release of all political prisoners
21 and journalists detained on dubious charges, includ-
22 ing opposition candidates Sergei Tikhanovsky and
23 Viktor Babaryka, pro-democracy activist Maria
24 Kalesnikava, and RFE/RL journalist Ihar Losik;

1 (8) condemns the forced diversion of Ryanair
2 Flight 4978 to arrest Raman Pratasevich and his
3 partner Sofia Sapega, which violated international
4 civil aviation law and risked the lives of innocent
5 passengers and crew, and calls for their immediate
6 unconditional release;

7 (9) commends the bravery of Belarusians who
8 have created innovative ways to protest
9 Lukashenka's autoeracy and applauds the
10 Belarusian diaspora's efforts to maintain inter-
11 national focus on the deteriorating political situa-
12 tion;

13 (10) lauds the extraordinary support offered by
14 the Governments of Lithuania, Ukraine, and Poland
15 to support the people of Belarus, including support
16 for the political opposition, accommodation of polit-
17 ical refugees, and backing a free media;

18 (11) calls on the Lukashenka regime to imme-
19 diately halt exploiting and instrumentalizing mi-
20 grants and to stop directing individuals to Lithua-
21 nia's borders;

22 (12) welcomes the Executive order announced
23 on August 9, 2021, that applies additional sanctions
24 on the Lukashenka regime and urges the Biden Ad-
25 ministration to consider all economic, political, and

1 diplomatic tools at its disposal to support democracy
2 in Belarus;

3 (13) welcomes the European Union sanctions
4 imposed on the Lukashenka regime and urges the
5 United States to continue to coordinate additional
6 measures with the European Union; and

7 (14) emphasizes that the United States sup-
8 ports the people of Belarus in their quest to main-
9 tain their sovereignty, choose their own leadership,
10 and live in freedom, and recognizes the extensive ef-
11 forts of the Belarusian opposition to coordinate ef-
12 forts with the United States, the European Union,
13 the OSCE, and the United Nations to bring free and
14 fair elections to its people.

15 That the Senate—

16 (1) continues, on the first anniversary of the ille-
17 gitimate presidential election in Belarus on August 9,
18 2020, to refuse to recognize Alyaksandr Lukashenka
19 as the legitimately elected leader of Belarus;

20 (2) condemns Lukashenka's ongoing crackdown
21 on members of the pro-democracy movement, senior
22 members of the Coordination Council, peaceful pro-
23 testers, employees from state-owned enterprises par-
24 ticipating in strikes, independent election observers,
25 independent journalists and bloggers, medical profes-

1 *sionals, professors, teachers, athletes, and cultural*
2 *leaders;*

3 *(3) continues to call for the fulfillment by the*
4 *Government of Belarus of Belarus' freely undertaken*
5 *obligations as an Organization for Security and Co-*
6 *operation in Europe (OSCE) member and accept the*
7 *OSCE's offer to facilitate a national dialogue and*
8 *fully participate in the OSCE process;*

9 *(4) calls for new presidential and parliamentary*
10 *elections to be held in Belarus, conducted in a man-*
11 *ner that is free and fair according to OSCE stand-*
12 *ards and under the supervision of OSCE observers*
13 *and independent domestic observers;*

14 *(5) welcomes the United States Government's*
15 *close coordination with the European Union, the*
16 *United Kingdom, Canada, other allied and partner*
17 *countries, and international organizations to promote*
18 *the principles of democracy, the rule of law, and*
19 *human rights in Belarus and encourages continued*
20 *coordination to apply maximal pressure on the*
21 *Lukashenka regime;*

22 *(6) continues to call for the immediate release,*
23 *without preconditions, of all political prisoners in*
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2 rope/Radio Liberty (RFE/RL) journalists Aleh
3 Hruzdzilovich and Ina Studzinskaya and calls for the
4 unconditional release of all political prisoners and
5 journalists detained on dubious charges, including op-
6 position candidates Sergei Tikhanovsky and Viktor
7 Babaryka, pro-democracy activist Maria Kalesnikava,
8 and RFE/RL journalist Ihar Losik;

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10 Flight 4978 to arrest Raman Pratasevich and his
11 partner Sofia Sapega, which violated international
12 civil aviation law and risked the lives of innocent
13 passengers and crew, and calls for their immediate
14 unconditional release;

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16 have created innovative ways to protest Lukashenka's
17 autocracy and applauds the Belarusian diaspora's ef-
18 forts to maintain international focus on the deterio-
19 rating political situation;

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6 August 9, 2021, that applies additional sanctions on
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9 matic tools at its disposal to support democracy in
10 Belarus;

11 (13) welcomes the European Union sanctions
12 imposed on the Lukashenka regime and urges the
13 United States to continue to coordinate additional
14 measures with the European Union; and

15 (14) emphasizes that the United States supports
16 the people of Belarus in their quest to maintain their
17 sovereignty, choose their own leadership, and live in
18 freedom, and recognizes the extensive efforts of the
19 Belarusian opposition to coordinate efforts with the
20 United States, the European Union, the OSCE, and
21 the United Nations to bring free and fair elections to
22 its people.

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preamble