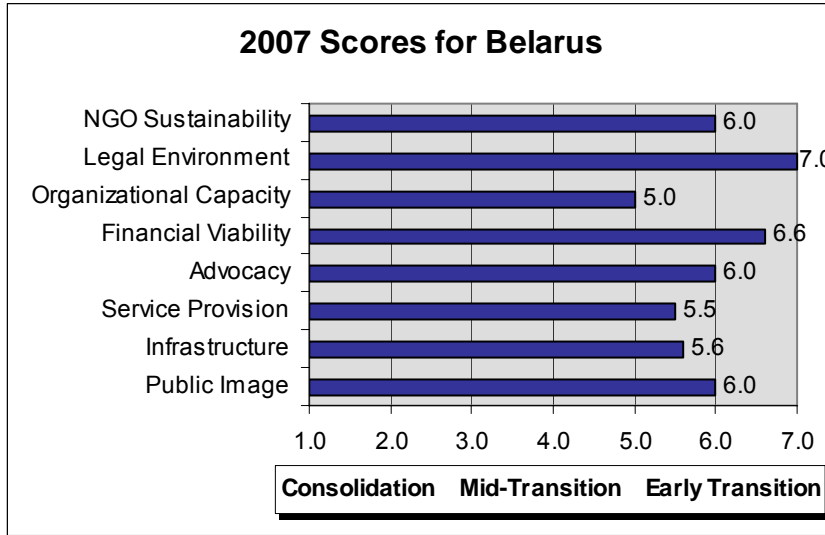


BELARUS



Capital: Minsk

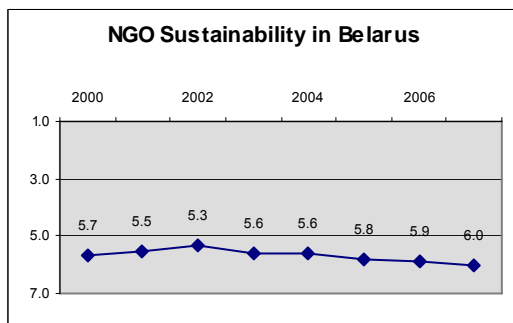
Polity: Presidential

Population: 9,685,768 (July 2008 est.)

GDP per capita (PPP): \$10,200 (2007 est.)

NGO SUSTAINABILITY: 6.0

According to Ministry of Justice data from November 2007, there were 19 NGO associations, 61 foundations, and 2,263 NGOs registered in Belarus. Though the total number of registered organizations has changed little over the last five years, their sustainability and morale have deteriorated as a result of the difficulty of registering and operating an independent NGO in the country. Although illegal, there are also hundreds of unregistered civic groups and several unregistered coalitions in Belarus.



Belarusian society is controlled heavily by the state. There is no proper rule of law, division of powers, or freedom of speech, and opposition forces have limited access to the media. Ordinary people, as well as political leaders and

journalists, have been subject to criminal and administrative persecution for participating in demonstrations. The government censors works of art, books and rock groups and is looking for ways to control domestic Internet content. Religious freedom is also considerably restricted: religious activity without state registration as a religious organization is prohibited.

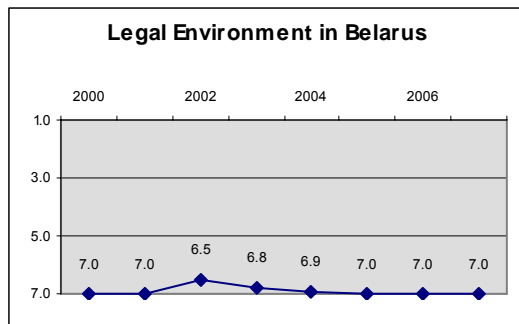
The difficult environment in Belarus threatens the very existence of independent NGOs. Belarusian authorities view NGOs as a source of opposition and consequently try to repress genuine civic initiatives, replacing them instead with quasi-NGOs loyal to the regime. Over the last year, 26 NGOs have been closed by court decision and 48 NGOs decided to dissolve because of oppressive restrictions on their funding and operations. Authorities have also stifled NGOs through taxation and auditing policies and by arbitrarily raising rents or terminating rental contracts. NGO leaders have been victims of threats, intimidation and arrests. Procedures for registering an NGO remain cumbersome and non-transparent, and tax legislation is unfavorable. Moreover, NGOs in Belarus lack support from the business sector

and citizens – both financially and programmatically.

The Law on Mass Events in the Republic of Belarus seriously restricts the freedom of assembly and freedom of expression. The

LEGAL ENVIRONMENT: 7.0

NGO registration and operation in Belarus is complex, expensive, difficult, and highly dependent on the good will of government decision-makers. Registration remains difficult, if not impossible, for those who are not openly loyal to state policies. There are cases where even NGOs providing social services are unable to register their regional structures: the Belarusian Young Women's Christian Association (YWCA) has been trying in vain to register six of its local branches for over four years.



While there is no official data from the Ministry of Justice concerning the number of registration applications, well-known initiatives have been denied registration. Some of them, including *Malady Front*, *Za Svabodu*, and *Viasna*, appealed the decision in the Supreme Court without success; however, they were permitted to change their charters and re-apply for registration. An association of people involved in the Chernobyl cleanup had to seek legal status in neighboring Ukraine after it was denied registration in Belarus. Individuals trying to establish an NGO also experience psychological and administrative pressure from tax authorities and police. Although illegal, there are hundreds of unregistered civic groups and several unregistered coalitions in Belarus.

Criminal Code of the Republic of Belarus foresees criminal penalties for activities carried out by non-registered organizations or associations. In May 2007, new criminal cases were opened against members of *Malady Front*, who were ultimately fined after being detained.

While denying registration to independent groups, the government continues to create its own organizations. The latest example is the formation of the association *Belaya Rus* in November 2007 to mobilize support for the Lukashenko regime.

Numerous governmental authorities, from the Ministry of Justice down to tax inspection offices, have the right to audit NGO activities. KGB inquiries, rent increases, termination of rental contracts, and unannounced inspections are also widely used to hinder the functioning of NGOs, intimidate their employees and volunteers, and create a pretext for imposing sanctions to close or suspend operations. For the first time in the history of the Belarusian third sector, 48 NGOs made a conscious decision to dissolve this year.

NGOs are not allowed to have offices in privately-owned apartments or houses, and must register at non-residential premises, most of which are owned by state agencies or state-controlled companies. State rents were increased throughout 2007 and a new presidential decree issued in October canceled preferential rents for non-humanitarian NGOs beginning in April 2008, while providing many GONGOs with office space free-of-charge.

Restrictive legislation makes it difficult for NGOs to engage in nearly any activity. Every action needs state approval, and many government decisions have no clear explanation or legal grounds. As a result, many groups that educated voters, participated in electoral commissions, or nominated election observers or candidates to local councils now refuse to engage in such activities or use other NGOs to mask this work.

Pro bono legal support for nonprofits is insufficient and lawyers have become increasingly disillusioned about their ability to provide real help to NGOs.

Current legislation does not allow NGOs to earn income in any form, and thus they can not

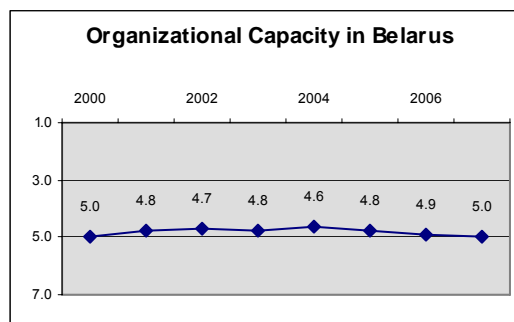
ORGANIZATIONAL CAPACITY: 5.0

The availability of organizational capacity building support for NGOs continued to decrease in 2007 to the point where there are virtually no organizations or programs that continually and systemically provide basic knowledge and skills, technical assistance, consulting or information to NGOs across the country. Consequently, the gap between the few mature organizations – which often have clearly defined specializations, strong ties with domestic and foreign counterparts, and are predominantly concentrated in the capital city – and the plethora of grassroots initiatives has increased.

The foreign donor community increasingly insists that NGOs include constituency building and community needs assessments into their project proposals; however, as a result of the hostile atmosphere described above, many NGOs focus more on their donors and members than true constituency-building. Some leaders of high-profile national organizations spend more time abroad cultivating donor relationships than developing contacts within local communities and with other NGOs.

Due to the lack of capacity building support, NGOs – particularly newly established regional organizations – do not understand the importance of cultivating, developing, and responding to local constituencies. Others, especially unregistered organizations, use alternative means to reach out to their constituencies such as Internet, e-mail, and hand-delivered publications. NGOs that provide services to state institutions expand their constituencies by involving civil servants into their activities.

compete for government contracts. *Real World*, a Svetlogorsk-based NGO, won a tender for a local HIV prevention program in April 2007, but the contract has not been signed yet due to this restriction. At the same time, GONGOs such as the *Belarusian Republican Youth Union* receive funding from the state budget.



The majority of NGOs accepts the importance of strategic planning, but fails to see any practical results from it. Some conduct strategic planning only to meet donor requirements, while others do so simply to demonstrate their capacity. Only a few NGOs engage in strategic planning for their own development. Though NGOs have boards of directors, their governance functions are poorly developed, with the distinction between boards and staff often blurred and board roles inadequately defined.

Most funding for NGO activities is neither registered nor reflected in the books; therefore, only a limited number of people have full information about an NGO's operations and plans. This lack of transparency stifles the development of internal regulations and communication and often leads to internal conflicts. Unfortunately, more and more NGOs are using the tough operating environment as an excuse for authoritarian management practices. Only a few NGOs conduct real audits and publish annual reports.

NGOs with stable financing are able to employ staff; others have to use volunteers even for bookkeeping. As many donors do not cover administrative expenses, NGOs are generally unable to pay competitive salaries or provide social benefits. As a result, NGOs often find it

difficult to recruit and retain qualified professionals. Even large and well-developed NGOs, such as *BelAPDI*, are losing professional staff due to low salaries.

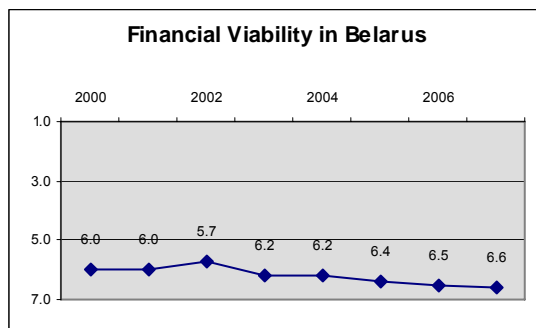
In general, NGOs in Belarus have office equipment, but have problems purchasing licensed software. Even NGOs without

equipment have access to basic technology as every post office has a public computer with Internet access. Though there are still cases of government confiscation of NGO equipment (nine computers were recently confiscated in Gomel from *Malady Front* activists), they are rare and do not dramatically affect overall NGO access to equipment.

FINANCIAL VIABILITY: 6.6

Financial sustainability remains one of the most pressing issues facing the NGO sector in Belarus. The weak capacity of many NGOs to design projects and apply for financial support, combined with the lack of information on available funding opportunities, inhibits the development of the sector.

Belarusian NGOs are financed by three major sources: financial and technical support from foreign donors; membership fees; and through partnerships with foreign NGOs for specific projects. The latter is especially popular because it allows local NGOs to conduct activities without going through the cumbersome grant registration procedure. Smaller, regional organizations face difficulties in accessing all three of these funding sources.



As domestic funding sources are almost non-existent, Belarusian civil society depends substantially on foreign funding. Many NGOs seem to be comfortable following foreign donors' strategies and decisions and unperturbed by the poor prospects for local funding. In many cases, foreign donations are not formally registered because of the difficult registration

procedure, which discourages sound financial management practices and transparency and may explain why NGOs avoid audits and do not publish annual reports.

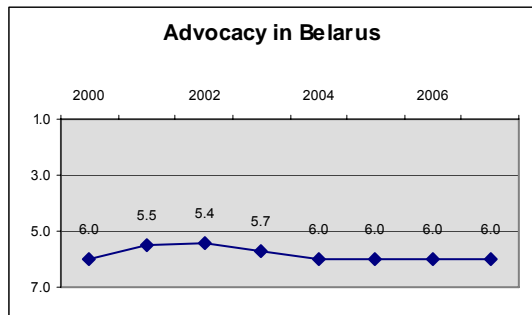
Most leaders of social service NGOs recognize the importance of partnering with local businesses, yet report decreasing or stagnant interest by the business sector in cooperating. Decree #300 on charitable donations and sponsorship, issued in 2005, made corporate donations to independent NGOs economically unfeasible and procedurally difficult and continues to impact the financial situation of NGOs. The most popular forms of business-NGO cooperation are donations of goods and services and cash contributions. Most commercial enterprises, both state-owned and private, prefer to provide assistance directly to end beneficiaries, thereby avoiding contacts with social organizations. Existing business-NGO projects are based primarily on personal relationships between business owners and NGO leaders.

NGOs collect membership fees, which nonetheless make up a small share of their budgets because of small memberships and the inability of Belarusian citizens to pay high fees. Belarusian legislation does not allow NGOs to engage in economic activities: a separate commercial arm must be created for that purpose. To get around this limitation, Belarusian NGOs often exchange services for donations, both financial and in-kind. While this practice is irregular, it nevertheless helps organizations recoup some of their expenses and maintain long-term social programs.

mentioned above, a presidential decree issued in October 2007 will significantly raise the rents NGOs must pay for offices in state-owned

buildings beginning in April 2008, thereby posing unbearable economic effects on the sector.

ADVOCACY: 6.0



The NGO community is fragmented and unable to unite to develop viable approaches to advocate the interests of the sector as a whole, defend NGOs' rights, or increase the sector's public profile. During the year, NGOs initiated national advocacy campaigns against nuclear power plant construction and government-dictated labor contracts, and continued network activities in the areas of environment, health, and community development. However, due to poor organization and low community involvement, these efforts had mixed results. Local campaigns, including one against the demolition of historical buildings in Grodno and another in Gomel to commemorate victims of Stalinist repressions, were better organized and received greater public support. As the real power vests with the presidential

administration, appeals to the Parliament or Ministries are fruitless, causing frustration and disillusionment among campaign organizers. One successful advocacy initiative during the year was the efforts of the *Belarusian AIDS Network*, which led to the Council of Ministers' adoption of recommendations to the country strategy on HIV/AIDS Prevention, Treatment and Care.

Though the general climate for public-private cooperation is unfavorable, NGOs are represented in expert and advisory bodies created by Ministries for issues such as the environment, eco- and agro-tourism, corporate social responsibility, HIV prevention, and social service provision. Several of the most respected NGOs providing trafficking prevention services in local communities received partner-observer status in the *National Working Group on Combating Trafficking in Human Beings* last year. At the same time, most NGO contacts with government bodies are limited to relations with individual officials and have little impact on policy decisions. Cooperation at the local level is wider, but is still mainly based on local administrations' desire to leverage NGO resources.

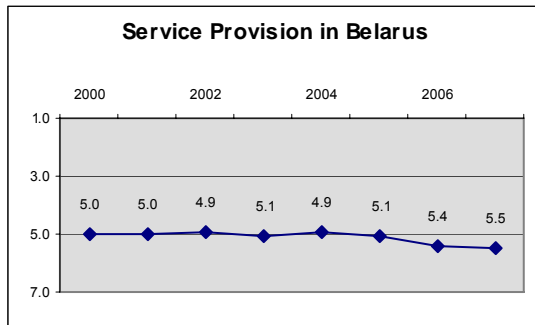
SERVICE PROVISION: 5.5

The general deterioration of the operating environment and internal capacities of NGOs has affected their abilities to provide quality services. Limited resources and restrictive legislation sometimes force NGOs to stop providing demanded services and transfer them to state institutions. For example, workshops for young disabled people run by *BelAPDI* were transferred to the state-owned *Territorial Centers for Social Services*; the same happened with the social enterprise of *Doveriye* in Kobrin. Another indicator of the decline in service provision is that the share of projects presented

by NGOs at the annual social projects fair decreased in comparison with previous years in both relative and absolute terms.

The spectrum of social services provided by NGOs expanded during the year, while activities in other areas diminished or even disappeared. While the government favors more NGO engagement in social service provision, the number of registered think tanks, resource centers, human rights and educational NGOs is decreasing due to lack of funding, government intimidation, and deregistration.

NGOs continue to provide vital social services where the state has failed to do so, and are increasingly serving as valuable sources of expertise for the government itself, particularly at the local level. In some cases, NGOs have so effectively filled the social services void that local governments are experimenting with the idea of contracting them to provide such services.



Many NGOs introduce social innovations to the country, leveraging their international contacts, greater flexibility and relative absence of ideological constraints. For example, the

INFRASTRUCTURE: 5.6

The NGO sector in Belarus does not have the infrastructure needed to protect itself against punitive government measures, build a cadre of professional staff, publicize the sector's success, perform brokerage functions between donors and recipients, or lobby the legislature. Most NGO resource centers were previously de-registered by the state. While other NGOs and their networks have assumed some of their information sharing and training functions, these services are neither regular nor consistent. Smaller regional organizations are hit hardest by the lack of such resources.

Local grantmaking organizations are limited in number and information about their activities is not widespread. Some large international organizations like the *YWCA* re-distribute funds among their own local structures.

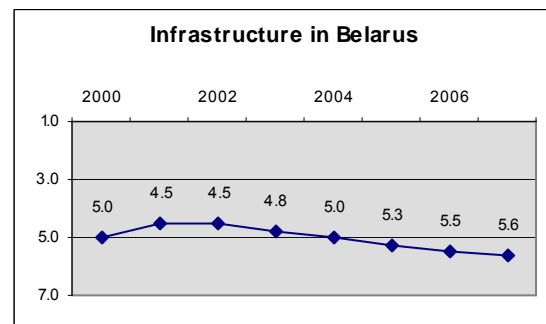
With rare exceptions, horizontal linkages between NGOs remain sporadic and ineffective, particularly between organizations working in

Christian Children's Fund grantees introduced fifty new or modified social services for orphans, vulnerable children and families in 2007.

NGOs count on continued foreign assistance, and therefore have little incentive to focus on market demand or cost recovery. Training on financial management, marketing, pricing, break-even analysis, and cost effectiveness is neither available nor demanded. Only a limited number of NGOs conducts needs assessments of potential beneficiaries and hardly any do cost-benefit analyses of services.

Government procurement opportunities for NGOs are underdeveloped or nonexistent. A few NGOs have contracts with the government to provide social services, but for the most part, such contracts are extended to state-controlled pro-governmental organizations. State bodies and institutions acknowledge the expertise and professionalism of NGOs but prefer to work with individual NGO professionals as trainers and consultants.

different areas of expertise. That said, NGOs have become more aware of the benefits of cooperation and information exchange and have formed new networks and coalitions: organizations that deal with HIV/AIDS prevention established an association and even managed to get registered, and a group of women's NGOs renewed their coalition to promote women's rights and gender equality. Existing coalitions, though not formally registered, continue to redesign strategies to better serve their members.



While local trainers are able to conduct high quality training in Russian and Belarusian, NGOs lack funds to pay for their services, and donors do not sufficiently support these activities. NGOs in provincial towns and villages have limited access to training. There is a great need for local trainers to improve their capacity, broaden subject topics, provide peer

education in small communities, and develop a forum to exchange experience and tools.

Cross-sectoral cooperation remains underdeveloped, and NGOs have a long way to go to earn trust and support from other segments of Belarusian society.

PUBLIC IMAGE: 6.0

The state media occasionally reports on activities of GONGOs and quasi-NGOs like the *Belarusian Republican Youth Union*, as well as veteran’s and women’s organizations loyal to the authorities. Other NGOs are rarely covered in a positive light, if at all. On the contrary, state propaganda often portrays independent NGOs as foreign agents working against national interests. Even NGOs implementing programs supported by the state have difficulties with media coverage. Independent media, in contrast, provide more balanced coverage of NGOs and their activities, but do not reach a large enough percentage of the population to affect public opinion.

Lack of access to traditional media forces NGOs to look for new ways to reach people while safeguarding their interests. Internet and e-mail are very popular tools and sources of information about all kinds of civic initiatives.

The government, media, general population, and NGOs themselves view NGOs as divided into two sides: those loyal to the government and those critical of it. With virtually no middle ground and high animosity between the sides, communication between NGOs and government officials can be particularly difficult.

Heavily influenced by propaganda in the state media, the public sometimes suspects NGOs of being susceptible to foreign interests and misusing financial resources for personal profit. Most NGOs need help identifying and articulating their impact and success to overcome such suspicions.

The hostile NGO environment in Belarus and resulting closed nature of NGOs does not encourage joint work on ethical standards or rules of conduct. However, such rules do exist among a few NGOs, networks and coalitions.

