BELARUS

U.S. Representative Chris Smith: Belarus Sanctions So Far 'Just Not Enough'

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By Todd Prince

U.S. Representative Chris Smith, a member of the Foreign Affairs Committee in the House of Representatives and a leading congressional critic of Alyaksandr Lukashenka, has told RFE/RL that "it is time to be thinking about a tribunal" to bring the long-ruling Belarusian strongman and his associates to account.

Smith, a Republican from the state of New Jersey and the primary author of four successive versions of the Belarus Democracy Act, legislation that seeks to support civil society and independent media in Belarus while punishing its leaders, said that sanctions imposed by the Trump and Biden administrations were "just not enough."

"This has to be a full-court press," Smith said in an interview on May 23, hours after a passenger jet was forced to land in Belarus and journalist Raman Pratasevich was detained. "And the seriousness has to be unmistakable, so that Lukashenka gets the message, 'You're done.'"

RFE/RL: What kind of actions should be taken against Belarus to send a message that such an act is unacceptable?

Chris Smith: Well, I think first and foremost, the sanctions have to be very, very widely applied. We know many of the people that are doing these horrible things each and every day. So the sanctions list needs to be quadrupled, even more. It's not enough as to how many people have been put on the sanctions list. And I think this needs to be brought to every venue possible, including the United Nations.

I mean, if they can send a MiG up and bring down an aircraft -- a forced landing -- because it happens to have a pro-democracy activist or activists inside that plane, nobody is safe. This is really a violation of airspace and aviation rules.

I frankly think it is time to be thinking about a tribunal. We need to be holding Lukashenka and his cronies to account in a hybrid court like that one [that heard the war crimes case against former Liberian President Charles Taylor]. You know, [former Serbian President Slobodan] Milosevic never thought he would be held to account. This is the kind of thing that needs to be brought to a tribunal and as soon as possible.

RFE/RL: Would holding a tribunal have any real impact if he continues to retain power in Belarus?

Smith: Well, it can be, because then if he travels anywhere, there's extradition. The International Criminal Court (ICC) needs to go wherever the atrocities are occurring, whether or not there's a concurrence by Russia or China in terms of allowing it. It can be done, but there has to be the will.

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Nobody thought the International [Criminal] Tribunal for the Former Yugoslavia would happen because Serbia was so close to Russia, and they thought they would simply stop it. Well, that court did take place. A lot of awful people who did terrible things were held to account. And there were a lot of lessons learned since then, both in Rwanda, as well as in the court for Sierra Leone. And I think it's time that we proceed for the court. Whether it be through the ICC or a hybrid court, like we had with Yugoslavia.

RFE/RL: How do you think this event impacts the aviation industry going forward?

Smith: I think it puts on notice that any one of your passengers who happens to be a human rights defender -- you could find that plane [and] force it to make an emergency landing. This is a precedent that if it is not challenged aggressively, the airlines and all flights will be in a very precarious position going forward because routinely, planes fly over places that are dictatorships. And it's dictatorships that have the will to orchestrate something like happened here. They can arrest and now in this case, very severely hurt, I believe, this journalist.

RFE/RL: Belarus reportedly has deep ties, including financial, to the Middle East. Is the United States putting any pressure on the region?

Smith: Whatever pressure is being brought to bear -- it is done stealthily and it's not been effective. Lukashenka, as he has done in the past, feels that he can wait out the initial storm of pushback from the international community, including the United States, and then do what he just did, go and arrest Mr. Pratasevich, who was flying over Belarusian airspace. So more pressure has to be put on our allies, friends, and those with whom we have a relationship, but that may not be that warm and friendly, just to make sure that he has no place to turn or to hide.

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RFE/RL: What did you think of the Biden administration's update on Belarus and its reaction to events there that was recently presented to Congress?

Smith: It's not enough. They [Biden administration] have sanctioned some people, as did Donald Trump, so both Biden and Trump have sanctioned a number of individuals, but it's just not enough. This has to be a full-court press. And the seriousness has to be unmistakable, so that Lukashenka gets the message, 'You're done. You better find refuge somewhere like so many dictators do.' He'll probably go to Russia should he be compelled to leave. But there's not enough pressure and that's the problem.

RFE/RL: Your bills have given administrations the power to impose sanctions on the country. Can the sanctions regime be effectively monitored? Can Belarus get around them?

Smith: If there's anything slipping through those cracks, we need to make sure that doesn't happen either. If you recall, during Milosevic's horrible war against Bosnia and Croatia, where was a lot of his munitions and military hardware coming from? Belarus. They were joined at the hip in solidarity.

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But [sanctions avoidance] needs to be very aggressively looked at as well. I think this [2020] act should be the final straw for Lukashenka. I remember when we passed the 2004 act and the 2006 act, there were a lot of people who said, 'Well, let's just turn the page, you know, we've done enough,' and I said, '[Lukashenka] has not changed his stripes.' You know, he is a consummate dictator, who is so cruel, as [are] his police who rape and kill every day of the week. And now they're doing it on steroids.

RFE/RL: Should the United States recall its ambassador to protest the forced downing of the civilian airplane and arrest of Pratasevich?

Smith: I'm one of those who believe a presence is important. But it has to be extraordinarily robust or else it becomes not effective. We have removed ambassadors before from there and elsewhere. And it's still an open question, if that really has any impact. We need to be pushing hard to make sure that our ambassador, as well as the mission, which is greatly reduced, is an oasis of freedom and democracy and it's just working on pointing out what Lukashenka is doing.

RFE/RL: Europe and the United States have put some officials and tycoons close to Lukashenka on the sanctions list following the brutal crackdown on protesters. During a hearing in March, you named a few more tycoons that you would like to see hit with sanctions by the United States, including the Karic brothers from Serbia and Russian businessman Mikhail Gutseriyev. Are you calling for expanding that list?

Smith: My argument today, especially after this very brazen incident, is that we have to just manifestly increase the number of people on that [sanctions] list, and there are many who qualify, so it's not hard to do so. Many people have to feel the economic hurt. So much of the money that's made, like in any dictatorship, comes from those who are doing the misdeeds and the cruelty to people. They run the companies, in many cases, they certainly get a lot of money from them. When they're prevented by both Europe and the United States from doing any of that, where's their market? Where are they going to sell?