

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4436

To direct the Secretary of State to submit to Congress an annual report on exports of weapons and related services by the Government of Belarus and Belarusian enterprises and related matters.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2010

Ms. ROS-LEHTINEN (for herself, Mr. McCOTTER, Mr. GALLEGLY, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. MACK, Mr. INGLIS, Mr. WOLF, Mr. LINDER, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To direct the Secretary of State to submit to Congress an annual report on exports of weapons and related services by the Government of Belarus and Belarusian enterprises and related matters.

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 Arms Trans-  
5       fers Accountability Act of 2009”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) The Congressional Research Service has es-  
2           timated that Belarus exported arms officially valued  
3           at \$1,000,000,000 between 1999 and 2006, making  
4           it the eleventh largest exporter of arms in the world.

5           (2) According to some reports the actual value  
6           of arms exports by Belarus may exceed such totals,  
7           since public agreements for arms sales by Belarus  
8           may not include secret agreements made by officials  
9           of the Government of Belarus and its state-owned  
10          entities. In a report to Congress in March 2006, the  
11          Department of State reported that “. . . many arms  
12          sales [from Belarus] are made without consideration  
13          by relevant security organs of the Belarusian govern-  
14          ment”.

15          (3) In a report to Congress in March 2006,  
16          submitted in accordance with the Belarus Democ-  
17          racy Act of 2004 (Public Law 108–347), the De-  
18          partment of State reported the following:

19                  (A) “Belarus has continued to export sig-  
20                  nificant quantities of defense articles, dual-use  
21                  items and other military equipment and tech-  
22                  nology.”.

23                  (B) “There have been numerous reports of  
24                  Belarusian sales or delivery of weapons or

1 weapons-related technologies to states of con-  
2 cern, including state sponsors of terrorism.”.

3 (C) “There are signs that Belarusian au-  
4 thorities are undertaking efforts to expand rela-  
5 tions with some countries of concern.”.

6 (4) According to published reports, Belarus has  
7 been a significant supplier of rockets, mortars, anti-  
8 tank weapons, and mines to Palestinian extremist  
9 groups and to state sponsors of terrorism, such as  
10 Iran and Syria, as well as Mi-24 helicopters, artil-  
11 lery systems and Russian-origin armored combat ve-  
12 hicles to the Government of Sudan, tanks to the  
13 communist regime in North Korea, and military air-  
14 craft and aircraft engines to Iran.

15 (5) In April and September 2004, the United  
16 States imposed sanctions on the Belarusian entity  
17 “Belvneshpromservice” pursuant to the Iran Non-  
18 proliferation Act of 2000 (Public Law 106-178)  
19 based on its transfer to Iran of items having the po-  
20 tential of making a material contribution to weapons  
21 of mass destruction or cruise or ballistic missile sys-  
22 tems.

23 (6) In May 2005, the Belarusian parliament  
24 ratified a security agreement with Iran, after an ear-  
25 lier visit to Belarus by the then-leader of Iran, Mo-

1 hammed Khatami, during whose visit Belarusian re-  
2 gime leader Aleksandr Lukashenko stated that  
3 Belarus was ready to cooperate with Iran “in all di-  
4 rections”.

5 (7) Speaking with regard to arms sales to  
6 Syria, Aleksandr Lukashenko reportedly stated “No  
7 matter how severely we are admonished for it, we  
8 will continue to help Syria militarily because they  
9 have promised to help us in the same way.”.

10 (8) Venezuelan leader Hugo Chavez maintains  
11 strong relationships with Iran, Cuba, Sudan, and  
12 Syria, all states designated by the United States as  
13 state sponsors of terrorism.

14 (9) In May 2006 and each year since, the De-  
15 partment of State has determined that Venezuela is  
16 not cooperating fully with United States anti-ter-  
17 rorism efforts.

18 (10) In the summer of 2006, Venezuela’s am-  
19 bassador to Cuba visited Belarus and described the  
20 United States as a “common enemy” and Hugo  
21 Chavez made an official visit to Belarus.

22 (11) Subsequently, in September 2006, it was  
23 reported that Belarus and Venezuela announced that  
24 a proposed military contract between the two coun-

1 tries in the amount of \$1,000,000,000 was under  
2 consideration.

3 (12) While Belarus possessed large stockpiles of  
4 weapons inherited from the former Soviet regime,  
5 questions have been raised as to whether such stock-  
6 piles still remain the source of much of the weaponry  
7 exported by Belarus, eighteen years later, or have  
8 instead been largely exhausted through earlier sales.

9 (13) The Government of the Russian Federa-  
10 tion has offered no cooperation to the United States  
11 in dissuading Belarus from sales of its arms to state  
12 sponsors of terrorism and other parties in conflict,  
13 instead increasing its military cooperation with  
14 Belarus.

15 (14) An editor of “Jane’s Air-Launched Weap-  
16 ons”, Mr. Robert Hewson, stated recently that a  
17 Russian sale of S-300 air defense missiles to Iran  
18 was to go through Belarus and that “Belarus is the  
19 proxy route whenever Russia wants to deny it is  
20 doing the sale. But nothing happens along that  
21 route without Moscow saying so.”.

22 (15) In May 2009, media reports stated that  
23 Russia is planning to sell its S-300 missile systems  
24 to Iran and Syria via Belarus.

1           (16) In June 2009, a high-level Israeli official  
2           strongly cautioned Belarus against strengthening  
3           ties with Iran.

4           (17) In March 2008, Belarusian press reports  
5           stated that Belarusian military specialists would  
6           take part in the creation for Venezuela of an ad-  
7           vanced air defense system with the potential to em-  
8           ploy the Russian-made S-300 missile system.

9           (18) The Russian-made S-300 is one of the  
10          most advanced air defense systems in the world, ca-  
11          pable of destroying missiles and aircraft at ranges of  
12          about 90 miles and at altitudes of approximately  
13          90,000 feet.

14          (19) Reports indicate that Belarus had already  
15          purchased multiple S-300 systems from Russia at a  
16          fraction of their estimated value.

17          (20) In March 2008, a member of Venezuela's  
18          National Assembly, Mr. Abel El Zabayar, visited  
19          Iran and stated that Venezuela had begun discus-  
20          sions with Belarus and Iran on nuclear cooperation.

21          (21) The planned deployment by Venezuela of  
22          an advanced air defense system, such as the S-300  
23          missile system, in conjunction with Venezuela's re-  
24          ported growing nuclear cooperation with Belarus  
25          and Iran raises disturbing similarities to the pattern

1 of reported sales arrangements of the S-300 missile  
2 system by Russia to Iran at a time of Russian co-  
3 operation in the development of Iran's nuclear capa-  
4 bilities.

5 **SEC. 3. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) the Secretary of State should take into con-  
8 sideration the continuing reports of arms sales by  
9 Belarus to state sponsors of terrorism and states  
10 that do not fully cooperate with the United States  
11 in its anti-terrorism efforts, as well as any informa-  
12 tion gathered in the process of drafting the report  
13 to the appropriate congressional committees required  
14 under this Act, and carefully consider whether the  
15 imposition of existing terrorism and nonproliferation  
16 sanctions would be appropriate to deter any such  
17 arms sales by Belarus; and

18 (2) any use by Iran of nuclear cooperation  
19 agreements with other countries as a means to pro-  
20 liferate weapons technology and expertise to coun-  
21 tries such as Venezuela, either directly or by means  
22 of arrangements with Belarus or other countries  
23 would not be in the interest of the United States.

1 **SEC. 4. REPORT.**

2 (a) IN GENERAL.—Not later than 90 days after the  
3 date of the enactment of this Act, and on annual basis  
4 thereafter, the Secretary of State shall submit to the ap-  
5 propriate congressional committees a report that de-  
6 scribes, with respect to the preceding 12-month period, the  
7 following:

8 (1) The scale and modalities of exports of weap-  
9 ons and related services by the Government of  
10 Belarus and Belarusian enterprises, including reve-  
11 nues flows, and the potential role of the government  
12 and enterprise of the Russian Federation in such ex-  
13 ports and revenues.

14 (2) The status of the stockpiles of weapons in-  
15 herited by Belarus from the former Soviet regime,  
16 including a determination as to the role such stock-  
17 piles may continue to play in the export of weapons  
18 by Belarus, and an assessment of the capability of  
19 Belarusian enterprises to manufacture conventional  
20 and advanced weaponry and provide services for  
21 such sales.

22 (3) A determination as to whether nuclear co-  
23 operation agreements and activities involving Iran,  
24 Belarus, or Venezuela are being used as a means to  
25 proliferate nuclear arms technology and expertise.



1           (4) The sale or delivery of weapons or weapons-  
2 related technologies from Belarus to any country  
3 that is designated as a state sponsor of terrorism or  
4 not fully cooperating with United States  
5 antiterrorism efforts for purposes of section 40A of  
6 the Arms Export Control Act, including Venezuela.

7           (b) FORM.—The report shall be in an unclassified  
8 form but may include a classified annex.

9 **SEC. 5. DEFINITIONS.**

10         In this Act:

11           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
12 TEES.—The term “appropriate congressional com-  
13 mittees” means the Committee on Foreign Affairs of  
14 the House of Representatives and Committee on  
15 Foreign Relations of the Senate.

16           (2) STATE SPONSOR OF TERRORISM.—The term  
17 “state sponsor of terrorism” means a country the  
18 government of which the Secretary of State has de-  
19 termined, for purposes of section 6(j) of the Export  
20 Administration Act of 1979, section 620A of the  
21 Foreign Assistance Act of 1961, section 40 of the  
22 Arms Export Control Act, or any other provision of  
23 law, to be a government that has repeatedly provided  
24 support for acts of international terrorism.

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