Flygtningenævnets baggrundsmateriale

Bilagsnr.:	276
Land:	Belarus (Hviderusland)
Kilde:	Freedom House
Titel:	Freedom on the Net 2020 - Belarus
Udgivet:	14. oktober 2020
Optaget på baggrundsmaterialet:	24. marts 2021



Belarushe NET 2020

38

NOT FREE /100

A. Obstacles to Access	12 /25
B. Limits on Content	16 /35
C. Violations of User Rights	10 /40

LAST YEAR'S SCORE & STATUS 35 /100 Not Free

Scores are based on a scale of 0 (least free) to 100 (most free)



Overview

Much of the coverage period was characterized by a relative reduction in state repression against internet users. However, in early 2020,

government manipulation of online information increased amid discord engendered by the COVID-19 pandemic and a failing economy. In response, civil society groups and independent media stepped up their online activities, breaking the official information blockade and coordinating COVID-19 assistance efforts where the government failed to do so. At the end of the coverage period, the persecution of critical online voices sharply increased in the run-up to the August 9, 2020, presidential election, a trend that accelerated amid election-related protests after the coverage period.

Belarus is a consolidated authoritarian state ruled by Alyaksandr Lukashenka in which elections are openly orchestrated and civil liberties are tightly restricted. The overall human rights situation in Belarus improved somewhat during the coverage period as the government sought support from the European Union (EU) and United States (US) to counter pressure from Russia for integration. Nevertheless, the authorities continued to harass activists, bloggers, journalists, and the political opposition.

Editor's Note: After the rigged president election, which took place after the coverage period on August 9, 2020, the government visited gross human rights abuses on the many thousands of citizens who took to the streets in protest. Hundreds of bloggers and journalists were arrested. The internet was shut down nationwide. More than 70 portals, including independent news websites, were blocked. This crackdown, the most severe the Belarusian internet freedom community has experienced, will be documented in detail in next year's Freedom on the Net report.

Key Developments, June 1, 2019 - May 31, 2020

 State repression against internet users subsided relative to previous years for much of the coverage period. This trend reversed itself in mid-2020, as the government sought to stifle dissent prior to the 2020 presidential election (see C3).

- Bloggers entered the authorities' crosshairs as the growth of Telegram and other platforms enhanced the visibility of independent news and commentary (see C3, C7).
- Self-censorship declined as online voices spoke out about the 2019 parliamentary elections, the Russian government's threat to the country's sovereignty, the government's negligible response to COVID-19, and the 2020 presidential election (see B4).
- These developments led the government to bolster support for state media and scale up its efforts to manipulate online information (see B5).

A. Obstacles to Access

The government continued to promote the country's information and communications technology (ICT) sector, one of the few bright spots in a struggling economy. However, the internet remains subject to strong state control. The government owns and administers the backbone network and much of the ICT market. There is no independent ICT regulator.

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?

5/6

Users in Belarus benefit from the country's well-developed ICT infrastructure. Rates of access to the internet have increased in recent years, as the government has sought to foster economic growth and international prestige by promoting the country's ICT sector. 1 According to official statistics, almost 83 percent of the population accessed the internet by the end of 2019. 2 The country scored well in recent international indexes that assessed the robustness of its ICT sector. 3

Belarus continued to have one of the highest fixed and mobile broadband penetration rates in the Commonwealth of Independent States (CIS). According to official statistics, by the end of 2019, the number of users accessing the internet via these connections reached 3.2 and 8.5 million, respectively, out of the county's approximately 9.4 million people. 4

During the coverage period, the average speeds for mobile and fixed broadband connections improved slightly, according to the company Ookla. ⁵ However, speeds in Belarus are still among the slowest in Europe. ⁶ Ookla did not observe any dramatic changes in the quality of internet connections in Belarus during the initial months of the COVID-19 pandemic. ⁷ This was probably related to the government's decision not to mandate a lockdown.

According to official statistics, the number of mobile phone subscriptions rose to over 11.6 million (123 percent of the population) by the end of 2019. 8 Many mobile phone subscriptions include mobile broadband, and smartphones are pervasive. In early 2019, five million Belarusians were using mobile phones, of which 60 percent were smartphones. 9 That year, the company Kaspersky reported that 97 percent of Belarusians aged 15 to 18 had smartphones or tablets. 10 Officially, "cellular telecommunications services" cover almost 99 percent of the country. 11 Fourth-generation (4G) long-term evolution (LTE) services, offered by mobile operators via state-run Belarusian Cloud Technologies (BeCloud), the country's sole 4G infrastructure provider, reached about 80 percent of mobile phone subscribers (and 76 percent of the population at large) in 2019. 12 BeCloud and two of Belarus's mobile providers began testing fifth-generation (5G) networks in spring 2020. 13

Among fixed broadband connections, gigabit passive optical network (GPON) fiber-optic technology continues to replace older digital subscriber line (DSL) technology. The number of GPON subscribers topped 2.5 million at the end of 2019. **14**

In Minsk, the capital, there is a network of hundreds of public Wi-Fi hotspots. 15

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?

2/3

Internet access in Belarus continued to be affordable. Taking into account inflation, prices did not change significantly during the reporting period. In 2020 surveys by the company Cable of the cheapest mobile and fixed broadband prices in the world, Belarus ranked 32nd and 5th, respectively.

¹ In 2019, the International Telecommunication Union (ITU) ranked Belarus 46th of 183 economies in terms of the inexpensiveness of mobile broadband subscriptions and 27th of 173 economies for fixed broadband subscriptions; prices were among the cheapest in the CIS. ² Belarusians spent about 6 to 7 percent of their household incomes on ICT costs, according to the latest ITU data. ³ In January 2020, the government signed agreements with internet service providers (ISPs) that limit annual price increases to 4 percent. ⁴

At the onset of the COVID-19 pandemic, ISPs observed a surge in demand. In response, some introduced zero-rating programs. For example, A1 offered many of its subscribers free basic internet connections between March 26 and August 31, 2020. 5

Some digital inequalities persist, but they are narrowing. While nearly 87 percent of people residing in urban areas are internet users, just 71 percent of rural residents are. ⁶ Furthermore, Minsk is much better connected than the rest of the country. ⁷ Only about 36 percent of the population aged 60 or older uses the internet. ⁸ According to the ITU, men and women in Belarus access the internet at roughly equal rates. ⁹

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?

4/6

The government owns and controls the backbone connection to the international internet, and regulates much of the ICT sector. Authorities did not impose permanent restrictions on connectivity during the coverage period. However, internet connections were jammed during a November 9, 2019, rally in downtown Minsk attended by supporters of the popular blogger Nexta (see B8). 1 Following the government's May 9, 2020

announcement that the presidential election would be held in three months, users experienced slower internet speeds. While ISPs blamed technical issues for slow speeds, ² users suggested that they were the result of government interference. ³ Just after the coverage period, the state repeatedly jammed internet connections during prodemocracy demonstrations ahead of the 2020 presidential election. ⁴ After the election, the government instituted a nationwide internet shutdown. ⁵

The ICT sector is largely state-controlled. Two state-run entities, the National Center for Traffic Exchange (NTEC) and Beltelecom, are permitted to handle connections with ISPs outside Belarus. ⁶ The NTEC provides peering services through the BY-IX internet exchange point (IXP). Beltelecom, the largest telecommunications company, owns and operates Belarus' backbone network, which all other ISPs depend on. Through these entities, the government can throttle or cut connections at will.

While the Law on States of Emergency does not mention the internet specifically, Article 13 permits the limitation of freedom of the press and other mass media by presidential decree. ⁷ The government views websites as mass media, an interpretation codified by amendments to the Media Law in 2018 (see B3). In July 2020, after the coverage period, a senior official from the Ministry of Internal Affairs asserted that Belarus would not adopt a Russian-style ban on Telegram and other communications platforms, saying, "The internet cannot be prohibited." However, the official left open the possibility of blocking online resources "in the event of a threat to national security." 8 In September 2019, President Lukashenka spoke publicly about wanting to restrict the internet in Belarus—if he could do so with no resulting consequences on the international level. 9 While his comments were made in the context of combatting terrorism, commentators suggested that Lukashenka was concerned about maintaining power in the face of Russian information operations (see B5). 10 In 2019, Belarus also joined China, Russia, and other states in sponsoring a cybercrime resolution at the United Nations that defends a "sovereign and controlled" view of the internet; the resolution passed. 11

Launched in 1994, the Belarusian domain zone .by, colloquially called the "BYnet," had more than 135,000 registered domain names by May 2020.

12 In 2019, the BYnet grew over 4 percent, faster than the world average. 13 In 2014, ICANN approved Belarus's request for a Cyrillic domain, .бел (.bel) as an alternative national domain. As of May 2020, the .бел domain had almost 14,500 registered names. 14 In May 2020, the cost of registering a domain in Belarus increased by 30 percent, making the process more expensive than in the EU or Russia. 15 By law, all entities operating with .by and .бел domain names must use Belarusian hosting services (see C6).

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?

1/6

Belarus's ICT sector is developing rapidly, but it remains subject to strong state control. ¹ The authorities are following an authoritarian model of generating growth and connecting citizens while seeking to tightly control online spaces. ²

Expanding the digital economy is an important part of Belarus' national development strategy. ³ It has also become a way to decrease Belarus's dependence on Russia. During the last decade, Belarus's IT industry has distinguished itself from other sectors of an economy that has alternated between crisis and stagnation. Prime Minister Sergei Rumas declared that only the information and communications industry made a significant contribution to economic growth in 2019. ⁴ In 2010, the share of the ICT sector in Belarus's gross domestic product (GDP) was 2.6 percent; by late 2019, it was 6.5 percent. ⁵ In September 2019, the EU launched a three-year initiative to support Belarus's "digital economy and society." ⁶

The Ministry of Communications has issued more than 210 licenses for "communication activities"; by 2020, no fewer than 135 companies were licenced to provide "data services." ⁷ However, the state-owned Beltelecom still commands around 83 percent of the fixed broadband market. ⁸ In comparison, privately owned A1 had a 7.1 percent share of

that market as of 2019. ⁹ Google and other tech companies that generate significant online traffic have preferential agreements with Beltelecom, allowing it to engage in predatory pricing. ¹⁰

Belarus has three mobile service providers. The largest is MTS, a joint venture of Beltelecom and Russia's MobileTeleSystems. MTS had 5.7 million subscribers in early 2020. A1, which is a member of the Telekom Austria Group, had 4.9 million. BeST/Life, with 1.5 million subscribers, is owned by Turkcell, which controls 80 percent, and the State Property Committee of Belarus. 11

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?

0/4

There is no independent regulator overseeing ICTs in Belarus. There is strong state regulation of and involvement in the ICT and media markets. The government founded Beltelecom in 1995 and continues to regulate the company. In addition, the Presidential Administration's Operations and Analysis Center (OAC), 1 which initially was a subdivision of the State Security Committee (KGB), has the authority to oversee ISPs, set standards for information security, conduct online surveillance, and manage Belarus's top-level domains. In 2019, a presidential decree provided the OAC with additional powers related to international cooperation on matters of information security and serving as a national center for responding to computer-related incidents. 2 Other governmental bodies with authority over this sector include the State Telecommunications Inspectorate, the State Control Committee, the KGB, and the Prosecutor General's Office.

In 2017, Lukashenka established the Interagency Committee on Security in the Information Space to assess "the intense build-up of dangerous trends in the global and national information space." ³ The defence minister, internal affairs minister, and chair of the KGB, among others, serve on the committee.

While Belarus has a few nongovernmental ICT-related business groups, such as the "Infopark" Association and Confederation of Digital Business, they are supported by and cooperate closely with the government. The Belinfocom Association, an NGO, strives to represent and protect the interests of the privately owned ICT companies it counts as members. In the past, it has attempted to positively influence the government, including by lobbying against Beltelecom's monopoly, but it appears to have been less active in recent years.

B. Limits on Content

Despite government pressure, the audience and influence of independent news websites and other critical, diverse online voices grew during the coverage period, which has been called the "Year of Telegram," because the popular messaging application accelerated this development. The authorities continued to block some websites connected to the political opposition and to use anti-extremism legislation to limit certain content. Through greater support for state media, the government attempted to counter independent perspectives as well as Russian-based or Russian government—affiliated outlets that actively disseminate disinformation and propaganda in Belarus.

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content?

3/6

The government occasionally blocks websites. In Belarus, social media platforms are freely available, though some individual groups and pages have been targeted for blocking. After the coverage period, around the 2020 presidential election and the ensuing prodemocracy protests, the government scaled up its website-blocking regime. 1

During the coverage period, the government blocked more than 350 websites. In most cases, these were not political actions; they were taken to curb the drug trade, false advertising, or other illegal economic activities. 2

In April 2020, authorities blocked the website pravda-sotrudnikov.com for failing "to meet the Ministry of Information's requirement aimed at eliminating violations of media regulations." The website hosts reviews of employers in post-Soviet countries. 3

In June and November 2019, authorities briefly blocked access to the encrypted email provider ProtonMail. The November block, which lasted for several days, was related to a series of alleged bomb threats. ⁴ Users were unable to access ProtonMail's website or connect to the ProtonVPN service. While condemning the use of ProtonMail for illegal activities, the Switzerland-based company rejected the "wholesale blocking" of its servers, calling Belarus's action censorship. ⁵

A May 2019 presidential edict empowered the government to block internet resources calling for protests during the Summer 2019 European Games, which were held in Minsk in June. However, the edict was never employed.

Since January 2018, the government has blocked Charter 97, one of Belarus's most popular independent news and information websites. ⁶ In May 2020, Charter 97 reported that the authorities had intensified attempts to censor the publication, blocking several mirrors of the site and attempting to limit access to its accelerated mobile pages (AMP) version.

⁷ The Poland-based website, which is linked to a part of the Belarusian political opposition, ⁸ was originally restricted for spreading "extremist" content and other information that could harm Belarusian interests under Article 38 of the Media Law. ⁹ In 2018, the European Parliament passed a resolution on the deterioration of media freedom in Belarus that declared the blocking of Charter 97 "unacceptable." ¹⁰

Tor and VPN services remained somewhat available during the reporting period. ¹¹ While Tor is legally banned in Belarus, it is sometimes accessible.

State offices, organizations, and companies, which employ between 50 and 70 percent of the country's workforce, are reported to use internet filters. 12 For example, some state bodies connected to the Office of the

President reported being unable to access TUT.by and Onliner, two popular independent news and business websites. 13

The government often employs basic techniques such as IP filtering and disabling domain name system (DNS) records to block websites. It uses a number of commercial filtering technologies, including some produced in the US, for this purpose. ¹⁴ The authorities do not appear to perform regular or automated monitoring of the accessibility of banned websites, and it generally takes several hours for a new IP address to be blocked. The state also possesses deep packet inspection (DPI) equipment and software, including equipment and software supplied by the US company Sandvine. ¹⁵ Experts do not believe that the Lukashenka administration possesses the resources necessary to develop a Chinese-style "Great Firewall." ¹⁶ Rather, it employs—and in some ways was an inspiration for—the Russian model, in which the state uses repressive laws and intimidation of key ICT companies and civil society to control the information space.

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content?

2/4

Score Change: The score improved from 1 to 2 as the scale of the government's efforts to forcibly remove politically sensitive content diminished.

The government sometimes issues orders or warnings to pressure websites to take down politically sensitive content. However, these orders and warnings have become rare, in part because critical voices have migrated to international platforms beyond the authorities' reach. During the coverage period, however, there were several cases of forced deletions related to the COVID-19 pandemic.

In 2019, the Ministry of Information issued one warning, compared to six in 2018; the 2019 warning instructed a company offering foreign TV channels via the internet without an official permit to remove 35 channels

from its website. ¹ In April 2020, the Ministry warned and fined the regional news website media-polesye.by for "false information" regarding a possible COVID-19-related death. ² Two or more such warnings received within a year can lead to the closure of a media outlet.

In May 2020, the authorities forced the Bobruisk portal Bobr.by to delete an interview with a nurse that described work conditions during the COVID-19 pandemic. ³ One month earlier, the government apparently forced a regional government website in Brest to remove information relating to the COVID-19 caseload that contradicted figures released by the Ministry of Health. ⁴

In January 2020, Media IQ, a media monitoring project, conducted an investigation revealing that state-run TV channels Belarus 1 and ONT had run similar "stories"—which had in fact been native advertisements—on a business center. By claiming copyright infringement, ONT had a Media IQ video detailing the investigation blocked on YouTube. ⁵

In 2019, neither Facebook nor Twitter received any content removal requests from the Belarusian government, according to their respective transparency reports. ⁶ However, Google received eight requests in 2019, six of them related to alleged defamation; Google removed four items in response. ⁷ Russian social media platforms VK and Odnoklassniki (OK) are also popular in Belarus, but their parent companies do not release transparency reports.

The government continued to apply anti-extremism legislation to journalists in order to censor online content, to the alarm of local human rights advocates. ⁸ During the coverage period, the Ministry of Information issued 17 decisions that deemed a range of materials, including online materials, "extremist." ⁹ While some of the materials advocated racism or religious extremism, others related to anarchism, and two were political films by a popular blogger. One was a documentary that criticized allegedly illegal actions taken by President Lukashenka and the other challenged the government's drug policies. These decisions saw the putatively extremist content removed from some domestic websites but not from international platforms such as YouTube.

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?

0/4

The government's internet restrictions are opaque, disproportionate to stated aims, often invoked arbitrarily, and lack an independent appeals process. For example, Article 38 of the Media Law is broadly interpreted, does not require a legal process to institute blocking, and offers no avenue for appeals.

In September 2019, President Lukashenka issued a decree stating that responsibility for the contents of posts lies not only with users but also with the owners of the websites on which the information is posted. ¹ Experts suggest that this change, which brings a 2010 decree in line with the Media Law, is designed to promote censorship through a stricter moderation of comments. ²

Amendments to the Media Law that came into effect in 2018 expanded the Ministry of Information's ability to block and filter content, empowering it to warn, suspend, block, and close registered and unregistered online outlets without warning or judicial oversight. ³ The amendments also let the ministry block social media platforms and hold website owners liable for hosting content deemed false, defamatory, or harmful to the national interest. ⁴

Under earlier amendments to the Media Law made in 2015, the Ministry of Information may issue warnings, suspend, and file closure suits against online outlets. ⁵ Under Article 38, the ministry can block access to websites if two warnings have been issued within 12 months and can block websites without a warning for posts deemed illegal. ⁶ The types of information considered illegal were expanded to include information that could "harm national interests" if distributed.

A list of banned websites, to which any government body may contribute, is compiled by the Ministry of Information and maintained by the Ministry of Communications. Only government agencies and ISPs have access to

the list, which must be reviewed daily. A website can be blocked by a provider within 24 hours, while it may take the Ministry of Information up to a month to restore access to it once all violations are corrected.

According to Ruling No. 6/8, circa 2015, which laid out the mechanisms and procedures for legally restricting access to websites, sites can be blocked if they contain information the government deems illegal. ⁷ Websites also may be blocked if their owners fail to correct violations of the Media Law as required by the authorities. The directive allows not only state agencies but also any individual to propose the blocking of specific websites.

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?

2/4

Score Change: The score improved from 1 to 2 as more users, particularly bloggers and journalists, resisted pressure to self-censor around topics like elections and COVID-19.

Online self-censorship has been widespread in Belarus ¹ but appeared less prevalent during the coverage period. High-profile government pressure against independent media in the 2018-19 "BelTA case," in which online 18 journalists were arrested and one tried on trumped-up charges, appeared not to cow online journalists. With the onset of the COVID-19 pandemic, the government attempted to force greater self-censorship in order to limit reporting on the crisis. However, independent news websites and social media users proved unafraid to comment and report on the dire situation in the country and the government's inadequate response. For example, medical workers have continued to speak out on social media about shortages of personal protective equipment (PPE) and other problems in the healthcare sector, despite official orders to the contrary. Moreover, in a sign of confidence from the independent press, a cofounder of the online outlet TUT.by promised to pay the legal fees of any medical workers who challenged the

government's gag order in court or were wrongfully dismissed for violating it. 2

Nevertheless, the fear of having one's website blocked or otherwise restricted does encourage self-censorship among editors, journalists, and website owners. ³ Likewise, prosecutions of online journalists and social media activists (see C3) contribute to a climate of self-censorship. ⁴ According to human rights defenders, recent requirements for the registration and identification of commenters (see C4) promote a "culture of intense surveillance" that encourages silence. ⁵

In the run-up to the parliamentary elections in November 2019, the Organization for Security and Co-operation in Europe (OSCE) did note an "environment of self-censorship" among journalists as well as state pressure that had "a chilling effect on freedom of expression." ⁶ Ahead of the 2020 presidential election, the state continued to foster self-censorship by threatening and harassing critics, but bloggers, commentators, and journalists did not appear intimidated, perhaps due to their effective reporting on the late 2019 protests against integration with Russia and the COVID-19 pandemic.

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?

2/4

The government has increased its manipulation of the information landscape through the intimidation of users, especially bloggers and journalists, the application of restrictive laws, the expansion of state news outlets, selective financial support for online content producers, and the use of bots and trolls (see B6). Russian-based or -affiliated actors that disseminate Kremlin-sponsored disinformation and propaganda have also stepped up their activities in Belarus.

The government regularly exerts pressure on the independent press, warning it not to report on certain topics or criticize those in power ¹ and selectively using oppressive laws or implied threats to invoke these laws.

This dynamic became more pronounced during the second half of the coverage period, as authorities responded to discord generated by the COVID-19 pandemic and the run-up to the presidential election, but it also occurred in advance of the November 2019 parliamentary elections. The government used greater support for and development of the state media to attempt to counter aggressive Russian-based or -affiliated outlets.

Since the onset of COVID-19 in Belarus, the authorities have attempted to control the narrative around the pandemic on the internet and on social media platforms in particular. As the government decided not to institute a lockdown and the caseload quickly rose, it warned publishers and journalists not to disseminate "rumors" online. ² On March 23, 2020, President Lukashenka declared that it was essential to "deal with" the "scumbags" spreading "fake news" about COVID-19. ³ On April 14, he ordered the KGB, the police, and the Ministry of Information to crack down on outlets and social media users whipping up "hysteria." ⁴

The government initially failed to provide the public with official statistics and updates on the pandemic. State institutions and officials ignored requests for information from journalists and refused to comment. ⁵ However, by continuing to make inquiries, asking uncomfortable questions, and publishing the stories of COVID-19 victims and medical workers, independent media succeeded in breaking the government's information blockade and forcing the authorities to provide more regular updates. The Ministry of Health started publishing the number of registered cases and deaths on a daily basis on its Telegram channel, although without providing statistics by city and region. The ministry even held several press conferences in April 2020. However, it soon stopped holding briefings and answering journalists' questions, despite the escalating caseload and deaths. ⁶

In May 2020, with the start of the presidential election campaign, government pressure on independent media intensified. President Lukashenka threatened that Telegram and other information channels that he said were hyping fake news about COVID-19 would be identified and "put in their place." ⁷ At the beginning of June 2020, media outlets were banned from conducting online polls about the president's support,

as earlier online polls showed his popularity at 3 percent while support for alternative candidates was skyrocketing. ⁸

These moves came in the aftermath of a major shakeup in the administration of the country's information space. In August 2019, President Lukashenka tapped Andrei Kuntsevich, a journalist by training, to be deputy head of the Presidential Administration, in charge of ideology and mass media. ⁹ That appointment followed Lukashenka's 2018 move to replace the heads of major state television, radio, and newspaper outlets that also maintain important websites ¹⁰ and to appoint a new head of the Ministry of Communications. ¹¹ These changes appeared to be a response to growing disinformation and propaganda from Russia, as well as the failure of state websites and media outlets to compete effectively online with independent media in terms of trust, content, and readership.

In March 2019, the government adopted an Information Security Concept based on the goals of "information sovereignty" and "information neutrality," which prioritizes state control of the information space within the country's borders and makes it an integral part of national security. 12 As one expert put it, the concept "is aimed at ensuring the information security of the authorities, not the people." 13

Currently, the state directly controls all broadcast and most print media, totaling more than 600 mass media outlets and their websites. ¹⁴ In February 2020, the government announced plans to launch a new national TV news channel and website that would be a "symbiosis of television and the internet." ¹⁵ Since 2015, the authorities have been operating the Mass Media in Belarus portal, or BelSMI, which aggregates news and information from the websites of more than 250 state-controlled local television stations, radio stations, and print newspapers. ¹⁶

State-run media routinely manipulate information. The independent Media IQ media monitoring project that began in April 2019 found increased propaganda and manipulation in Belarusian journalism that it tied to the November 2019 parliamentary elections, the crisis in Belarus-Russian relations, and the COVID-19 pandemic. ¹⁷ Overall, Media IQ identified

significantly less manipulation and propaganda in the independent press than in state-controlled media, ¹⁸ where the organization noted a dramatic increase in state manipulation with the start of the presidential campaign in May. ¹⁹ In its monitoring of state and nonstate media, including online outlets, prior to the 2019 parliamentary elections, the OSCE also found state media coverage inadequate and imbalanced in comparison to independent media. ²⁰ These findings were confirmed by the independent Belarusian Association of Journalists. ²¹

Trolls comment on independent media websites and critical social media pages, praising the government and denouncing the opposition. Nevertheless, their general impact does not seem to be significant. ²² The implementation of a 2018 rule requiring commenters to identify themselves (see C4) may have led to fewer trolls on mainstream media sites. However, the rule does not apply to social media platforms, where they remain quite active. ²³

One expert also noted an increase in the number and activities of domestic Belarusian trolls with the onset of the COVID-19 pandemic and the presidential election campaign. Concerning the former, the trolls defended the government's performance; concerning the latter, they used hate speech to attack alternative candidates and their supporters. A new group of presumably state-employed bloggers, termed "antibloggers" by one observer, emerged during the coverage period to quickly write blog posts defending local officials and state businesses following critiques raised by other bloggers about local problems. ²⁴

Meanwhile, in addition to the activities of pro-Russian trolls in the Belarusian information space, the Russian mainstream media itself is increasingly active online in Belarus. A widespread cultural, historical, and religious affinity between the two countries provides Russian media with considerable influence on the Belarusian population, which is susceptible to Kremlin propaganda. Media content produced in Russia dominates the Belarusian information space. ²⁵ As a result, the Kremlin's agenda is broadly present in Belarusian state media. ²⁶ Belarusian experts stress that the worldview of the average Belarusian is formed by Moscow rather than Minsk or the West. ²⁷ During the coverage period, the Russian

government expanded its push for further political integration with Belarus under the auspices of the 1999 Union State Treaty. This process has entailed a spiraling "information war" directed from Moscow.

A growing number of Russian media outlets, websites, and social media groups are carrying out vitriolic campaigns against both state and nonstate actors in Belarus in an effort that resembles the Kremlin-led campaign organized against Ukraine after 2014. Evoking a "Russian World" imperialist view that challenges the very idea of an independent Belarus, ²⁸ Russian online actors accuse President Lukashenka and his government of being disloyal to Russia, too independent from the Kremlin, and increasingly pro-Western. Critical of the Belarusian democratic opposition as well, these actors allege that the Belarusian government and its opponents have allied to promote "dangerous nationalism" and "Russophobia." ²⁹ Independent monitoring indicated a significant rise in Kremlin manipulation toward the end of the coverage period. ³⁰

In the coverage period, online groups in Russia ratcheted up campaigns against President Lukashenka's "soft Belarusization" and overtures to the EU and US. ³¹ In February 2020, Lukashenka complained to Putin about Telegram channels linked to top government officials in Russia that disseminate disinformation. ³² Following an investigation, the independent news site Nasha Niva detailed Russian-funded internet and blogging programs organized along the Belarusian-Russian border that encourage pro-Russian views. ³³ The Kremlin also targeted Belarus with disinformation relating to COVID-19, with a focus on the Belarusian government asking Russia for assistance. ³⁴

In all, Kremlin-supported media outlets, social networks, and "government-organized nongovernmental organizations" (GONGOs) ³⁵ appear to be thriving inside Belarus. ³⁶ The number and activities of Russian-owned and supported news websites in the country increased significantly in recent years, including at the regional level. ³⁷ Some of these sites attract audiences comparable to those of regional state-owned internet media. ³⁸ While the sites' audiences are not large, their divisive content ³⁹ is being amplified via social networks and messengers across Belarus. ⁴⁰

It is important to consider these developments in the context of media consumption habits in Belarus. A fall 2019 survey determined that Belarusians still trusted news from television (which is heavily influenced by Russian content) more than they did from the internet. ⁴¹ In an earlier survey, Russian mass media ranked second in terms of trust, behind Belarusian state media. ⁴² In 2020, however, there was an important shift. Misleading Belarusian state and Russian reporting on COVID-19 appeared to diminish Belarusians' trust in these sources. During the early months of the pandemic, more Belarusians turned away from TV to online media (see B7).

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish content online?

1/3

Score Change: The score improved from 0 to 1 to reflect the cumulative growth and increasing sustainability of independent news and information websites in Belarus.

As part of its "soft Belarusianization" campaign to counter Russian pressure for further integration, the government is allowing increased commercial relations between private businesses and NGOs, 1 including online media groups. As a result of these and other developments, an actual media market now exists in Belarus. However, for structural, political and legal reasons, most independent online outlets still do not benefit enough from it. Favorable connections to the government are still necessary for non-state-owned online media outlets to flourish. Indeed, Belarus's media market is distorted by government subsidies to the state-owned media, on one hand, and political pressure as well as continued dependence on external funding for most of the independent media, on the other. 2

Nevertheless, according to experts, the improved economic prospects of independent media organizations mean that they "face the challenge of achieving financial stability. Five years ago they talked about survival." ³ The economic picture for independent online outlets improved somewhat

in 2019. For the year, digital advertising in Belarus grew by over 20 percent. For the first time, its total exceeded that of television advertising. Digital advertising is the fastest-growing segment of the total media advertising market in Belarus. 4 However, more than half of the revenue from this segment goes to foreign platforms. 5 Moreover, in 2020, the country's economic prospects dimmed due to the impact of the COVID-19 pandemic. As a result, it is difficult for independent online outlets to increase profitability now. Forced to operate in semi-underground conditions and facing constant state pressure, they remain unable to sufficiently monetize their growing audiences and popularity. At the same time, audiences surged in the first half of 2020 due to the pandemic 6 and to the upcoming presidential election.

The government employs direct and indirect coercion to limit financial support for independent online media. Restrictive amendments to the Law on Public Associations and the criminal code that were passed secretly in 2011 make it illegal for organizations to receive foreign funding without state approval. ⁷ The population lockdowns and border closures resulting from the pandemic also made it harder for independent online outlets to access foreign funding in spring 2020. Amendments to the Media Law made in 2018 restricted foreign ownership of media outlets to 20 percent.

The amendments also expanded the definition of traditional media to include online outlets, providing these outlets with the option to register with the state. ⁸ Registration, while not compulsory, provides journalists official recognition, making it potentially easier for them to gain access to official events and supposedly giving them immunity from arrest when covering unauthorized demonstrations, though these privileges are often not honored. However, to apply for registration, outlets must have an official office in Belarus, legal status, and an editor-in-chief with at least five years of experience. These requirements cost time, effort, and money. Perhaps as a result, only seven independent outlets had applied for registration by May 2020. ⁹

State media receive handsome subsidies to "collect, prepare and disseminate state orders on official information." ¹⁰ Most state media

outlets would not survive without the government's financial assistance. The authorities sharply increased public funding for state-run media in 2019. 11 The increase in the approved 2020 budget proved to be even higher than initially envisioned. In comparison to 2018, the 2020 budget for state media 12 grew by more than 25 percent, to \$73 million (154 million rubles). 13 The Finance Minister explained the increase by stating that the government will boost the role of state media outlets in the online media environment. 14 The increase is probably due to the ongoing information war with Russia and the presidential election in August 2020 (see B5).

B7 0-4 pts

Does the online information landscape lack diversity?

2/4

Despite the challenging environment for the independent press, Belarus's information landscape is becoming more diverse. Although there are no independent TV or radio stations and fewer than 20 independent print journals and newspapers covering political and socioeconomic issues, 1 there are many independent news websites available on the BYnet.

Belarusians are increasingly availing themselves of these sources. In a country of 9.5 million, 5.3 million Belarusians go online each month. ²
According to a fall 2019 poll, the proportion of Belarusians getting news from the internet—50.3 percent—was almost as high as the proportion getting news from television—54 percent. In the last decade, online news consumption has grown at a steady clip, while television news consumption has fallen by about a quarter since 2010; newspaper news consumption has fallen by about a third. ³ Currently, nearly 70 percent of young people get their news online. The segment that relies on the internet the most for its news is not the youngest age group surveyed, 18-to 29-year-olds, but the next oldest, 30- to 45-year-olds. ⁴ The country's online information landscape is dominated by independent, rather than state-run, news websites; the great majority of the most popular news sites are either independent or opposition-run. ⁵ As the opposition

blogger Nexta was already noting in 2018, "The modest voice of state media is definitely drowning amid free information from the internet." ⁶

The onset of the COVID-19 pandemic increased the significance and popularity of online sources of information. A March–April 2020 poll indicated that, for perhaps the first time, more Belarusians were getting information, in this case about the coronavirus, from the internet (81 percent) and social networks (73 percent) than from television (55 percent). ⁷ A second survey indicated an even more drastic shift toward online news sources. ⁸

The use of social media platforms by Belarusians continues to grow. According to Hootsuite, Belarus has 3.9 million active social media users, a penetration rate of 41 percent. ⁹ The most popular social networks are Facebook, Instagram, OK, VK, and YouTube. ¹⁰ The use of messaging apps also increased; by 2019, over 68 percent of Belarusians were using them. ¹¹ The most popular are Viber, VK chats, WhatsApp, Skype, Telegram, and Facebook Messenger. ¹²

These tools are not just being used to link users together. They play an ever more popular role in disseminating independent news and commentary. ¹³ One leading blogger suggests this is because the government has tightened its control over traditional media. He believes that social media and messengers now play the same social role as "kitchen discussions" did in Soviet times. ¹⁴

Telegram has become especially popular and politicized in this regard. At the end of 2019, one editor noted, "Over the [past] year, a parallel universe of Telegram channels has formed in the country." Another spoke of the new field of "Telegram media" in Belarus. ¹⁵ The majority of the top ten most popular Telegram channels in Belarus are administered by opposition bloggers. ¹⁶ Using Telegram, civil society and the political opposition are holding the government accountable and defending the country's independence. One expert believes that the "Belarusian Telegram community is a space of established information sovereignty where pro-Belarusian channels dominate the national segment and are independent of both each other and the authorities." ¹⁷ In early 2020,

President Lukashenka declared that the influence of Telegram channels, blogs and social networking websites is already equal to that of the traditional media. ¹⁸

Telegram has also proved to be an exception to the state's record of missteps in developing popular online sources of information. The Ministry of Internal Affairs, Investigative Committee, and Ministry of Defense now have their own Telegram channels, with thousands of subscribers. In November 2019, a new Telegram channel Пул Первого ("Pool of the First") appeared, posting personal insights about President Lukashenka's daily life. ¹⁹ While the channel remains anonymous, state media actively quote and refer to it. By May 2020, the channel had more than 25,000 followers. Given that the president's press pool includes only state journalists, and that the channel posts only favorable news, photos and videos about him, observers believe the channel is run by the President's press secretary or another official close to him, with the help of media experts. ²⁰ However, one important difference between the state and independent Telegram channels is that the former operate only as oneway channels that do not offer users the opportunity to share their opinions or feedback. 21

A notable trend is Russia's strong influence on Belarusian netizens. 22 Belarus has two official languages: Belarusian and Russian. Most citizens use Russian in daily life, and Russian-language news and information outlets, both domestic and foreign, dominate Belarus's information space. Four of the most popular websites in Belarus are Russian-owned. 23 The Russian news aggregators Yandex and Mail.ru play a significant agendasetting role for Belarusian internet users, ²⁴ as do Russian social media platforms VK and OK. Because Belarus has no geographic localization, even Google, Apple and other western aggregators offer Belarusians news sources from Russia. ²⁵ Kremlin-backed groups in Russia are using anonymous Telegram channels to spread disinformation and prointegration sentiment in Belarus. ²⁶ The combined Belarusian audience of the websites of Russian television channels active in Belarus indicates that they are popular among Belarusian netizens. ²⁷ One expert estimated that 30 percent of Belarusians only get their news from Russian sources. 28

In response to the government's control over the internet, Belarusians use proxy servers and other methods to circumvent censorship and surveillance. During the coverage period, as many as 30,000 Belarusians connected to Tor via relays daily, while at peak usage, nearly 4,000 connected via bridges daily, an increase over previous coverage periods. 29

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?

4/6

For Belarusians, the internet—especially social networks, messengers, crowdfunding platforms, and online petitions—is the main tool for advancing civic and political activism on a daily basis. This is in contrast to the past, when it was mainly used to mobilize citizens during times of social and political unrest, such as elections, opposition holidays, and protests.

Citizens have access to and actively use a wide range of digital tools to disseminate information, create communities, and organize campaigns. This trend accelerated in 2019 and 2020 as citizens used the internet to engage on the issues of greater integration with Russia, the COVID-19 pandemic, and the August 2020 presidential election.

The rapid growth of political blogging—especially on YouTube and Telegram—was a key development during the coverage period. The number of bloggers, the size of their audiences, and their impact all increased. ² In addition to their critical reporting and commentary, bloggers emerged as political figures in their own right and organized offline protests, especially before and after the 2020 presidential election.

The online response of Belarusian netizens to the COVID-19 crisis was remarkable. They mobilized quickly and at scale, launching a crowdfunding campaign that purchased thousands of respirators and delivered them to hospitals across the country in just a few days. ³ Hundreds of private companies, many of them from the ICT sector, and thousands of citizens donated money and volunteered online to support

healthcare institutions and victims. Different civic initiatives joined forces to carry out a national #BYCOVID19 campaign; by June 1, 2020, it had raised over \$300,000 in one of Europe's poorest countries. ⁴ Just after the coverage period, the government disabled two popular crowdfunding platforms, MolaMola and Ulej, by freezing their bank accounts for political reasons. ⁵

During the coverage period, critical bloggers in Belarus became a political force. Protests in May 2020, which continued beyond the coverage period as the government stepped up the repression of political opposition, were led by bloggers and inspired by the presidential campaigns of blogger Siarhej Tsikhanouski and his wife, Sviatlana Tsikhanouskaya, who took over his candidacy after Tsikhanouski was barred by the government from running. Bloggers played an important role participating in and publicizing the December 2019 protests against greater integration with Russia. Toward the end of 2019, as pressure from the Kremlin mounted, a group of 60 bloggers, whose combined audiences on Telegram reached 400,000 at the time, posted a common statement on their channels declaring that greater integration with Russia would be harmful to Belarus's national interest. 6

In November 2019, the blogger Nexta called on his followers to hold a public discussion in Minsk on his documentary film depicting President Lukashenka's alleged crimes. The event was widely promoted via YouTube and Telegram. Other bloggers, as well as prodemocracy candidates running for parliament, supported the initiative. About 1,000 people, mainly youth, gathered on Freedom Square on November 8. While the event was sanctioned as a meeting with voters and allowed under the Election Law, the authorities still disrupted it, destroying sound equipment, and shutting down the internet connection in the area. Nevertheless, Nexta, who lives in Poland and faces criminal charges in Belarus, addressed the event via video. 7

In September 2019, during the parliamentary election campaign, eight influential YouTubers organized a joint action in Minsk to help blogger and former IT manager Mikalai Maslouski collect signatures necessary to

register as a candidate. ⁸ While the blogger was able to register, he did not win a seat in Parliament. ⁹

In June 2019, President Lukashenka suspended the construction of a battery factory in Brest due to possible environmental and health issues.

10 This outcome was a result of a campaign featuring extensive online reporting and weekly public protests conducted by local bloggers and independent media, which had started in March 2018. However, the decision did not prevent the regional prosecutor's office from resuming a criminal case against Alexander Kabanov, a popular blogger and one of the campaign's leaders (see C3). 11 Bloggers who cut their teeth on the Brest campaign also became active in other civic and political initiatives, including the May 2020 protests.

In recent years, joint efforts between activists and independent news websites have resulted in a more politicized public with changing perceptions and opinions on key political, social and economic issues. Evidence of this comes from a 2019 analysis of Belarus's leading e-petition platform, Petitions.by. Whereas in previous years, petitions had mostly focused on quality of life issues, today, a majority of 51 percent are about human rights. Eighty percent of petition authors believe that launching petitions is a form of human rights activism. 12

The government rarely restricts individuals' use of online tools and websites for limiting freedom of assembly or association online; however, it increasingly prosecutes and penalizes activists who write about or advocate online for offline civic actions, especially protests (see C3).

C. Violations of User Rights

There was a decline in politically motivated detentions and administrative and criminal cases against journalists. However, the government increased its repressive activities against critical online voices, especially bloggers, as tensions with Russia and domestic unrest grew around the COVID-19 pandemic and the August 2020 presidential election. During the coverage period, hackers appeared to be more active in Belarus's online information space.

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?

1/6

While Belarusians' rights to freedom of expression, access to information, and press freedom are guaranteed by the constitution, they are not respected in practice. The country has no independent judiciary to defend these freedoms.

Online journalists are not adequately protected by Belarusian law. The government passed amendments ¹ to the Media Law that tightened the government's control over the internet in 2018. Under the changes, all online news and information sources are considered mass media and are subject to the restrictive law. If online outlets do not register as mass media, their reporters will not be accorded journalists' rights and status. Unaccredited freelancers and journalists for foreign media outlets are not accorded journalists' rights and status as a matter of course, ² and in recent years it has become almost impossible for Belarusian freelancers to receive accreditation for working for foreign media outlets. For example, journalist Viktar Parfionenka was again denied accreditation by the Ministry of Foreign Affairs in October 2019. That was his 11th attempt over ten years to obtain official permission to work as a reporter for Belarusian Radio Racyja, which is based in Poland. ³

Experts noted a growing tendency of the government to prevent access to official and state-related bodies by accredited and non-accredited independent journalists, including those working online. The Belarusian Association of Journalists observed multiple cases during 2019 and 2020.

⁴ This trend increased near the end of the coverage period, as the government sought to restrict information about COVID-19 (see B5). ⁵

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities?

1/4

Belarus's Media Law was adopted in 2008 and amended in 2013, 2014, 2016, and 2018. It includes a variety of repressive measures that serve to stifle critical voices online. ¹ For example, it prohibits the dissemination of false information that may harm state or public interests. The most recent amendments to the Media Law provide for the administrative blocking of social media and closing of online media without a legal decision (see B3). ² The administrative code provides for administrative liability under Article 22.9 for repeated violations of the Media Law.

The government often uses alleged violations of other aspects of the administrative code and the criminal code to repress online journalists and activists. These include reporting on "unsanctioned demonstrations" (Article 15 of the Law on Mass Events), disseminating pornographic or extremist materials (Article 17.11 of the administrative code and Article 130 of the criminal code), and insulting public figures (Article 189 of the criminal code).

In June 2019, the parliament amended the Anti-Extremism Law to strengthen efforts to combat Nazism. ³ Article 130 of the criminal code now punishes "deliberate actions to rehabilitate Nazism" with up to five years in jail. Article 17.11 of the administrative code now penalizes the dissemination of Nazi symbols. ⁴ These changes apply to online activities.

C3 0-6 pts

Are individuals penalized for online activities? 2/6

The government's intensified persecution of bloggers—defined as those who share news and commentary on social media platforms, as opposed to journalists, who primarily publish in online media outlets—was a major story of the coverage period.

1 The authorities view critical bloggers as a dangerous and difficult-to-control source of information. One expert called them "folk leaders of discontent" who have earned the people's trust.

2 During the coverage period, bloggers reporting on YouTube and Telegram emerged as a political force in the country for the first time.

That said, there was a sharp decrease in criminal prosecutions of bloggers and of journalists, including those reporting online, in 2019, from 18 in 2018 to 2. ³ The Belarusian Association of Journalists reported that 21 journalists and bloggers were detained during 2019, down from 31 the year before. ⁴ Within these totals, fewer journalists and more bloggers were arrested in 2019 than the year before. However, the number of journalists and bloggers detained jumped in 2020 following the launch of the presidential campaign. During the May 2020 demonstrations, at least 14 bloggers and journalists were arrested. ⁵ Moreover, the number of detentions accelerated sharply throughout the summer and fall, after the coverage period. However, the coverage period itself was mostly characterized by ongoing low-level repression, ⁶ with spikes in late 2019 and in May 2020.

In May 2020, protests broke out amid the growing toll of the COVID-19 pandemic, the government's holding of the "Victory Day" parade on May 9, and its setting of the date of the presidential election for August 9, 2020. Many of the May protests were led or inspired by Siarhei Tsikhanouski, a charismatic blogger who runs a YouTube channel called A Country for Living (an ironic reference to a Lukashenka propaganda slogan). The channel portrays the every-day frustrations of ordinary people living outside the capital.

On May 6, 2020, Tsikhanouski declared that he would seek the presidency. Although the authorities barred him from running on a technicality, his wife registered as a candidate. ⁷ As he collected signatures and held well-attended rallies for her around the country, Tsikhanouski was detained repeatedly and ultimately arrested on May 31 for alleged violence against a police officer. ⁸ The incident, during which an older woman's questioning of Tsikhanouski about his platform degenerated into a scuffle with police, was widely seen as a provocation organized by the government. On June 3 and 4, the authorities searched the residences of Tsikanouski and his family, allegedly finding \$900,000 (1.9 million rubles) in undeclared cash, which they seized upon as a pretext to prosecute him.

The authorities also arrested at least nine members of Tsikhanouski's blogging and campaign teams. On June 9, after the coverage period, the government charged Tsikhanouski and six others under Article 342 of the criminal code for "gross violation of public order". It charged two other detainees under Articles 342 and 364 of the criminal code for "violence or threat of violence against a police officer". The local and international human rights communities consider Tsikhanouski a political prisoner. The authorities have extended his pretrial detention, keeping him in jail past election day.

Some of the bloggers targeted in May and after—including Tsikhanouski, Alexander Krutkin, Elena Yanushkovskaya, and Uladzimir Cyhanovic—had also been prosecuted for taking part in earlier public protests in late 2019 and other local campaigns. An expert noted that they received harsher fines than leaders of the political opposition. The expert also pointed out that the government is targeting bloggers outside Minsk.

Blogger Dmitri Kozlov, aka "Grey Cat," was arrested in December 2019 and sentenced multiple times to a total of 120 days in detention under Article 23.34 of the administrative code for calling for and taking part in unsanctioned protests against integration with Russia. The blogger went on a hunger strike to protest the court decisions, which violated a code that sets a maximum of 25 days of detention under multiple protocols. 10 After serving 26 days, Kozlov was unexpectedly released from detention on January 20, 2020.

Blogger Elena Yanushkovskaya from the Vitebsk region was fined six times under Article 23.34 for participating in the unsanctioned December 2019 demonstrations. She stated that the authorities are using fines to "shut the mouths of us bloggers." 11

In November 2019, activist blogger Alexander Krutkin was sentenced to 15 days in detention under Article 23.34 for a Facebook post calling for an unsanctioned protest in Minsk. ¹² He was sentenced again in January and in February 2020, serving 45 consecutive days in jail. ¹³

In October 2019, state prosecutors resumed a criminal case against Alexander Kabanov, a leader of the long-running environmental protests in Brest and a popular blogger. Kabanov was accused of embezzlement by a neighbour who works for the police. The resumption took place three days after President Lukashenka publicly criticized the Brest activists for considering running for parliament. Earlier, in July, the case against Kabanov had been closed after prosecutors failed to identify any criminal activity. 14 Another leader of the Brest protests, blogger Sergei Piatrukhin, was arrested for taking part in the May 2020 protests. 15

In October 2019, Siarhei Tsikhanouski was detained by traffic police following his streaming from an anti-integration demonstration in Minsk. The police filed an administrative case against him and released him, and he was later fined for a traffic violation. ¹⁶ Tsikhanouski was detained again when driving from Gomel to Minsk in December 2019. This time he was sentenced to 15 days for violating public order and organizing unsanctioned events under Article 23.34. ¹⁷ One day after his sentence ended, on January 10, 2020, Tikhanovski received another 15-day sentence, but was released a day later. The blogger Uladzimir Cyhanovic, who runs the popular political YouTube channel MozgON (Brain On), was also detained under similar circumstances in December 2019. Cyhanovic was also arrested during the summer 2020 crackdown on bloggers. ¹⁸

During the coverage period, there were a number of cases of repression against online voices related to the COVID-19 pandemic. A doctor who posted on VK about the virus in Vitebsk being out of control was questioned at the prosecutor's office. ¹⁹ After participating in one of Siarhei Tsikhanouski's livestreams and raising concerns about the lack of ambulances and PPE, a paramedic in Lida was threatened with dismissal. ²⁰ Later, he and another paramedic were detained and sentenced to seven days of administrative arrest under Article 23.34 of the administrative code for participating in an unsanctioned meeting with the blogger. ²¹

On March 25, 2020, Siarhej Satsuk, an investigative journalist and the editor-in-chief of the independent online outlet Ejednevnik (EJ.by), was arrested. The next day, the authorities searched the outlet's office and

confiscated equipment and documents. Satsuk was accused of receiving a bribe under Article 430 of the criminal code, which carries a sentence of 3 to 10 years in jail. Anticipating arrest, Satsuk asked colleagues from the independent media to publish an open letter in which he had earlier described how he had experienced pressure and numerous threats to deter his investigation of corruption in the healthcare system (see C7). 22 Satsuk's arrest also came on the heels of an editorial he had published criticizing President Lukashenka's handling of the COVID-19 pandemic. ²³ Following domestic and international pressure, Satsuk was released on April 4. The journalist did not admit any guilt and official charges were not filed against him. However, he remains a person of interest and the investigation of his case continues. ²⁴ In June, after the coverage period, investigators brought new charges against Satsuk under Article 209 of the criminal code, which carries a sentence of up to three years in jail. He is accused of fraud resulting from a crowdfunding campaign that he ran in 2018 to produce a series of investigative articles. Satsuk received \$800 (1,700 rubles) in donations, provided a report on how the money was spent, and published six articles on Ej.by. The authorities maintain that since Ej.by is not registered as internet mass media under the Media Law, Satsuk could not represent himself as a journalist and therefore had misled the public. ²⁵

During the coverage period, there were two notable criminal cases related to online defamation. In September 2019, the head of the Slonim District Executive Committee filed a defamation lawsuit against the blogger Nexta and journalist Sviatlana Kalinkina over a report accusing him and his wife of committing drunk driving offenses. The allegation was first published by Nexta on his Telegram channel and then posted by Kalinkina on Belaruspartisan.by, a prominent opposition news website. ²⁶ In March 2020, police charged Volha Zhurauskaya under Article 369 of the criminal code with publicly insulting a government representative after a video clip posted on her YouTube channel generated a negative comment about a senior law enforcement official, which Zhurauskaya denied writing. ²⁷

While the authorities continue to track and punish internet users for their online activities, there were several unusual precedents when prosecution was stopped and court decisions revised. In December 2019, an

opposition activist from Drybin was fined \$120 (250 rubles) for a sad smiley face he had left under a post on the social network OK, which the police characterized as the spreading of extremist information. However, in February 2020, a court reversed its own decision and cancelled the fine. ²⁸ In October 2019, the authorities closed a criminal case against a member of the "Mothers 328" movement—a group that seeks leniency for young people convicted for minor drug trafficking—who had been accused of insulting a prosecutor in a Facebook post. ²⁹

The government continued to target anarchists, who oppose President Lukashenka and are active off- and online. ³⁰ In January 2020, police charged the anarchist activist Maryna Kasinierau with the criminal dissemination of extremist content. The charge stemmed from a 2017 photograph of herself posted on social media in which she is wearing a cap bearing an English-language phrase that was declared extremist by Belarusian authorities in 2018. ³¹ In October 2019, the anarchist activist Dzmitry Paliyenka was convicted of "egregious malicious hooliganism" for a Facebook post about the former interior minister. Paliyenka had also been accused of inciting hatred against police as a "social group," though these charges were dropped. He was sentenced to three years of restricted freedom, which was reduced to 10 months. ³²

During the coverage period, authorities continued targeting freelance journalists, including those active online, with administrative fines under Article 22.9 of the administrative code for reporting without the required government accreditation, though there were fewer such fines than there had been the year before. ³³ In 2019, journalists were fined 44 times, for a total of about \$21,000 (44,000 rubles). There was a pause in the repression from early June to the end of September, with no fines being issued, probably due to international coverage of the 2019 European Games. In 2020, the government issued 13 fines as of the end of May. ³⁴ The Belarusian Association of Journalists has condemned the persecution of freelancers, noting that the legal provision under which the freelancers are being charged applies only to media organizations, not individuals. ³⁵

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?

1/4

Under amendments to the Media Law, anyone posting materials and comments online must identify themselves to the owner(s) of the websites on which they are posting. In November 2018, the government issued Resolution 850, 1 detailing the procedure for this identification requirement. 2 Under the procedure, commentators are identified via SMS. Only one account per outlet can be created per mobile phone number. Website owners must store the personal data—including name, gender, date and place of birth, mobile phone number, email, and IP address—of registered users for one year. 3 Experts and publishers of independent online media believe that the regulation aims to discourage public discussions online. 4

The regulation's impact on independent outlets with socio-political content is still unclear. It remains unknown whether or to what extent commenters are discouraged by the fear of being identified or deterred by the complex, several-step registration system that requires extra time. ⁵ Some experts see commenters migrating to social media platforms. Digital publishers and editors believe that commenters are becoming comfortable with the new system and are returning to interacting with their preferred websites.

Through a system known as Passport, the Ministry of Interior links mobile service subscribers to their real-world identities. ⁶

Belarus has blocked the use of VPNs and Tor since 2015, though they sometimes remain accessible in practice. ⁷ Under Resolution 218 (1997) of the Council of Ministers, the import and export of cryptography is prohibited without a license from the Ministry of Foreign Affairs or the State Center for Information Security of the Security Council. ⁸

The use of public Wi-Fi hotspots is regulated by authentication via mobile telephone number. 9

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy?

2/6

Belarus employs systematic, sophisticated surveillance techniques to monitor its citizens and control critical expression online. Legislation allows the government to undertake wide-ranging surveillance at its discretion, with no judicial authorization or oversight. Surveillance is believed to be omnipresent in Belarus. Activists and journalists reportedly fear that their offices are bugged, their phone calls listened to, their locations tracked, and their online communications at risk of being hacked. 1

The Belarusian government interferes with internet freedom by monitoring email and internet chat rooms; it likely tracks opposition activists' emails and other web-based communications. The Belarusian authorities use raids and the confiscation of computer equipment to collect personal information on independent journalists.

In 2017, after a series of mass demonstrations, ² President Lukashenka signed Decree No. 187, "On the Republican Public Security Monitoring" System," creating a centralized real-time video monitoring system. 3 The data collected by this system is available to the KGB, the Ministry of Internal Affairs, the Ministry for Emergency Situations, the Presidential Security Service, and the President's Operational Analytical Center. 4 The data could also be shared with State Border and Customs Committees. The government allocated up to \$100 million (210 million rubles) for the system. ⁵ An independent news website in Gomel reported that the authorities appeared to be working overtime to install CCTV cameras on a major street in Belarus's second largest city prior to the August 9 presidential election. A Beltelecom worker denied any link with protests or the vote, claiming the cameras were being installed to reduce traffic accidents. However, the outlet breaking the story pointed out that most of the surveillance cameras in fact covered pedestrian areas. 6

In 2019, Danwatch and the Organized Crime and Corruption Reporting Project (OCCRP) reported that the EU had provided surveillance

equipment worth more than \$2 million (4.2 million rubles) to the State Border Committee. ⁷ This took place in spite of an EU ban on the export of equipment that may be used for internal political repression.

The Belarusian government has acquired surveillance hardware and software from Chinese, Russian, US, and Israeli companies. Huawei has been supplying video surveillance systems to the Lukashenko government since 2011. The Ministry of the Interior also works with Huawei, ⁸ which in 2018 proposed that the Belarusian government deploy "video surveillance" and "integrated police systems" similar to those that the Chinese government uses. ⁹ BeCloud and two of Belarus's mobile providers are building 5G networks using Chinese equipment: BeCloud and MTS are working with Huawei, and A1 with ZTE. 10

In the last year, there was a greater focus on developing the China-Belarus Great Stone Industrial Park, a flagship project of the Belt and Road Initiative, of which Belarus is a part. Launched in 2010, the joint initiative will be China's largest industrial park abroad. Part of Great Stone's focus is on telecommunications, electronics, and big data. Four Chinese companies that have bases in the park for themselves or their Belarus subsidiaries—Huawei (the first registered resident), ZTE, CASC and CETC—are on U.S. blacklists for surveillance-related activities.

The Belarusian government is working with Huawei to develop "smart cities" technologies. ¹¹ After launching a pilot smart city project in Orsha in 2019, the government in March 2020 announced plans to expand the "Smart Cities of Belarus" project to Minsk and at least 10 more cities. ¹² That same month, the OAC publicized work it had done on creating a "national smart platform" that will bring together and collect data "from all smart devices," and make it available for "joint use" by "various agencies" to improve citizens' security. ¹³

Since 2010, the government has been using versions of the Russian-developed System of Operative Investigative Measures (SORM), ¹⁴ which provides the authorities with direct, automated access to communications data from landline telephone networks, mobile service

providers, and ISPs. ¹⁵ The Belarusian government also uses Semantic Archive, a software package developed in Russia that monitors open-source data such as blogs, news outlets, and social media. ¹⁶ Meanwhile, the US's Grayshift and several Israeli companies have supplied the Belarusian authorities with tools for hacking into locked mobile devices. ¹⁷

Belarus has also developed a domestic capacity to produce surveillance tools. The Belarusian company Synesis is a leading producer of intelligent video surveillance systems and analytics. Synesis's video surveillance platform Kiprod links tens of thousands of CCTV cameras in Belarus and other CIS countries. ¹⁸ The company is also a resident of the China-Belarus Great Stone Industrial Park.

In Belarus, there is no independent or judicial oversight and only nominal government oversight over electronic surveillance. The resulting lack of transparency makes it difficult to assess the state's full surveillance capabilities and activities.

Belarus's legislation on data protection is not in line with international standards. In 2018, the government released the draft of a new law on protecting personal data. ¹⁹ In March 2019, it submitted the draft law ²⁰ to parliament, which provisionally adopted it in June. ²¹ As of May 2020, the law was still being prepared for a second reading. ²²

C6 0-6 pts

Are service providers and other technology companies required to aid the government in monitoring the communications of their users?

0/6

All telecommunications operators are required to install surveillance equipment, making it possible for the government to monitor traffic in real time and to obtain related metadata and data—such as users' browsing history, including domain names and IP addresses visited—without judicial oversight. Since 2016, all ISPs have been required to retain information about their customers' browsing histories for one year.

Companies are also required to preserve identifying data regarding their

customers' devices and internet activities for at least five years and to turn over this information at the government's request. ² According to Amnesty International, though, identifying data may sometimes be preserved for up to 10 years. ³

Pursuant to Resolution 850 (see C4), website owners are now required to store the personal data of all registered commenters.

Since 2007, internet cafés have been required to log each user's browsing history, keep that log for one year, and inform law enforcement of suspected legal violations. ⁴ Internet cafés also must photograph or film users. ⁵ Hotels, restaurants, and other entities are obliged to register guests before providing them with wireless access, whether free or paid.

Websites on the national .by and .бел domains must be physically hosted within the territory of Belarus. ⁷

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in retribution for their online activities?

2/5

The government continued to intimidate online journalists during the reporting period. State pressure was particularly directed at bloggers. The repression coincided with Belarus's worsening relations with Russia, parliamentary elections in November 2019, the presidential election scheduled for August 2020, 1 and the COVID-19 pandemic. After the coverage period, in the run-up to and after the August 9 presidential election, authorities resorted to extreme physical violence against activists, bloggers, journalists, and ordinary users.

In April 2020, the online journalist Volha Chajchyts and her husband and cameraperson Andrei Kozel announced that they had requested political asylum in the US. Both had been repeatedly harassed and persecuted for their work as freelancers for the Poland-based Belsat satellite TV channel. The couple left Belarus because of increasing psychological pressure and

fears that their children would be taken away by the authorities. ² In January 2020, the online journalist and political activist Roman Protasevich sought political asylum in Poland, citing numerous arrests and pressure from the government. ³ In August 2019, vlogger Maxim Filipovich fled the country, stating that he and his family members could not find jobs and had been otherwise pressured by the state for his activism. ⁴ Nexta lives in exile in neighboring Poland.

In April 2020, Nasha Niva reported that a soldier who administers a Telegram channel that collects critical reports about military service in Belarus received 10 days detention in his military unit's guardhouse. According to the Ministry of Defense, the soldier was punished for illegal use of a smartphone. However, another administrator of the channel published an audio record in which the commander of the unit, using profanity, orders the head of the unit's ideology department to "deal with the soldier." The soldier said the commander had bullied him and wanted to silence him. However, after the incident was publicized by independent media, the number of followers of the Telegram channel jumped. ⁵

After the November parliamentary elections, the government denounced observers who reported online on the voting and counting processes. ⁶ The criticism was likely in response to a widely publicized incident in which an independent observer filmed a woman trying to stuff a ballot box at a Brest polling station. The Election Commission chief responded by stating that the observer who made the video should be stripped of his accreditation. ⁷

In October 2019, a 19-year-old blogger alleged that he was unlawfully detained, threatened, and tortured by police seeking to compel him to unlock his mobile phone and delete some of his videos. There were no official records of the incident. 8

In May 2019, blogger Andrei Pavuk from Mozyr was accused of a bomb threat against a district administration building, based on his cellphone number appearing in the email with the threat, which was sent to the Ministry for Emergency Situations. Denying the allegations, the blogger appealed to the authorities to investigate the apparent misuse of his

personal data. Pavuk also filed a lawsuit against police officers who he believed had violated his rights during a search of his apartment in March 2019 under the pretext of a similar bomb threat. On September 24, 2019, on the eve of his court hearing, the blogger received an anonymous Viber message warning him to stop blogging and threatening that he would end up in prison if he continued demeaning the state. On October 4, police informed Pavuk that someone had called the authorities from his mobile phone number, introduced himself as Andrei, and claimed that he had killed his wife. The police proved unable to uncover the messenger. 9 The courts denied Pavuk's lawsuits, leaving the blogger feeling helpless and unable to protect his family. 10

In August 2019, BT, Belarus's main state TV channel, aired a hidden camera video suggesting that Siarhej Satsuk, editor of the independent investigative journalism website EJ.by, received a bribe from a businessman to publish exposés on corruption in health care institutions. BT called on law enforcement to launch a criminal investigation, which was subsequently opened in March 2020 (see C3). The editor denied the allegation, noting that he had received threats of imprisonment or death if he continued his investigation. 11

A 2018 report by Article 19 found that hate speech, discrimination, and hostility against LGBT+ people in Belarus are widespread online. ¹² A 2019 survey of the websites of 123 media outlets conducted by Journalists for Tolerance found hate speech to be more limited. Vulnerable groups were mentioned in only 25 percent of the materials assessed: less than 4 percent of the total content was judged to be hate speech. The group most targeted was people with disabilities. The offenders were most often state-run regional media outlets. ¹³

Online hate speech was not limited to Belarusian nationals. During the coverage period, extreme nationalist and chauvinist Russian websites and Russian-supported websites in Belarus used rhetoric that distorted the history of Belarus and questioned the existence of a Belarusian ethnic nation and language. These websites also employed hate speech against different groups of patriotic or prodemocratic Belarusians, including independent journalists and bloggers 14 as well as sexual minorities. 15

Even ordinary Belarusians were a target. In February 2020, a Belarusian student who tried to get a cup of tea in a Minsk café by ordering in Belarusian was confronted by a server who thought the transaction should be carried out in Russian. The student was subjected to online death threats after the incident was publicized. ¹⁶

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?

1/3

Technical attacks are not pervasive in Belarus, but several incidents occurred in the reporting period; they involved popular news portals, a Belarusian website based abroad, websites of state institutions, and a popular socio-political Telegram channel. In December 2019, Lukashenka issued a decree "On improving state regulation in the field of information protection," which aims to prevent the "impact of destructive information and other information threats;" his press service stated that the decree was designed to ensure the cyber resistance of critical information systems. 1

Independent online media reported several suspected distributed denial-of-service (DDoS) attacks. In May 2020, TUT.by, Belarus's largest independent news website, reported a "technical failure" that prevented users from accessing the site, which other sites claimed might be a DDoS attack. ² In December 2019, the website of Belsat, a Poland-based independent satellite TV station, was subject to a DDoS attack after posting information about protests against integration with Russia taking place in Minsk; it was the second large-scale attack on Belsat in the second half of 2019. ³ In October 2019, Onliner.by, Belarus's second largest internet platform, was the target of a massive DDoS attack. Several days before the attack, administrators noticed suspicious activity regarding the profiles of registered users and recommended that they change their passwords and switch to a two-step verification process. ⁴

In November 2019, Syarhei Bespalau, owner of the popular socio-political Telegram channel My Country Belarus reported that scammers had seized control of the channel. Posing as potential advertisers, they had requested that the administrator share his computer screen displaying the channel's account information during a Skype call to prove his identity as the channel's owner. Bespalau immediately received a notification that his password to the account had been changed. The scammers then transferred the ownership rights to another account. 5 As of March 2020, the original channel had been restored.

In February 2020, the State Investigative Committee reported that two public health institutions dealing with respiratory medicine and epidemics were hacked by unidentified perpetrators who used their listservs to "spread false information" about COVID-19 and to spread malware. ⁶ While these and similar incidents might appear random, experts speculate that some may be part of a Kremlin strategy of interfering with Belarus's information space and influencing public moods. ⁷ According to this explanation, Russian disinformation operations sought to capitalize on the government's poor handling of the pandemic.

In October 2019, users detected a malicious cryptocurrency mining program being disseminated by the website of the Ministry of Education. The program ran automatically on the computers of users accessing the site without antivirus protection. The ministry confirmed that it was aware of the problem. It remained unclear whether the malicious program was launched by a ministry employee or by external hackers. 8

The company Kaspersky ranked Belarus 7th in countries with the highest number of web threats. Almost 43 percent of users experienced webborne threats in 2019.

9 According to Comparitech, Belarus is the 8th-least cyber-secure country among 60 countries surveyed.





Country Facts

Global Freedom Score

11/100 Not Free

Internet Freedom Score

38 / 100 Not Free

Freedom in the World Status

Not Free

Networks Restricted

Yes

Social Media Blocked

No

Websites Blocked

Yes

Pro-government Commentators

Yes

Users Arrested

Yes

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