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Belarus

NOT FREE

25
/100

A. <u>Obstacles to Access</u>	13 / ₂₅
B. <u>Limits on Content</u>	7 / ₃₅
C. <u>Violations of User Rights</u>	5 / ₄₀

LAST YEAR'S SCORE & STATUS**28 /100 Not Free**

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.



Overview

Internet freedom in Belarus deteriorated further during the coverage period. The government intensified its suppression of online critical voices, blocking of independent media outlets and information sources, and use of legislation to criminalize online materials produced by what it deemed to be “extremist” or “terrorist” groups. Although virtually all nonstate media outlets are now operating from exile, they continue to disseminate content via social media and messaging applications. In the context of the ongoing political crisis and the full-scale Russian military invasion of Ukraine, the Belarusian government increased its arbitrary arrests of media workers, online activists, and ordinary users, imposing lengthy prison sentences on those detained. Security forces conducted raids, employed torture, and released forced-confession videos to deter and silence critical speech. The impact of war and international sanctions has compelled the government to sharply increase its propaganda and other efforts to manipulate the information environment.

Belarus is a consolidated authoritarian state ruled by Alyaksandr Lukashenka, who first took office as president in 1994. Elections are openly orchestrated, and civil liberties are tightly restricted. Since 2020, when Lukashenka’s fraudulent reelection prompted mass protests, the regime has depended on support from Moscow to maintain its grip on power and the country’s overall human rights situation has declined precipitously. Tens of thousands of people have been arrested, and as many as 250,000 Belarusians, including most of the country’s independent media workers, may have emigrated since the crackdown began. By the end of May 2023, approximately 3,300 people had been convicted in politically motivated criminal crimes, and the Viasna Human Rights Center, a Belarusian civil society organization, had recognized 1,496 political prisoners in the country, including at least 33 media workers.

Key Developments, June 1, 2022 - May 31, 2023

- The mass blocking of websites—including those of news outlets that now operate from abroad (see B1)—and increased use of laws on extremism and terrorism to restrict online content (see B2) resulted in greater government control over and less diversity in the country’s online information space (see B7).

- During its domestic crackdown and the full-scale Russian military invasion of Ukraine, the Belarusian government intensified its use propaganda, disinformation, and conspiracy theories to manipulate the online information space (see B5 and B7).
- Harsh new laws resulted in increased penalties meted out to journalists, bloggers, activists, and ordinary users for their online activity (see C2 and C3), and further decreased the capacity for online organizing within the country (see B8).
- The government introduced legislation to further limit online journalism and activism, including a law criminalizing the “propagation of terrorism,” “discrediting the army” and “breaching the rules to protect state secrets,” as well as introducing the death penalty for military and state officials convicted of high treason (see C2).
- The authorities arrested and prosecuted hundreds of media workers, bloggers, and ordinary internet users, imposing prison sentences exceeding 10 years in some cases. One imprisoned blogger died while in state custody (see C3 and C7).
- Security forces raided the homes of journalists, online activists, and their families; continued to employ torture against those detained for criticizing the government online; and increased their use of forced “repentant videos” to humiliate and marginalize dissidents and critics (see C7).

A. Obstacles to Access

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 information and communication technology (ICT) infrastructure. Access to the internet has increased in recent years.

According to official statistics, 89.5 percent of the population was online by the end of 2022, an increase of almost three percent over the previous year. ¹

Belarus maintains high fixed- and mobile-broadband penetration rates. According to official statistics from the beginning of 2023, the number of subscribers accessing the internet via these connections numbered 3.1 and 9.3 million, respectively, out of the country's approximately 9.4 million people. ² The government also reported a fixed-broadband penetration rate of 33.8 percent and a mobile broadband internet penetration rate of 101 percent. ³ Belarus had one of the highest mobile internet penetration rates of any country in central and eastern Europe in 2022. ⁴

As of March 2023, the median mobile-broadband download speed was 12.1 Megabits per second (Mbps), and the median fixed-broadband download speed was 53.4 Mbps. Both speeds showed improvement over the last reporting period, according to the speed-testing company Ookla. ⁵

Second and third-generation (2G and 3G) mobile networks cover 99.3 percent and 98.6 percent of the territory of Belarus, respectively. ⁶ 4G long-term evolution (LTE) services, offered by mobile providers via the state-run Belarusian Cloud Technologies (beCloud), ⁷ the sole owner of the country's 4G infrastructure, cover 83.2 percent of the country's territory. ⁸ Fifth-generation (5G) networks were still in the testing phase during the coverage period.

Among fixed-broadband connections, gigabit passive optical network (GPON) fiber-optic technology continues to replace older DSL (digital subscriber line) technology. Belarus is among Europe's leaders in terms of penetration rates for household fiber-optic communication lines. ⁹ The number of GPON subscribers topped 2.9 million by the end of 2022. ¹⁰

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?

3/3

Score Change: The score improved from 2 to 3 because the cost of internet access has continued to decrease.

Internet access in Belarus became more affordable during the coverage period. In 2022, the ITU found that 2 GB of mobile data cost 0.62 percent of the gross

national income (GNI) per capita, and 5 GB of fixed broadband data cost 0.73 percent of GNI per capita; ¹¹ both were improvements over 2021. Belarus regularly ranks among the top countries with the cheapest internet. ¹²

Some digital inequalities persist, but they are narrowing. Nearly 92.5 percent of urban residents are internet users, compared with 79.7 percent of rural residents.

¹³ Minsk, the capital city, remains better connected than the rest of the country.

¹⁴ The urban-rural digital divide is reflected more strongly among certain segments of the population. In cities and towns, for example, 53.4 percent of citizens aged 65 and over used the internet in 2021; in villages, however, the number was only 28.2 percent. ¹⁵

More Belarusian women than men are online. ¹⁶ In 2022, 89.5 percent of Belarusian women aged 16–72 used the internet, and 88.7 percent used it every day. ¹⁷ The percentage of Belarusian women using the internet is higher than both the European and Commonwealth of Independent States (CIS) averages. ¹⁸

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity?	4/6
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The government did not shut down internet service during the coverage period, as it did in 2020 and 2021. In August 2023, after the coverage period, local disruptions in mobile internet coverage were reported near the camp of Wagner paramilitary forces in Tsel following the death of Yevgeny Prigozhin, the head of the Wagner military forces, in a plane crash. ¹⁹

The government owns and oversees the backbone connection to the international internet and controls much of the information and communications technology (ICT) sector. ²⁰ There are approximately 18 internet service providers (ISPs) in Belarus, ²¹ but only two state-run entities, the National Center for Traffic Exchange (NTEC) and Beltelecom, are permitted to handle connections with ISPs outside the country. ²² The NTEC provides peering services through the BY-IX internet exchange point (IXP). Beltelecom, the country's largest telecommunications company, owns and operates Belarus's backbone network, upon which all other ISPs depend. Through these entities, the government can throttle or cut connections at will.

In 2020 and 2021, the authorities initiated a nationwide internet shutdown during the presidential election in August 2020 ²³ and then ordered localized and intermittent internet outages over the subsequent months, particularly during frequent Sunday protests. ²⁴ In March 2022, the Open Society Justice Initiative filed a complaint with the Organisation for Economic Co-operation and Development (OECD) against A1, an Austrian telecommunications firm that has a subsidiary in Belarus, for its role in facilitating the Belarusian government's internet shutdowns in 2020. ²⁵ Following the Russian regime's full-scale invasion of Ukraine in February 2022, A1 continued working in Belarus and increased its investment in the country. ²⁶

Internet connections were reportedly jammed at protests and rallies that took place in June 2020, ahead of the presidential election. ²⁷ The internet had previously been jammed in May and November 2019.

In 2021, the government amended the Telecommunications Law to allow it to shut down or limit the operation of telecommunications networks and facilities in response to alleged threats to national security involving the internet. ²⁸ The revised legislation provides the authorities with official grounds to implement internet shutdowns.

Article 13 of the Media Law permits the government to block websites “in the event of a threat to national security.” ²⁹

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
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The government strives to connect citizens for the purpose of economic growth, while strictly limiting the autonomy of service providers. ³⁰

By the end of 2022, 178 companies were providing telecommunications services in Belarus, a decrease from 2021. ³¹ However, the state-owned Beltelecom remains

dominant. Belarus had 3.1 million fixed-broadband subscribers in 2022; of that number, 2.5 million (more than 80 percent) were through Beltelecom. ³²

At the start of 2023, Belarus had three mobile service providers. The largest is MTS Belarus, a joint venture of Beltelecom and Russia's Mobile TeleSystems that had 5.7 million subscribers as of the fourth quarter of 2022. ³³ A1, which is part of the Telekom Austria Group, had more than 4.9 million mobile subscribers by the end of 2022. ³⁴ In December 2022, Turkcell acquired the remaining 20 percent stake in the Belarusian Telecommunications Network (BeST), branded as "Life," which it did not already own, from the government's State Asset Committee. ³⁵ As of April 2023, Life had 1.5 million subscribers. ³⁶

In January 2022, the government provided a license allowing Beltelecom itself to provide mobile services; the company began offering packages in December of that year. ³⁷ By April 2023, it had more than 1,000 subscribers. ³⁸

The government's post-2020 crackdown and its assistance with Moscow's 2022 invasion of Ukraine led to a significant outflow of technology companies and specialists from Belarus. The departures are driven by government repression targeting the sector, including ISPs, international sanctions against Belarus and its leadership, and the fear that IT workers could be drafted into the military. For example, after the 2020 events, several employees from A1 and Beltelecom were arrested and imprisoned. ³⁹ One expert estimated that, by June 2022, one-fifth to one-third of Belarus's tech industry workforce had emigrated. ⁴⁰

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 for ICTs in Belarus. The government established Beltelecom in 1995 and continues to oversee the company via the Ministry of Communications and Informatization. In addition, the presidential administration's Operations and Analysis Center (OAC), ⁴¹ 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. A 2019 presidential decree provided the OAC with additional powers related to international cooperation on matters of information security

and called for it to serve as a national center for responding to computer-related incidents. ⁴² Other governmental bodies with authority over ICTs include the State Telecommunications Inspectorate, State Control Committee, State Security Committee (KGB), and Prosecutor General's Office.

While Belarus is home to a few ICT-related business groups, such as the Infopark Association and the Confederation of Digital Business, they were founded by, are supported by, and cooperate closely with the government. The Belinfocom Association, a nongovernmental organization (NGO), has the mission of representing and protecting the interests of the privately-owned ICT companies it counts as members. In the past, it lobbied against Beltelecom's monopolistic position, but it now appears to act more as an advocacy organization that works on behalf of its members with the government to advance the development of the ICT sector. ⁴³

B. Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?

1/6

The government has continued blocking online news sites and information resources, including virtually all independent media and civil society websites. The Belarusian Internet Observatory, established to monitor the blocking of websites in the Belarusian segment of the internet, found that more than 9,000 sites were blocked as of early June 2023. ⁴⁴ Experts suggest that about one-fifth of the sites are blocked for political reasons. ⁴⁵

The government began restricting access to news websites in 2014, ⁴⁶ and dramatically expanded efforts to block critical news, human rights, civil society, and political opposition sites since the August 2020 presidential election and ensuing protests. ⁴⁷ The Belarusian Association of Journalists reported that the government restricted access to more than 100 online news resources in 2020 and 2021. ⁴⁸ The full-scale military invasion of Ukraine by the Russian government,

which Belarusian authorities assisted with by allowing the use of Belarusian territory as a launching ground for attacks, further spurred the blocking campaign.

During the coverage period, the government targeted and blocked many of the country's remaining independent regional, local and niche websites. The websites of at least three independent news media—Babruisk Kurier, Belprauda.com, and s13.ru—as well as those of the economic newspaper *Belarusy i Rynok*, the information and analysis group Reformation, the environmental news Green Portal, the urban lifestyle CityDog, and the cultural site ARCHE, were all blocked, for example. ⁴⁹ By autumn 2022, the websites of 44 Belarusian media offices were blocked. ⁵⁰ As of December 2022, the government's list of restricted websites included 491 independent information sources and news aggregators, and their mirror sites. ⁵¹ Changes to the country's media legislation in 2021 had authorized the restriction of “mirror” websites, leading to the blocking of different sites linked to independent online media that publish from outside Belarus. ⁵² By spring 2023 virtually all major independent media and NGO websites remained blocked, with the exception of the Onliner web portal.

The government is also restricting websites peripherally connected to independent online information sources. In October 2022, for example, the authorities blocked Marketing.by, the website of the country's oldest firm focused on digital advertising and marketing. ⁵³ In December 2022, the government blocked the TGStat website, which tracks the statistics and rankings of Telegram channels. ⁵⁴ In May 2023, it blocked Dev.by, which covers Belarus's tech sector; the site had an average monthly audience of one million unique viewers. ⁵⁵

The crackdown that began in 2020 has led to an exodus of independent media from Belarus (see B7). As they departed, the sites left the national .by domain and reregistered their websites abroad, prompting Belarusian authorities to block the new foreign-based sites. For example, the government blocked the Belarusian website (b-g.by) of *Brestskaya Gazeta*, a popular online regional newspaper, in March 2023. After part of the editorial team working outside of Belarus resumed publishing on BG.Media.site, the government blocked it as well. ⁵⁶

In 2021, Lukashenka launched a “clean-up” of “bandit” and “foreign agent” NGOs in Belarus, including media, think tank, and human rights organizations. In 2021 and 2022, the government shut down more than 750 NGOs; another 400 decided to

cease functioning due to official pressure. ⁵⁷ By the end of 2021, no publicly working human rights organization was left in Belarus. The termination of at least 1,315 independent groups from September 2020 to the end of May 2023 ⁵⁸ also included the loss of their news, information, research, analytical and cultural websites and online publications in Belarus. ⁵⁹ While some NGOs continue their activities from abroad, their new websites are routinely blocked. In September and October 2022, for example, the government blocked the Belarusian site of Journalists for Tolerance (J4T.by); when the NGO registered a new site outside of the .by domain, it (J4T.info) was also blocked. ⁶⁰ By February 2022, more than 1,300 internet resources critical of the government had been blocked, including 76 focusing on human rights and assistance to the repressed, according to the rights organization Human Constanta. ⁶¹

In December 2022, the government began blocking Patreon, a popular crowd-funding platform used by Belarusians to support creative content produced by bloggers, writers, and podcasters. ⁶²

The authorities have also focused on restricting Belarusian-language websites, since they consider Belarusian to be the language of the opposition. For example, the government blocked the Audiobooks.by website, which includes links to 500 Belarusian-language books, in April 2023. ⁶³

In May 2021, the government blocked the domain portal of TUT.by, the country's most popular and influential online news source. ⁶⁴ At the time of its blocking, TUT.by had 3.3 million daily users. ⁶⁵ In July 2021, part of the TUT.by team launched a successor to the site, Zerkalo.io, that is based outside of Belarus. The government immediately blocked Zerkalo.io. ⁶⁶

The government also blocks the websites of foreign news organizations that cover Belarus, including the Belarusian service of Radio Free Europe/Radio Liberty (RFE/RL), Deutsche Welle (DW), and the Voice of America (VOA) network Current Time. ⁶⁷

Following the Kremlin's 2022 full-scale invasion of Ukraine, the Belarusian government began restricting access to Ukrainian websites reporting on the war. At least nine Ukrainian media outlets had been blocked as of February 2023, ⁶⁸ after Belarusian consumption of Ukrainian news content increased in the wake of

the Russian invasion. The Belarusian authorities have similarly blocked Russian websites whose coverage of the invasion deviates from the Kremlin's line. **69** Separately, in April 2022, the website of Human Rights Watch (HRW) was blocked after the group published a report documenting apparent war crimes by Russian forces in Ukraine. **70**

As of January 2023, the Russian government had blocked 27 independent Belarusian news websites since its second invasion of Ukraine. **71**

The Belarusian government also increased its blocking of messaging channels during this reporting period. According to official sources, the authorities restricted access either fully or partially to more than 3,000 such resources, primarily Telegram channels, from January to November 2022; during the previous seven years, approximately 5,000 resources had suffered the same fate. **72** Most of the individual groups and accounts have been blocked due to alleged "extremist" content (see B2). Social media and messaging platforms themselves remain available, though Lukashenka has discussed following the Kremlin's lead in blocking them. **73**

Research indicates that both government bodies and state-owned and private ISPs carry out internet blocking in Belarus. **74** The NTEC has the capacity to block 40 percent of all incoming and outgoing internet traffic and to restrict access to up to 150 million URLs. **75** A1, the largest private telecommunications firm in Belarus, has actively participated in the blocking of opposition and critical media websites. **76** State offices, organizations, and companies—which employ more than half of the country's workforce—reportedly use internet filters. **77**

In addition to its use of deep packet inspection (DPI) technology, the government employs basic techniques such as IP (internet protocol) filtering and disabling domain name system (DNS) records to block websites. It also uses other commercial filtering technologies, including some produced in the United States, for this purpose. **78**

Since the 2020 political crisis, the government has sought to upgrade its blocking capabilities. In March 2022, Beltelecom announced a \$4.25 million tender to modernize existing hardware and software "that collects and stores information about the user's visit to internet resources and blocks internet resources." **79** The

government is looking to the Kremlin for the technology to block social media platforms. ⁸⁰

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, particularly material that is protected by international human rights standards?

1/4

During the coverage period, the government expanded its “antiextremism” legislation and invoked it more frequently to censor online content and limit freedom of expression (see C2, B6, and B7). When the authorities label organizations, informal groups, individuals, activities, or content as “extremist,” the designation bars all online media and users in the country from referring to them. Users of websites, social media platforms, and messaging applications who access, share, or repost “extremist” materials can and are prosecuted in both administrative and criminal courts (see C3). Other media outlets and users are required to delete such materials—and remove them retroactively—from their publications (see B3). ⁸¹ A 2023 UN report concluded that the Belarusian government equates independent journalism as a whole with extremism. ⁸²

The government maintains a Republican List of Extremist Materials ⁸³ that identifies banned content. Prior to the 2020 political crisis, a majority of items on the list propagated racism or religious extremism. By 2022, more than 90 percent were related to opposition politics, independent media, civil society, and other critical voices. ⁸⁴ By the end of May 2023, the list included more than 3,000 materials, including the websites and social media and messenger channels of almost all independent media outlets. ⁸⁵ While roughly one-third of the materials banned as “extremist” appear to be Telegram resources, ⁸⁶ they also include TikTok, Facebook, VKontakte (VK), OK, YouTube, Instagram and Twitter accounts. ⁸⁷

The government continued to force individual outlets still in Belarus to delete content. In September 2022, the authorities blocked the socioeconomic outlet Blizko.by following its mention of an independent blogger included on the official list of “terrorists” (see B6). The following month, it became accessible, but only after deleting its political news and archives sections. ⁸⁸

Since the Russian military's full-scale invasion of Ukraine, the Belarusian government has sought to limit the dissemination of information about military operations, including the movements of Russian troops in Belarus, especially in independent media and Telegram channels. **89**

In March 2022, the Belarusian government signed a decree that prohibits news aggregators from cooperating with sites blocked in Belarus. As a result, Belarusian independent media outlets and their content are excluded from the list of partners of Yandex.News (now Zen.Novosti). **90** Following its invasion of Ukraine, the Russian government forced Yandex.Zen (now Zen), an automated personal-recommendation service that previously drove traffic to Belarusian independent media sites, to drop all foreign content, including from Belarusian media. The service has been shut down in Belarus. **91** Today, Zen.Novosti and Zen are owned by the Russian government-controlled VK.

To further limit access to independent news and information sites via social media, the Belarusian government requested that VK (which is popular in Belarus) restrict some pages and groups of the independent Belarusian outlets Charter 97 and Flakshtok, both of which are based outside the country. **92** VK complied in August 2022. **93** In 2023, VK also blocked the pages of RFE/RL's Belarus Service and a number of other independent Belarusian media outlets, human rights groups, and civic initiatives within Belarus. **94**

The Russian government has also forced the deletion of content related to its invasion of Ukraine on the Belarusian internet. Roskomnadzor successfully had articles removed from Belarusian independent and state media outlets, as well as NGOs and state agencies. **95** In mid-August 2022, Russia's general prosecutor's office ordered VK to block the pages of the exile Belarusian publication Zerkalo, which had 257,000 followers, over its coverage of the war. **96**

Some social media platforms acted to limit invasion-related content from the Belarusian government that they deemed to be disinformation, in light of the Ukrainian authorities' assistance with the illegal attack. In March 2022, Twitter began labeling and limiting the spread of posts from Belarusian state media, including the news agency BelTA and the broadcaster BT, and their senior staff. **97** Instagram regularly blocks and deletes accounts that promote the Belarusian government, largely because they violate the platform's terms of service. **98**

Likewise, in June 2022, Telegram began blocking the popular Yellow Plums site, which seeks to intimidate opposition and critical voices through “confessional videos” (see C7) and doxing, at the request of a Belarusian human rights group. ⁹⁹ In September 2022, Telegram blocked five popular progovernment channels, with a total of more than 86,000 subscribers, on Apple devices for violating Apple’s rules concerning discrimination. ¹⁰⁰ In January 2023, Telegram blocked a swath of channels used by the security forces to publicize “confessional videos.” ¹⁰¹

In the first half of 2022, Meta did not remove any content at the request of the Belarusian government. ¹⁰² Twitter did not produce a transparency report on content-removal requests that covered the reporting period. ¹⁰³ Google received two requests in 2022, but took no action. ¹⁰⁴ The social media platforms VK and OK are also popular in Belarus, but they do not release transparency reports.

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, which continued to expand during the coverage period, are opaque, often invoked arbitrarily, and lack an independent appeals process.

The 2008 Media Law secures the state’s control over the country’s information space. Successive amendments have repeatedly tightened that control. New amendments approved in May 2023 continued this trend (see B6).

Amendments that took effect in 2021 ¹⁰⁵ made it more difficult for individuals to register outlets and enabled the government to suspend media outlets. They also allowed the government to restrict online media for publishing material considered propaganda, harmful to national security, or extremist, and ban the publication of public opinion polls on sociopolitical issues conducted without official accreditation. ¹⁰⁶

Amendments that came into effect in 2018 empowered the Ministry of Information to warn, suspend, block, and close registered and unregistered online outlets without warning or judicial oversight. ¹⁰⁷ The amendments also let the

ministry block social media platforms and hold website owners liable for hosting content that is deemed false, defamatory, or harmful to the national interest. **108**

In 2021, Lukashenka issued a decree expanding the authority of the Commission on Information Security, allowing it to restrict access to domestic and foreign websites and close media outlets if it finds that their content is harmful to national interests. The list of the potential threats to national security is extensive and can be interpreted broadly. Offenses include manifestations of sociopolitical, religious, or ethnic extremism; promotion of politics contrary to national interests; calls for riots; the destructive impact of information on an individual, society, or state institution; attempts to destroy national spiritual and moral traditions; the biased revision of history; and attempts to undermine public confidence in state institutions. **109**

In March 2022, Lukashenka signed a decree that allowed the government to block news aggregators that disseminated materials from sites restricted by the Ministry of Information. **110**

In September 2022, new legislation required ISPs to more stringently adhere to the government's blocking policies. **111** Previously, ISPs were required to check the list of websites to be banned once a day; now they are required to do so every three hours during the day and block access four hours after the site appears on the list. **112** There is no appeal process to a court; however, outlets can correspond with the Ministry of Information and, after deleting certain materials, have the decision reversed. The 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. **113** Only government agencies and ISPs have access to the list. **114**

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship?	1/4
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The country's increasingly repressive laws; frequent blocking of web resources; expanding definition of what constitutes "extremism"; and prosecutions against journalists, civil society activists, opposition figures, cultural workers, and ordinary internet users have together contributed to significant online self-censorship.

Since the 2020 protests, the escalation in government repression, including unprecedented criminal and administrative prosecution and physical violence (see C3 and C7), has heightened self-censorship among editors, reporters, and website owners. Any media organization operating in Belarus must either practice self-censorship or expect to be shuttered. ¹¹⁵ The last major independent outlet still functioning inside the country, Onliner.by, has adopted a “common sense” approach and reduced its news and political coverage. ¹¹⁶ Belarusian media professionals who refuse to self-censor either have left the country or are in prison.

Self-censorship extends beyond journalism. Attempting to “preserve and survive,” independent cultural workers “combine self-censorship and anonymity inside the country with transferring products of Belarusian culture abroad,” according to a March 2023 report from PEN Belarus. ¹¹⁷

In a February 2023, a UN report found that “systemic human rights violations and impunity for those crimes have engulfed Belarus in a climate of arbitrariness and fear.” ¹¹⁸ The atmosphere of fear has led to fewer Belarusians seeking out independent media—in other words, the public is self-censoring its consumption. ¹¹⁹ In August 2022, a government official claimed that, after 372 internet resources had been recognized as “extremist materials,” 500,000 people had unsubscribed from “destructive” Telegram channels. ¹²⁰ Belarusian independent media, even those not yet labelled “extremist,” are finding it harder to carry out interviews with experts and citizens due to growing self-censorship. ¹²¹

The government’s practice of public shaming via videos of forced confessions of arrested individuals—including journalists, media workers, and internet users who had posted comments critical of the government—is a powerful driver of self-censorship. After being recorded, the videos are disseminated on state media and social media platforms (see C7). The number of such forced confessions has increased since the invasion of Ukraine. ¹²² In March 2022, state-run media broadcast 38 confessional videos in one day alone, all from railroad employees who had confessed to subscribing to a banned Telegram channel. ¹²³

Some journalists who remain in Belarus have opted to stop reporting due to the dangerous environment. For example, freelancer Larisa Shchyraakova, who had been fined more than 40 times her work without accreditation for the Poland-

based Belsat, ceased practicing journalism in February 2022 because of the increased risks. ¹²⁴ Despite this publicly announced decision, she was arrested in December 2022 on undisclosed charges. ¹²⁵ Even journalists working outside of Belarus may censor themselves out of fear of being abducted and returned to Belarus by force. ¹²⁶ Journalists in exile may also engage in self-censorship to protect their colleagues or family members in Belarus. ¹²⁷

From September 2020 to the end of May 2023, at least 470 NGOs chose to liquidate their organizations and discontinue their online presence—a form of preventative self-censorship—mainly due to pressure from the authorities and the country’s hostile legal and political environment. ¹²⁸

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?

1 / 4

Score Change: The score declined from 2 to 1 due to a significant increase in online government propaganda, including conspiracy theories.

Challenged by a polarized society, international sanctions, and the consequences of supporting the full-scale Russian military invasion of Ukraine, the Lukashenka regime has tightened its control over the country’s information landscape. During the coverage period, the government and state media boosted their use of propaganda and disinformation to counter and discredit domestic and foreign critics. ¹²⁹ A 2023 report by Media IQ stated that conspiracy theories had shifted from a “tool” of government propaganda to the “basis of the world constructed by the state media.” ¹³⁰ The authorities have also expanded an “information war” designed to back the Kremlin’s invasion of Ukraine.

Belarusian state propaganda and disinformation continue to promote claims of a foreign-backed “color revolution” around the 2020 election. It also demonizes the political opposition and critical voices operating outside of Belarus, including independent media outlets and journalists, ¹³¹ by labelling them extremists or terrorists. ¹³² The campaign against alleged external enemies became harsher after the February 2022 Ukraine invasion.

Prior to the 2020 political crisis, there were notable differences in focus between Belarusian and Russian state propaganda and disinformation, especially during periods when Lukashenka sought closer ties with the United States and European Union. However, following Russia's political, media, and security support to Lukashenka to counter the 2020–21 protests, and the Kremlin's full-scale invasion of Ukraine, these differences have largely been erased. Since 2022, Belarusian "state media have effectively abandoned a national information policy, rebroadcasting Russian narratives on many issues," according to Media IQ. ¹³³ Belarusian state media are also increasingly parroting Russia's "traditional values" and anti-LGBT narratives, ¹³⁴ and emphasizing disinformation narratives meant to stress Belarus-Russia unity and integration. ¹³⁵

Belarusian state outlets not only echo Russia's denial of war crimes but also contribute to the Kremlin's disinformation campaigns about them. For example, state outlets shared Lukashenka's claims that the Bucha massacre was staged by the British, and Belarusians propagandists blamed Russian war crimes on the Ukrainians themselves. ¹³⁶ A "special troll factory" overseen by the Belarusian Special Operation Forces is reportedly working to reinforce the official Kremlin narrative, according to a March 2022 RFE/RL report. ¹³⁷

The Belarusian government also echoes the Kremlin's anti-Ukrainian narratives; state media declares that Ukrainians are "nationalists," "fascists," "Nazis," "Russophobic," and are fighting a civil war rather than an illegal Russian invasion. State outlets personally attack President Zelensky as "evil," "a drug addict," and "a clown." Ukraine is portrayed as a "puppet of the West" and an aggressor against Belarus. ¹³⁸

Belarusian state media has also devoted resources to propaganda and disinformation targeting the country's western and northern neighbors. State outlets regularly denounce the alleged revanchist plans of Poland and the Baltic states, which are, like Ukraine, also "Russophobic," "Nazis" and "puppets" of the United States, European Union (EU) and North Atlantic Treaty Organization (NATO). ¹³⁹ Another prevailing disinformation narrative is that international sanctions hurt the United States and EU more than they do Belarus. ¹⁴⁰

Meanwhile, actors affiliated with Russia have increased their own dissemination of Kremlin-sponsored disinformation and propaganda inside Belarus. Several Russian

media outlets, websites, and social media groups promote the ideology of the “Russian World,” which denies the existence of Belarusian history and culture. They also promote other vitriolic campaigns in the country. One seeks to discredit the Belarusian opposition, especially those who came to the fore around the 2020 election, by portraying opposition leader Sviatlana Tsikhanouskaya and her allies as puppets controlled by the West. ¹⁴¹

Kremlin-run and -linked media outlets, social networks, messenger channels, influencers, and government-organized nongovernmental organizations (GONGOs) are widely active inside Belarus. ¹⁴² The number and activities of Russian-backed news and information websites in the country have increased significantly in recent years, including at the regional level. ¹⁴³ While the sites’ audiences are not always large, their content is amplified via social networks and messaging applications.

Belarusian state media’s echoing of Russian narratives is having an impact on the domestic front. ¹⁴⁴ As progovernment media seek to tie the 2020 protests with the 2022 war, and claim that the West’s alleged meddling in Belarus was a precursor to it starting a war in Ukraine, ¹⁴⁵ public surveys indicate that among ordinary Belarusians sympathy for Ukraine has decreased and support for Russia’s aggression has risen. ¹⁴⁶ Surveys also indicate that support for Russia’s actions correlates with consumption of information from Belarusian and Russian state media. ¹⁴⁷

In March 2023, the state press agency BelTA announced that it will intensify cooperation with China’s state news agency Xinhua, with a focus on the internet and social media, as well as best practices and skills training for journalists and editors. ¹⁴⁸

B6 0-3 pts

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

0/3

Internal and external crises have led to the collapse of the business model that previously sustained independent media in Belarus. In addition to significant economic challenges, political persecution has forced almost all online outlets critical of the regime to close or leave the country.

Apolitical independent outlets remaining in Belarus face a difficult economic environment. The pandemic, the 2020–21 political crisis, and international sanctions have all harmed Belarus’s already-struggling economy, which has not grown in absolute terms since 2013. Further sanctions in response to Lukashenka’s facilitation of Moscow’s full-scale invasion of Ukraine in 2022 caused the economy to decline sharply, ¹⁴⁹ posing further challenges to the economic viability of commercial media in the country. At the same time, the government is prioritizing the expansion of its political-economic control at the expense of economic growth. ¹⁵⁰

The economic downturn led to a 25 percent decline in total advertising in 2022. Online advertising declined less—only 10 percent. Most of this revenue went to large global or Russian platforms, rather than Belarusian firms. ¹⁵¹ In May 2022, a government decree introduced a 10-to-20 percent tax on advertising with the goal of helping state and other “patriotic” media survive economic conditions. ¹⁵² Advertisers on state websites and media are not required to pay the tax. An April 2023 decree further refined the law and listed some of the recipients. ¹⁵³ The tax was met with uncertainty and some negative reactions from businesses, contributing to the decline in digital advertising. ¹⁵⁴

The media market remains distorted by other government subsidies for state-owned media, and most state outlets would not survive without this assistance. ¹⁵⁵ In 2022, the government planned to spend 151 million Belarusian rubles (\$59 million) on state media, ¹⁵⁶ though this figure was slightly increased during the year. The authorities allocated slightly more funding in 2023—162 million rubles (almost \$60 million). Of the total planned, almost 20 million rubles (almost \$8 million) will be for state online media, including pro-government Telegram and YouTube channels. ¹⁵⁷

In July 2023, after this report’s coverage period, Lukashenka signed new amendments to the country’s Media Law. The legislation expanded the criteria that state can use to restrict access to online publications, news aggregators, and other internet resources under the guise of protecting “state and public interests” and “national security.” ¹⁵⁸ In addition, the law prohibits the publishing of the results of public opinion polls that relate to the country’s sociopolitical situation, as well as those relating to elections and referendums, if they were conducted without official accreditation. ¹⁵⁹ Finally, the amendments make it possible to ban

the work of foreign outlets in the country due to the “anti-Belarusian” attacks of “foreign mass media, internet resources and journalists,” as defined by the government. ¹⁶⁰ Banned outlets will be deprived of accreditation, see their bureaus closed, and have their content prohibited across Belarus. ¹⁶¹

Provisions of the Media Law enacted in 2021 limit the ability of individuals or legal entities to start and operate media outlets; create expansive grounds on which the state can refuse to register outlets, or revoke journalist accreditation; and allow an outlet’s suspension following two written warnings in 12 months, or immediately if it is deemed a national security threat.¹⁵³ The government has a long record of using arbitrary laws and regulations regarding the accreditation of journalists to stifle media freedom, which it continued to do during the coverage period.¹⁵⁴ In 2020, the government cancelled the accreditations of all foreign journalists working in Belarus, and adopted rules that forced them to reapply under a new, more complicated process. ¹⁶² Those who have since been accredited are from “friendly countries” and tend to follow the government’s line.

The extremism law (see B2 and B3) also places regulatory restrictions on the media. In 2021, the authorities began classifying entire media outlets as “extremist organizations” and “extremist formations.” ¹⁶³ The list of organizations and formations deemed to be “extremist” numbered 122 by the end of April 2023, ¹⁶⁴ and as of mid-April, included 16 independent media outlets. ¹⁶⁵ The vast majority of the organizations and citizen groups on the list are linked to banned websites, online information sources, and Telegram chats and channels.

The government also maintains a watch list of allegedly extremist individuals, ¹⁶⁶ including journalists, bloggers, and other critical voices, and bans them from publishing. ¹⁶⁷ By the end of May 2023, it totaled 2,868 individuals. ¹⁶⁸ During the coverage period, the government also began labeling the personal social media accounts of independent journalists as “extremist.” The goal is to discredit both the outlet and its journalists, thereby reducing their reach and influence. ¹⁶⁹

The government maintains a separate list of individuals and organizations allegedly involved in “terrorist activities.” By the end of May 2023, the list of individuals numbered more than 1,050 names, including 308 Belarusians. ¹⁷⁰ More than 100 media outlets, online sources of information, and NGOs—including NEXTA, the country’s most popular Telegram channel, and the Belarusian Association of

Journalists—are on the list, ¹⁷¹ as are at least a dozen journalists, bloggers, and other media workers. The government’s decisions regarding the different “extremism lists” are made behind closed doors and cannot be appealed. ¹⁷²

Exiled media outlets face different economic constraints. Publishing costs have typically doubled or tripled due to the higher salaries, taxes, and other costs in neighboring EU countries, but commercial revenues have collapsed. Advertising revenue is scant: Central European advertisers are not interested in working with media that target comparatively small audiences of Belarusians abroad or in Belarus. While some media outlets receive donations, they are not enough to cover even basic operating costs. It has become more difficult and dangerous for Belarusians in the country to donate to “extremist” media abroad, while Belarusian exiles are generally too poor to donate extensively. Outlets now working outside the country have gone from being partially- or self-sustaining businesses to exile organizations dependent on foreign government or private donors.

Favorable connections to the government are necessary for nonstate online media outlets to succeed politically and financially. Restrictive amendments to the Law on Public Associations and the criminal code that were passed secretly in 2011 bar organizations—including online media outlets—from receiving foreign funding without state approval.

B7 0-4 pts

Does the online information landscape lack diversity and reliability?

1 / 4

Score Change: The score declined from 2 to 1 because the information landscape has become less diverse and reliable amid the government’s website blocking, forced content removal, and criminalization of independent media.

The government’s continued crackdown after the events of 2020 has radically restricted Belarus’s information landscape. Fewer independent journalists and analysts are publishing, and, since Russia’s 2022 invasion of Ukraine, the media space has been flooded with propaganda and disinformation (see B5). Restrictions on content from independent media in Ukraine, Europe, and elsewhere have also reduced diversity. However, independent Belarusians outlets and think tanks continue to work from exile and some independent journalists still operate

anonymously in the country, though they face the risk of arrest and harsh persecution (see C3 and C7). These journalists and think tanks operate largely through social media and messaging platforms. Despite the degradation of the online information landscape, there is evidence that many Belarusians continue to actively seek out independent news on platforms where it is still available.

The Belarusian government has not only moved to discredit and marginalize independent sources of information but also to intimidate consumers of this information (see B5). ¹⁷³ Fewer Belarusians are searching out news from independent sources and more are relying on state media. ¹⁷⁴ Trust in state media increased from August 2022 to February 2023, ¹⁷⁵ according to polls, while Belarusians read and trusted independent media less between 2022 and 2023. ¹⁷⁶

The government crackdown has forced the vast majority of independent news outlets, think tanks, and NGOs representing diverse interests and communities to leave the BYnet, regroup in exile, and publish online from neighboring countries. The authorities have blocked virtually all of these foreign-based Belarusian websites (see B1) and criminalized their social media channels (see B2 and B6). The last large independent media outlet in the country, Onliner.by, reduced its focus on news in general and on politics in particular in order to survive (see B4). The government's blocking of news sites from the EU, Ukraine, and Russia has also adversely impacted online diversity (see B1).

Prior to 2021, the rankings of popular media and news websites in Belarus were dominated by independent outlets. This environment has changed significantly with the clampdown. Many outlets have been banned, and only about half of the 1,300 members of the Belarusian Association of Journalists (BAJ) remained in Belarus by June 2022. ¹⁷⁷ Many have ceased practicing their profession due to safety concerns, ¹⁷⁸ though others continue to work for their previous outlets that have reestablished themselves outside of the country, or have launched new projects. ¹⁷⁹ The few still operating in the country work anonymously in a heavily restricted environment. At the same time, the crackdown has encouraged the development of citizen and participatory journalism. ¹⁸⁰

New and ostensibly private media outlets indirectly linked to the state have also damaged the diversity and reliability of online content. These outlets offer a mix of entertainment items and news that both favors the Belarusian government and

the Kremlin's line on the Ukraine invasion. The Smartpress.by portal, which generates 3.7 million visits a month, pioneered this strategy. Another such portal, Tochka.by was launched in 2022; it generated 2.4 million visits in February 2023. Its editor is the former press secretary of the Russian-owned outlet Sputnik Belarus.

Belarusians' use of virtual private networks (VPNs) and the government's efforts to artificially inflate followers and views ¹⁸¹ complicate efforts to determine the real popularity of state-run or independent channels. However, there is evidence that independent news and information outlets by many measures remain more popular than their state-controlled counterparts.

For example, following the government's blocking of almost all independent news and analytical websites, users migrated to the social media and messaging app channels of these organizations. Use of such platforms is widespread: the independent internet measurement source Datareportal identified 4.27 million social media users in Belarus in January 2023, representing almost 45 percent of the total population. ¹⁸² The most popular social networks in Belarus for consuming news and information are YouTube, Instagram, TikTok, Facebook, and VK. Telegram is the most popular messaging app for news and politics. Independent outlets and critical bloggers dominate the rankings of the top Telegram ¹⁸³ and Instagram ¹⁸⁴ channels, though on TikTok, the difference in the number of users from the prodemocracy and progovernment camps is noticeably smaller. ¹⁸⁵ On Facebook, state-run media have a significant number of subscribers but low reader engagement.

During the reporting period, many of the most popular YouTube channels in Belarus were linked to independent news outlets and opposition political sites. In December 2022, for example, the top 20 most popular YouTube sites in Belarus by views included those of seven state-run media, five independent media outlets, four independent bloggers, and one opposition politician. ¹⁸⁶ However, since the government has declared many independent YouTube channels "extremist," the channels of state-run sites have seemingly made some inroads. Experts also suggest, though, that some of the apparent success of state-run YouTube channels is due to manipulation of algorithms and purchased views. ¹⁸⁷

A comparison of the leading independent media publication and the government's flagship publication also illustrates the dominance of independent media when

considering all online platforms. Zerkalo, the exile successor to TUT.by, Belarus's most popular independent media outlet before it was blocked and closed down (see B1), averages more than 5 million website views per month, despite being blocked in Belarus. The outlet's Telegram channel numbers 273,000 subscribers, its Instagram channel 643,000 followers, its Facebook page 253,000 followers, and its YouTube channel 203,000 subscribers and over 265 million views, despite it being labelled a "extremist organization." ¹⁸⁸ In contrast, the state's flagship publication Belarus Today, with all of its advantages, has a website that averages more than 5 million views per month, but counts only 6,100 subscribers on Telegram, 4,400 followers on Instagram, and 34,000 followers on Facebook. It has 430,000 subscribers but only 283,000 views on YouTube. ¹⁸⁹

While Belarusian independent media are posting strong numbers on social media and messaging apps, the nature of these platforms adversely impacts the quality of their reporting and reduces diversity: the content tends to shorter, less detailed, and more repetitive due to the reporting formats. The country's repressive environment also significantly affects coverage. ¹⁹⁰

Russian news and information outlets remain influential in Belarus. Four of the most popular websites in Belarus—Yandex.ru, VK.com, OK.ru and Mail.ru—are Russian-owned. ¹⁹¹ The online broadcasts of Russian television channels are popular among Belarusian users. ¹⁹² With its 2022 invasion of Ukraine, the Kremlin has limited the diversity of news and information offered by Russian sources by imposing a tightly-controlled, single narrative regarding any war-related topic.

The two most popular search engines and a state-linked content aggregator also limit diversity in the Belarusian online information landscape. Both Google and Yandex heavily promote the content of Belarusian and Russian government websites, ¹⁹³ according to Media IQ, as does the popular state-linked Belnovosti aggregator, which poses as an independent news portal. ¹⁹⁴

Belarusians utilize proxy servers and other methods to circumvent state censorship and surveillance. ¹⁹⁵ With the onset of the 2020 political crisis, the use of Tor and Psiphon surged, and as of early June 2023 remained among the top 21 communications apps in Belarus. ¹⁹⁶

After the 2020 political crisis, the Belarusian national domain zones stopped growing for the first time. The number of active sites fell in 2021; at the same time, Belarusians registered 13 percent more names in international domain zones. ¹⁹⁷ This trend continued in 2022, when the number of domains in the .BY and .БЕЛ domains fell by 6,000 and the number of registrations in international zones grew by 25 percent. ¹⁹⁸

B8 0-6 pts

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

2/6

Score Change: The score declined from 3 to 2 because government repression has made it more difficult for people in Belarus to organize online.

Prior to the events of 2020, internet-based platforms—especially social networks, messaging apps, crowdfunding services, and online petitions—had been the main tools for advancing civic and political activism in authoritarian Belarus. Citizens had access to and actively used a wide range of digital resources to disseminate information, create communities and organize issue-based campaigns. However, post-2020 government blocking, legal restrictions, and repression have significantly limited Belarusians' ability to organize political, civic, and cultural online campaigns inside the country. For example, a 2022 law now requires all online petitions to the government to be submitted via a state portal that can gather and track the petitioners, signatories and issues. ¹⁹⁹ Virtually all independent civil society initiatives, including more than 1,300 NGOs, have been closed down (see B6 and B7). Most online activism now takes place outside of Belarus or involves groups in exile working under the radar with citizens still in the country.

During the coverage period, Belarusian activists and civil society groups continued to use the internet from abroad to self-organize, carry out solidarity campaigns, monitor and report on human rights violations, fundraise for and provide support to political refugees and prisoners, and mobilize communities for political change. However, they operated on a smaller scale than in the previous coverage period due to fear and repression. Many of the groups and individuals carrying out

political, civic, or cultural work online from abroad have been labelled as “extremist” and their work criminalized (see B4 and B6).

The group of ICT professionals who developed the crowdsourced election-monitoring platform Golos (Voice) that had exposed large-scale fraud during the 2020 election launched several important online products for democratic activists in 2021. These included the Digital Solidarity app, which identifies people in need of help, and BY_MAPKA, an interactive map that helps people to locate and promote businesses run by Belarusians abroad. ²⁰⁰ In December 2022, the group launched a beta version of a new app, New Belarus, ²⁰¹ that aims to help exiles to remain in contact with people in Belarus, build communities in their current countries of residence, and bolster the democratic movement. ²⁰² By early February 2023, the app had been downloaded over 20,000 times. ²⁰³

The Kremlin’s 2022 invasion precipitated several online civic initiatives focused on the war. The most popular and publicized is Belarusian Hajun (Spirit), which uses open-source materials to track and report on Russian and Belarusian military movements and related issues in Belarus. Founded by a popular political blogger, the “Belarusian Bellingcat” has collected, fact-checked, and published over 3,400 pictures and 800 videos related to the war. ²⁰⁴ More than 30,000 people have provided information to the initiative; at least six Belarusians have been arrested and convicted for doing so (see C3). ²⁰⁵ With more than 525,000 subscribers (despite the government labelling it “extremist”), Hajun oversees the second-most popular Telegram channel in Belarus. ²⁰⁶

The BYSOL Foundation is a crowdfunding platform that was created in 2020 to assist individuals who had lost their jobs for political reasons and those who had been forced to leave the country. Today the Foundation supports initiatives that help repressed and victimized Belarusians both inside and outside Belarus. ²⁰⁷ In 2022, BYSOL raised over €1.1 million to assist political prisoners and their families, facilitate emergency relocations from the country, and conduct other civic initiatives. ²⁰⁸ Over three years, the foundation has assisted thousands of Belarusians ²⁰⁹ and more than 90,000 people have donated to it. ²¹⁰ Since February 2022, BYSOL has also been assisting Ukrainians in need.

C. Violations of User Rights

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 the rights to freedom of expression, access to information, and press freedom are nominally guaranteed by the Belarusian constitution, the government does not respect them in practice. The country has no independent judiciary to defend these freedoms. To the contrary, the judicial branch plays a key role in the government's strategy for restricting independent media and critical voices in Belarus. ²¹¹ The Belarusian Association of Journalists was closed down by the Ministry of Justice and the Supreme Court in 2021, for example.

In February 2022, under heavily repressive conditions, the government held a constitutional referendum that further consolidated Lukashenka's autocratic power. ²¹²

In October 2022, Lukashenka signed into law Belarus's denunciation of the First Optional Protocol to the International Convention on Civil and Political Rights, blocking the UN Human Rights Committee's mandate to receive and review human rights complaints from individuals in Belarus. The mandate represented one of the last remaining international mechanisms by which individuals could challenge the government. The order came into effect in February 2023. ²¹³

Online journalists are not protected by Belarusian law (see C2 and B6). A report by the UN Human Rights Council found that the government employed unnecessary and disproportionate use of force; torture and other cruel, inhuman or degrading treatment or punishment; arbitrary arrest and detention; violations of due process and a fair trial; and infringements of the freedoms of expression, peaceful assembly and association against critical voices in Belarus in 2020-2022 (see C3 and C7). These violations were of a "widespread and systematic nature." ²¹⁴

Since the prodemocracy protests and government crackdown that began in August 2020, the authorities have made no attempt to investigate the arbitrary detention of reporters or initiate criminal cases in response to journalists'

complaints about police violence. Impunity for crimes against critical online voices has become the norm in post-2020 Belarus. ²¹⁵ The UN special rapporteur on the situation of human rights in Belarus found that systemic impunity and lack of accountability for torture and ill-treatment are part of a “deliberate government policy of deterring or silencing dissent.” ²¹⁶

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?

0 / 4

Score Change: The score declined from 1 to 0 because of increasingly restrictive legislation that criminalizes wide swaths of protected speech and stipulates harsh penalties for offenders.

A flurry of new laws introduced in the wake of the post-2020 political crisis criminalizes legitimate forms of free expression, including online, and have been invoked frequently. Recent laws also allow death sentences for individuals convicted of terrorism and treason. While no such penalty has yet been imposed, authorities have previously applied broad definitions for such crimes, and the introduction of such harsh sentences appears designed to intimidate dissidents and potential critics.

At the start of 2021, Lukashenka declared that the authoritarian country’s laws were too “liberal” and that they had facilitated the 2020 protests. ²¹⁷ The government subsequently approved more than a dozen new laws, amendments, decrees, and resolutions ²¹⁸ that it uses to restrict critical online voices and criminalize freedom of expression. Several new amendments or revised amendments were passed or came into force during the coverage period. Of note are a rash of provisions designed to counter what the government defines broadly as “extremism.” ²¹⁹ In May 2023, the rapporteur of the Organization for Security and Co-operation in Europe (OSCE) fact-finding mission on Belarus conducted via the Moscow Mechanism found that “the Belarusian government now has a full arsenal of legislation designed to hinder any form of opposition.” ²²⁰ During the coverage period, the authorities applied laws against alleged extremism, terrorism, and treason, often retroactively, to the activities of online media outlets, journalists, human rights and other NGOs, and internet users.

In May 2023, the government banned citizens facing “political charges,” leading officials, and law enforcement officers from traveling abroad. The part of the law banning citizens’ travel will come into effect in December. The law also bans persons whose travel abroad “contradicts the country’s national security” from leaving Belarus. **221**

In January 2023, the government adopted new amendments to the Law on Citizenship that came into force in July 2023. The amended law allows the government to strip Belarusians of their citizenship following a court verdict confirming their participation in “extremist activities” or causing “grave harm to the interests of Belarus,” even while residing abroad. **222** The new law threatens thousands of individuals, including journalists and activists, who have already been labelled as “extremists” or convicted for “extremism” since August 2020. The legislation also obliges citizens to notify the authorities about their foreign citizenship, residence permit, or other documents giving them the right to receive benefits and advantages in a foreign state.

In July 2022, Belarusian authorities amended the criminal code to allow “special procedures,” amounting to criminal proceedings and trials held without the defendant present. The code allows for trials in absentia for those charged with one or more offense under 43 articles of the criminal code, including “calling for sanctions” against Belarus, “high treason,” and acts of terrorism—all articles under which online journalists and social media and internet users have already been charged. As of the end of the coverage period, “special procedures” had already been launched against at least five online journalists and Telegram administrators (see C3). **223**

The authorities began bringing terrorism charges against opposition figures after the events of 2020, and in May 2022, amended the criminal code to include the death penalty among the punishments prescribed for attempted terrorism convictions. **224** As of May 2023, the Belarusian KGB’s official list of those charged for involvement “in terrorist activities” numbered more than 1,051 Belarusian and foreign individuals, **225** including at least 10 media workers and activists who were jailed for alleged internet-related crimes. **226** Possible “terrorist activity” is also used as a pretext to raid media outlets. **227** The government has labeled a number of critical Telegram channels as “terrorist organizations” (see B6). **228**

In April 2022, the government amended the criminal code to provide for the death penalty or life imprisonment for cases of treason against the state committed by a government official or military officer. Lukashenka signed the legislation in March 2023. Experts believe the amendments are designed to deter the doxing of officials and leaking of information. ²²⁹ The amendments also created new offenses including “propagating terrorism” and “discrediting the armed forces.” ²³⁰ Since 2021, the government has applied Article 356 of the criminal code, which concerns treason, to journalists and internet-related activities. Three journalists have been convicted of treason. ²³¹

An amendment to the criminal code that came into effect in January 2022 recriminalized individual activities in unregistered NGOs under Article 193-1. The amendment provides that participation in unregistered or liquidated NGOs—including those whose work relates to media or online activities—can be punished with up to two years in prison. ²³²

In 2021, Lukashenka signed into law a package of “amendments to laws on the protection of sovereignty and the constitutional order,” which included revisions to the law on states of emergency. They added new restrictions on freedom of expression and information by allowing the suspension of publication and distribution of media products (including foreign media), establishing tougher procedures for accrediting journalists, and restricting access to internet resources and online publications. ²³³ Experts noted that the amendments effectively legalized measures that the government had already been widely practicing since 2020. ²³⁴

In 2021, revisions to the 2007 Law on Countering Extremism came into force. ²³⁵ These broadened the government’s authority to persecute those expressing dissenting views by expanding the list of “extremist activities and materials” and introducing criminal liability for related offenses. The updated legislation targets individuals, political parties, or domestic or international organizations, including media groups, that “plan, organize, prepare, and commit encroachments on the independence, territorial integrity, sovereignty, the foundations of constitutional order, and public security” of Belarus. ²³⁶ The amendments punish the dissemination “of knowingly false information about the political, economic, social, military, or international situation of the Republic of Belarus;” the insult of “a representative of the authorities in connection with the performance of official

duties”; and the incitement of “various types of hatred” with up to six years in prison. ²³⁷ Since the 2020 protests, the authorities have used antiextremist legislation to remove online content, persecute journalists, bloggers, and ordinary users, and close media outlets (see B2 and C3).

Criminal code amendments that came into force in 2021 increased penalties for the “distribution of false information” which discredits the state on the internet and for participation in and collaboration with “extremist” groups. ²³⁸ The legislation also increased punishments for libel and calls for actions deemed harmful to national interests, and they specifically criminalized the defamation of law enforcement and other officials. ²³⁹ According to human rights activists, some of the most commonly used articles in the criminal code relate to defamation: those for insulting the president, government officials, and judges, as well as those for desecrating state symbols (Articles 368, 369, 370, and 391). ²⁴⁰ One article criminalizes the publication of the personal information of police and their family members. The revisions substantially increased criminal penalties for other existing crimes, which were already seen by OSCE experts as disproportionately severe. Practically all of the amendments allow prison sentences for speech-related offenses. ²⁴¹

The 2008 Media Law was amended in 2021 to add repressive measures that further stifle expression online (see B3 and B6). ²⁴² Along with it, the government amended the Law on Mass Events to ban the live streaming or real-time coverage of unsanctioned protests, including by media outlets, so as not to popularize them or promote propaganda. ²⁴³ Journalists were barred from acting as organizers or participants in mass events “while performing their duties,” and activists were prohibited from raising, receiving, or using funds to pay fines or other expenses incurred by reporters and others who are prosecuted for violating the law. ²⁴⁴

In 2021, the government enacted a revised administrative code. ²⁴⁵ The code featured the new offense of “insult” against a representative of a state organization performing his or her official duty in the mass media or in information distributed online. ²⁴⁶

C3 0-6 pts

Are individuals penalized for online activities, particularly those that are protected under international human rights standards?

0/6

During the coverage period, the government continued its persecution of media workers, opposition figures, bloggers, social media and messaging channel administrators, cultural figures, and ordinary internet users for their online activities. ²⁴⁷ Scores of media professionals were arrested or sentenced for their independent reporting. Hundreds of the country's 1,496 political prisoners (as counted by the Viasna Human Rights Center), ²⁴⁸ were imprisoned for their online activities. One died while behind bars. The authorities continue to stifle freedom of expression under the guise of combating alleged defamation, extremism, and terrorism. A 2023 UN report spotlighted "the instrumentalization and abuse of the justice system against opposition figures, bloggers, journalists, human rights defenders" and others. ²⁴⁹

Since the August 2020 election, some 38,000 Belarusians have been arrested on political grounds ²⁵⁰ and more than 5,500 criminal cases have been opened in connection with the postelection protests; ²⁵¹ by the end of May 2023, almost 3,300 people had been convicted in politically motivated criminal cases. ²⁵² From January to March 2023, there were at least 201 new criminal cases, 58 sentences and 123 new administrative cases related to "extremism." ²⁵³ Some 1,000 Belarusians are still wanted on charges of "extremism" or "terrorism." ²⁵⁴ Emblematic of the unrelenting crackdown was the March 2023 conviction and 10-year prison sentence for "smuggling by an organized group" and "financing of group actions grossly violating the public order" handed down against Nobel Peace Prize Laureate Ales Bialiatski, head of the Viasna Human Rights Center and a leading voice on freedom of expression. ²⁵⁵

Most of these alleged "crimes" that the government has prosecuted since 2020 have been for internet-related activities. ²⁵⁶ Many of the administrative cases involved "disseminating extremist materials" online. A majority of the criminal convictions involved defamation cases—insulting a government official, Lukashenka or state symbols ²⁵⁷ —also likely to have taken place online.

The government claimed that more than 11,000 "extremist crimes" had been recorded from August 2020 to November 2022. ²⁵⁸ Of the approximately 8,500 "extremist crimes" identified by the authorities between August 2020 and April 2022, 41 percent involved freedom of expression issues such as slander and defamation of officials and the online dissemination of information about private life and personal data. ²⁵⁹ Of the more than 5,000 "extremist crimes" recorded in

2022, the government alleged that 76 percent were committed on the internet.

260 Even subscribing to prohibited materials is an administrative offence, subject to a fine, community service, up to 15 days in prison, and the confiscation of the device with the extremist material. **261**

The flagrant repression of independent media workers that began with the 2020 election continued unabated in 2022 and the first half of 2023. The Belarusian Association of Journalists reported 17 criminal and 20 administrative sentences meted out and 11 new criminal cases initiated against media workers in 2022. That same year, the government detained journalists 43 times and conducted 55 media-related searches. Many of the journalists tried and sentenced in 2022 and 2023 had originally been arrested and jailed on remand since 2021.

From January through May 2023, the government arrested 27 journalists and media workers, sentenced 9 in criminal cases, launched 3 more criminal cases, and conducted 21 searches of their premises; **262** by the end of that period, 33 journalists remained behind bars. **263** From 2022, experts noted that media-related criminal cases increased. **264** During the coverage period, more than a dozen online media workers and activists received sentences of ten years or more; one was convicted of another charge while already serving time in prison, bringing her total sentence to more than 10 years.

A significant number of ordinary users also received lengthy prison terms for their online activities. The KGB has included many of those convicted on its list of those carrying out “terrorist activities.”

In June 2023, after the coverage period, a court sentenced Yana Pinchuk to 12 years in prison for inciting social hatred, creating an extremist and terrorist group, calling for the disruption of the constitutional order, and harming national security for administering the Telegram channel Vitebsk97%. **265** She had been arrested by Russian authorities in St. Petersburg in November 2021 and later extradited to Belarus.

In February 2023, blogger Mykola Klimovich was sentenced to a year behind bars after posting a “funny” emoticon in response to a caricature of Lukashenka on the OK social network. In May, Klimovich died while in prison. **266** The government

attributed the death of Klimovich, who suffered from heart disease, to his “general state of health.” **267**

In May 2023, cultural activist Pavel Belavus was sentenced to 13 years in prison on four criminal charges, including treason. According to the government, Belavus was promoting Belarusian nationalism on social networks and websites, “the purpose of which was to change the state power in Belarus.” **268**

In March 2023, a court sentenced media professionals Maryna Zolatava and Liudmila Chekina to 12 years each in prison for “inciting hatred” and “calling for sanctions” against Belarus. Zolatava was editor in chief and Chekina director general of TUT.by, Belarus’s largest independent news website, which was closed down by the government and declared a “extremist organization” in 2021–22 (see B1 and B6). Both had been detained since 2021. Zolatava had been previously prosecuted in 2019. **269**

In February 2023, the government put on trial Stsiapan Putsila, Jan Rudzik, and Raman Pratasevich, the founders and editors of the Nexta online project, which oversees the country’s most popular Telegram channel and a popular YouTube channel. The defendants were charged under several criminal articles and were accused of committing at least 1,586 crimes. Only Pratasevich is in the country and in custody. **270** In May 2023, Pratasevich was sentenced to eight years in prison; Putsila and Rudzik received terms of 20 and 19 years in absentia, respectively. **271** Later that month, Pratasevich was pardoned by the government. **272**

In March 2023, Valeryia Kastsiuhova, founder and editor of the think tank Nashe Mneniye (Our Opinion), editor of the online Belarusian Yearbook, and head of the Belarus in Focus online think tank, was convicted of “conspiring to seize state power, calling for actions aimed at harming national security, and incitement to hatred,” and sentenced to 10 years. **273** Human rights defenders suggest that the verdict is designed to intimidate the think tank community. **274**

Detained in 2021, journalist Andrzej Poczobut was charged with “inciting hatred” and “calling for sanctions” against Belarus. He is a prominent member of the Polish minority in Belarus. In February 2023, Poczobut was sentenced to eight years in prison. **275**

In February 2023, former security official Alexander Sumar was sentenced to nine years in prison for administering the “Long Live Luninets!” Telegram channel. **276**

In January 2023, Viktor Savashevich was sentenced to 11 years in prison for creating and overseeing the Telegram channel “23.34”, which posted information about Belarusian judges. **277** In November 2022, Stansilav Kuzmitsky was sentenced to 15 years in prison for administering 30 Telegram channels and chats, and Vadim Vasilev received a sentence of 12 years behind bars for administering two Telegram channels. **278**

Siarhei Satsuk, editor of the Ezhednevnik news website, was arrested under multiple charges related to his investigative reporting on alleged corruption in the Ministry of Health during the COVID-19 pandemic. In October 2022, he was sentenced to eight years in prison for “inciting hatred”, “abuse of power” and “taking a bribe.” **279**

Arrested in 2021, Dzianis Ivashyn, an investigative journalist for the newspaper *Novy Chas* and editor of the Belarusian version of the Ukrainian website *Informnapalm.org*, was charged with high treason under Article 356 of the criminal code. In September 2022, Ivashyn was convicted and sentenced to 13 years and one month in jail. **280**

Journalist Ksenia Lutschina, who formerly worked for state television and joined the opposition after the 2020 election, endeavored with other former state journalists to create an “alternative television” channel on YouTube. Arrested in late 2020, she was convicted of conspiracy to seize state power unconstitutionally and sentenced to eight years in prison in September 2022. **281**

In July 2022, journalist Ekatarina Andreeva was sentenced to eight years and three months in prison for on charges of treason. **282** She had previously been serving a term of two years in jail since 2021 for “organizing public events aimed at disrupting civil order;” she had reported live from a protest in memory of a citizen who died after being beaten, allegedly by government agents. In April 2022, five months before her scheduled release, the authorities introduced the new charge of treason. **283**

Several criminal cases regarding online activities during the coverage period included multiple or mass defendants. In January 2023, the Minsk City Court

sentenced five Belarusian journalists and activists—Dzmitry Navosha, Yanina Sazanovich, Danil Bahdanovich, Volha Vysotskaya and Valeryya Zanyamonskaya—to 12 years in prison in absentia for each on charges of inciting social hatred and illegally revealing personal data. The team had overseen the Black Book of Belarus Telegram channel, which revealed the identities and personal data of law enforcement officers involved in the crackdown on protests following 2020 election. **284**

In 2021, police arrested Andrei Aliaksandrau, a high-profile online media worker and journalist, and his partner (later his wife), Iryna Zlobina. The authorities charged them under Articles 342 and 243 of the criminal code. They were accused of illegally paying the fines of 250 arrested demonstrators through an independent crowdfunding platform. **285** The government later added an additional charge of treason under Article 356 of the criminal code against Aliaksandrau, alleging that he took part in “betraying state secrets” to a “foreign state, international or foreign organization, or their representatives.” **286** In October 2022, Aliaksandrau was sentenced to 14 and Zlobina to nine years in prison. They were part of a group of four media professionals associated with the BelaPAN independent news agency, who were sentenced to a total of 33 years in prison. **287**

In 2021, KGB troops stormed the apartment of tech specialist Andrei Zeltser. During the raid, a KGB officer and Zeltser died in a shootout. In the aftermath, police arrested some 200 people for their online comments regarding the incident. From the start of 2022 to February 2023, at least 114 were convicted and 98 sentenced to prison time. At least 35 defendants were included on the KGB’s list of terrorists. **288**

In August 2021, Belarusian opposition politicians in exile announced a strategy to oust Lukashenka, known as the Pieramoha (Victory) Plan. Some 200,000 Belarusians registered for the initiative online. In response, security forces created fake accounts and a chatbot to infiltrate the plan. **289** Human rights defenders reported more than 80 criminal cases being opened against those registering. **290** Cases were pursued “almost daily” to the end of the reporting period ; **291** more than 60 were opened on one day on March 12, 2023. **292**

The Viasna Human Rights Center reported that at least 30 Belarusians were convicted for sharing photos or videos of Russian military equipment in Belarus

with independent media outlets and social media and messaging channels in 2022. Those convicted of reporting the movements of the Russian military face between 2 and 15 years in prison. Scores of Belarusians were also arrested, imprisoned, or fined for expressing antiwar opinions, or pro-Ukraine or anti-Russia sentiment in the context of the war, as well as trying to sign up to fight for Ukraine, online. **293** From January to March 2023, for example, there were at least 26 arrests and three convictions for condemning Russian aggression against Ukraine via social networks. **294**

Dozens of administrators of social media channels and messenger groups deemed “extremist” have been repressed by the government. For instance, In September 2022, Aleh Kanavalau, the creator of the YouTube channel “Third Region of Belarus,” was sentenced to five years in jail for violating five articles of the criminal code relating to “extremism.” **295**

Hundreds of Belarusians were persecuted for their online activities, including doxing and criticizing public officials, and subscribing to, commenting on, or reposting materials from websites and social media and messenger channels deemed to be “extremist” by the government. For example, from July to December 2022, there were at least 70 cases opened and 50 criminal sentences imposed on citizens who allegedly doxed officials. During the same period, there were at least 40 cases open and 30 sentences for critical comments against officials. One Belarusian individual was arrested and 58 criminal cases opened against him for writing 43,000 allegedly “extremist” comments.

From July to December 2022, there were 245 administrative arrests for the online distribution of “extremist materials” and subscribing to “extremist” Telegram channels, as well as for leaving comments in such channels. In many cases, prosecution often took place before the online sites or materials were actually declared “extremist.” **296**

For more than a decade, the government has targeted lawyers who defend political, media, and civil society representatives. Since 2020, the authorities have revoked the licenses of or expelled from the bar more than 100 lawyers—including between 30 to 40 during the coverage period. as of early June 2023, seven lawyers were in prison. **297** The state actions against some of them, including Alexander Danilevich, Artem Semyanov, and Inessa Olenskaya were likely

related to their defense of journalists, bloggers, human rights advocates, and political figures. ²⁹⁸ A number of lawyers were persecuted for distributing “extremist materials;” in June 2022, for example, five lawyers were arrested over a legal-advice messenger chat. ²⁹⁹ Lawyer Vitaly Braginets was sentenced to 8 years in prison for “creating an extremist formation,” the Telegram chat “Belarusian Lawyers,” in which lawyers discussed and coordinated their activities. ³⁰⁰

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption?

1/4

A number of legal provisions, apparently enacted in part to discourage online criticism of the authorities, ³⁰¹ limit users’ ability to communicate anonymously.

Under 2018 amendments to the Media Law, anyone posting materials and comments online must identify themselves to the owners of the Belarusian websites on which they are posting. Resolution 850, ³⁰² issued that year, specifies that commentators should register with the websites using their mobile devices.

³⁰³ Only one account can be created on a given site for each mobile phone number. Website owners must store the personal data they collect on registered users—including name, gender, date and place of birth, mobile phone number, email address, and IP address—for one year. ³⁰⁴ Users of public Wi-Fi hotspots must submit their mobile phone numbers. ³⁰⁵

Through a system known as Passport, the Ministry of Internal Affairs links mobile service subscribers to their real-world identities. ³⁰⁶

Belarus has blocked the use of VPNs and Tor since 2015, though they remain accessible in practice. ³⁰⁷ In 2020, the government blocked additional circumvention tools, including the proxy service Psiphon. ³⁰⁸ Under Resolution 218 (1997) of the Council of Ministers, the import and export of encryption technology is prohibited without a license from the Ministry of Foreign Affairs or the Commission on Information Security. ³⁰⁹

C5 0-6 pts

Does state surveillance of internet activities infringe on users’ right to

1/6

During a period of political crackdown, economic crisis and war in Ukraine, the Belarusian government increased its surveillance of the country's online space.

In Belarus, there is no independent judicial or other oversight of the government's electronic surveillance practices. The resulting lack of transparency makes it difficult to assess the state's full surveillance capabilities and activities. However, since at least 2010, the Belarusian government is known to have employed surveillance to monitor its citizens and control critical expression online.

Legislation grants the authorities the "unlimited right" to undertake surveillance of persons suspected of planning to commit a crime or offense, with no judicial authorization or oversight. ³¹⁰ Activists and journalists have expressed fears that their offices are bugged, their phone calls are monitored, their locations are tracked, and their online communications are at risk of being hacked. ³¹¹

Lukashenka has publicly boasted about the government's wiretapping practices.

³¹²

The government monitors email and internet chat rooms; it likely tracks opposition activists' emails and other web-based communications. Authorities conduct raids and confiscate computer equipment and mobile phones to collect personal information on independent journalists. State-run television and online media have aired "leaked" telephone conversations, video messages, audio recordings, and personal correspondence that appear to have been obtained via surveillance. ³¹³

As Telegram's popularity surged in 2020, the government ramped up efforts to monitor and infiltrate chats, including closed groups, on such messaging apps. Security forces use Kotatogram, a third-party application that interacts with Telegram, to monitor and export chats, including the comments and IDs of participants. ³¹⁴ The government also maintains and utilizes databases of accounts, names, IDs, usernames, telephone numbers, photos, and avatars to monitor users. The authorities employ fake bots, links, sites and files to identify users. ³¹⁵ Security forces have installed bots on the cell phones of detainees that collect Telegram-related information from the devices, which likely transfer the information to a centralized database. ³¹⁶

In March 2023, the Ministry of Internal Affairs noted the creation of a new internet intelligence division, ostensibly for combatting economic crimes. **317**

The government has sought to develop and enhance its video surveillance capabilities. Decree No. 187, which Lukashenka issued in the wake of mass demonstrations in 2017, **318** established a centralized real-time video-monitoring system. **319** In early 2023, the Ministry of Internal Affairs reported that all shopping centers and public places in Minsk are now covered by CCTV cameras. **320** The surveillance system appears to be operational; in August 2022, the authorities claimed that investigators in Minsk had managed to create “a criminalistic video library,” which was used to identify 1,400 individuals who participated in the protests in 2020 and 2021. **321**

The government has acquired surveillance hardware and software from Chinese, Russian, US, and Israeli companies. The Chinese telecommunications firm Huawei has been supplying video surveillance systems to the government since 2011. **322** Beltelecom is working with Huawei on its development of 5G technology, which includes facial recognition for the purpose of creating a “smart mobile checkpoint.” **323** Meiya Pico, the Chinese digital forensics and cybersecurity company, has trained Belarusian officials. **324**

Since 2010, the government has been using the Russian-developed System of Operative Investigative Measures (SORM), **325** which provides the authorities with direct, automated access to communications data from landline telephone networks, mobile service providers, and ISPs. **326** 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. **327**

Grayshift, a US company, and Cellebrite, an Israel-based digital intelligence company, have supplied the Belarusian authorities with tools for hacking into locked mobile devices. **328** Experts believe that Cellebrite’s technology was used by security forces to hack smartphones during the postelection crackdown that started in 2020. **329** In response, Cellebrite announced in 2021 that it would no longer sell its products in Belarus. **330**

Belarus has also developed a domestic capacity to produce surveillance tools. The Belarusian company Synesis is a leading producer of intelligent video-surveillance

systems. It oversees a nationwide network of video cameras that was projected to number 13,000 by 2021. ³³¹ Following the Belarusian government's support for the Russian invasion of Ukraine, the US government sanctioned Synesis due to its links with the Ministry of Internal Affairs and the use of its technology to suppress protests. ³³² The EU sanctioned Synesis because "Synesis has provided the Belarusian authorities with a surveillance platform capable of analyzing video using facial-recognition technology." ³³³

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users' right to privacy?

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. ³³⁴ 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. ³³⁵ According to Amnesty International, however, identifying data may sometimes be preserved for up to 10 years. ³³⁶

In October 2022, Lukashenka signed Decree 368, which requires all online services to store user data and provide authorities with direct access to it. ³³⁷ While the authorities have long had access to telecommunications data, the new decree will now allow them to compare this data with that from online services. Internet resources that refuse to allow access by security forces may be blocked in Belarus. ³³⁸

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

A 2021 personal data protection law, ³³⁹ on paper, offers many of the same rights accorded to EU citizens by the bloc's General Data Protection Regulation (GDPR). ³⁴⁰ However, independent experts have noted that the legislation, which uses

terminology similar to Russian legislation, could be employed by the state to limit the activities of online actors such as bloggers, freelance journalists, and investigative NGOs, as well as opponents of the government. ³⁴¹ The law gives the state-run Operations and Analysis Center (OAC), which oversees and monitors the Belarusian internet space, the power to obtain data on people using online services from telecommunications service providers. ³⁴²

The National Center for Personal Data Protection, established by decree in 2021, is ostensibly an independent public body ³⁴³ but in practice has helped enforce the government's crackdown on independent media. In January 2022, the center asked Twitter to remove or delete information from the accounts of four independent Belarusian media outlets based outside the country, for example. ³⁴⁴ The issue of data protection has become more prominent since the 2020 events because of the repeated doxing of government officials by citizens (see C3) and antigovernment hackers (see C8). Belarus is not a party to the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

Hotels, restaurants, and other entities are obliged to register guests before providing them with wireless access, whether free or paid. ³⁴⁵

Websites on the national .by and .бел domains must be physically hosted in Belarus. ³⁴⁶

C7 0-5 pts

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

1/5

Government intimidation of and attacks against online journalists and communities continued during the coverage period. Since the 2020 election and protests, state agents have employed threats, arbitrary detention, torture, ill-treatment and physical violence in an attempt to suppress critical voices. ³⁴⁷ The Justice for Journalism Foundation reported that there have been approximately 2,800 attacks against journalists, including legal harassment and other attacks, in Belarus since 2020, including 300 in 2022. ³⁴⁸ Belarus led all countries in Europe in terms of abuses against journalists in 2022 and since 2020, according to press freedom groups. ³⁴⁹

The ongoing climate of fear and repression has led to 100,000 to 300,000 Belarusians leaving the country. Among those who have departed are some 400 journalists and media workers. **350** Since the 2020 events, the government has placed different forms of travel restrictions on those it considers its opponents. **351** It has also encouraged critical voices to leave Belarus, and Lukashenka has openly stated that their departure was good for the country. **352** Some dissidents, like the journalist Aleh Hruzdilovich were informed that, if they did not leave, they would be imprisoned for a longer period. **353** In 2021 and 2022, media rights activists recorded 21 cases of the forced emigration of journalists. **354**

Since 2020, Lukashenka has both threatened not to readmit Belarusians who have left as well as encouraged them to return. The government's "Road Home" program is for "repentant" political emigres who wish to return to Belarus. However, human rights groups say that the program is designed to lure critics back only to imprison them. **355** In July 2023, amendments to the Law on Citizenship came into effect, allowing the government to strip Belarusians of their citizenship for their participation in "extremist" activities or causing "grave harm to the interests of Belarus (see C2)." **356**

Some émigrés have expressed fears that their family members who remained in Belarus were being harassed or intimidated by the authorities. **357** Human rights experts have documented that the authorities retaliate against family members through arbitrary searches, detentions, interrogations, and arrests. For example, Daria Losik, the wife of imprisoned Telegram blogger Ihar Losik and mother of their four-year old daughter, was arrested and imprisoned for two years over an interview she gave about her husband's case. During her trial, Daria noted that her whole family was being punished. **358**

In 2022, the government conducted 55 searches—which are often essentially pretexts to ransack offices or residences—targeting journalists and at times their relatives or associates. **359** At least 21 such searches took place in 2023. **360** In June 2022, police destroyed the Minsk apartment of the mother of Anton Motolko, a blogger and analyst who has been abroad for two years. **361** The police air videos with "before and after" scenes of the trashed apartments—in violation of Belarusian law—to intimidate opponents. **362** The government has also seized the property of those who emigrated. **363**

During the reporting period, the government initiated a new strategy of intimidation via follow-up visits, checks, and searches of those who had previously served sentences for committing “offenses of an extremist and protest nature.”

364

Dissidents and critics who were imprisoned continued to experience torture and intimidation. In a report covering the period from 2020 to the end of 2021, the UN Human Rights Council found that “sexual and gender-based violence, including psychological violence, was regularly used against both women and men in detention to intimidate and punish those perceived as pro-opposition.” **365** A follow-on report covering the period through 2022 spotlighted ongoing “unnecessary and disproportionate use of force,” “torture and other cruel, inhuman or degrading treatment or punishment” and “sexual and gender-based violence.” **366**

During the coverage period, online media workers were subject to inhuman conditions. For example, imprisoned blogger Ihar Losik **367** has repeatedly been placed in solitary confinement. His correspondence has been restricted and his lawyer has not been allowed to see him. His previous lawyer was arrested. On March 15, 2023, it was reported that Losik, who was on a hunger strike, had slit his wrists and neck to protest his mistreatment. He survived the incident. **368**

The relatives and lawyers of jailed journalists are pressured by the government to sign nondisclosure agreements barring them from talking about the cases or the conditions under which the journalists are being held. **369**

Security forces continued to produce and publicize so-called “repentant” or “confessional” videos that are designed to humiliate those arrested, force them to confess to alleged crimes, intimidate other critical voices, and reinforce the coercive power of the state. **370** The videos appear not only on government-linked social media and messaging channels and but also promoted on state media. **371** Since 2021, this practice has accelerated and become more inhumane. The subjects of the videos have been “dressed up” with props, accompanied by degrading special effects and music, and their appearance demeaned. The detainees were forced to disclose personal information—some of it incriminating, such as drug use—and sexual practices. **372** Several individuals have been forced to appear in such videos over their opposition to war in Ukraine.

The war has also led to a hardening of the rhetoric and tone of state media. ³⁷³ The authorities have employed online forms of intimidation against critics and dissidents that are aggressive and demeaning. The state-linked Zheltye Slivy (Yellow Plums) and other social media channels (see B2) use hate speech to humiliate and marginalize any perceived opposition. ³⁷⁴ The government also maintains online databases and lists, some of them public, of and publishes information about persons accused of “extremism” in order to stigmatize and intimidate them ³⁷⁵

Online hate speech against LGBT+ people has increased. Monitoring of websites and Telegram channels by the local organization Journalists for Tolerance (J4T) from January to October 2022 found significant growth in publications using incorrect language and hate speech in comparison to 2021. Approximately every fourth publication on LGBT+ topics in the Belarusian media in 2021 contained manifestations of hate speech, ³⁷⁶ it was every second publication in 2022. ³⁷⁷ In October 2022, the J4T website was blocked by the government. ³⁷⁸ In February 2022, the government closed down MAKEOUT, an NGO focused on gender, sexuality, and gay rights in Belarus; the project included an online magazine. ³⁷⁹

Some of the “repentant” videos have targeted sexual orientation to humiliate and marginalize detainees. Arrested for supporting Ukraine on his social networks, Igor Korolik was forced by security forces to “confess” on video to homosexuality. The video was posted in Igor’s TikTok account. ³⁸⁰ Other “repentant” videos of LGBTQ+ detainees have included intimate photos and disclosed the names of romantic partners. ³⁸¹

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

Prior to the 2020 election, technical attacks were not pervasive in Belarus. In the wake of the political crisis, however, the quantity of cyberattacks carried out by both the government and independent groups increased. Existing attacks against government entities by dissident members of the country’s ICT community increased after the Belarusian government helped facilitate Moscow’s invasion of

Ukraine in February 2022. Meanwhile, during the coverage period, government cyberattacks against independent groups declined sharply. **382**

Members of Belarus's ICT community played a prominent role in the 2020–21 protests, and the government targeted them during the ensuing crackdown. In response, an anonymous group of ICT specialists known as the Cyber Partisans began retaliating in September 2020, mounting hacking attacks against the state. **383** This group of self-described “hacktivists” uses website defacement, doxing, leaking, and irony to weaken and discredit the Lukashenka government. **384** The Cyber Partisans **385** released secret police archives, lists of alleged police informants, personal information about top government officials and spies, video footage gathered from police drones and detention centers, and recordings of phone calls from a government wiretapping system. **386** In 2021, the group launched “Operation Heat,” a broad cyberattack on the Belarusian government, which included the publicizing of phone calls that were secretly recorded by the government and the doxing of government officials. **387** The Cyber Partisans work with BYPOL, an opposition group made up of current and former security personnel that publishes information related to violations of human rights by security forces and leaks data about law enforcement officers via Telegram and YouTube channels. **388**

In 2021, the authorities recognized the Cyber Partisans as an “extremist formation.” By October 2022, the group claimed to have hacked 21 government databases, including the Belarus passport system and traffic police database, all the phone numbers in the country, flight tickets, registered cars and housing, personnel files of the Ministry of Internal Affairs, the ministry's video database, and more. **389** In February 2023, the Cyber Partisans was reported to have hacked into a database of all criminal and administrative legal cases in Belarus. **390** The group is using this information to assist the work of investigative journalists from independent media organizations, **391** including those reporting on corruption. **392** One expert called the work of the Cyber Partisans “as comprehensive of a hack of a state as one can imagine.” **393**

The scope of the group's work increased around the time the Russian military invasion of Ukraine was launched. Beginning in January 2022, the Cyber Partisans repeatedly hacked the systems of Belarusian Railways, significantly slowing the movement of Russian troops and military supplies across Belarusian territory

ahead of and during the invasion. **394** The Cyber Partisans have also targeted the Russian state. In November 2022 and February 2023, the group hacked into parts of Russia's state media watchdog, Roskomnadzor. The group reported that it was able to penetrate a subsidiary's inner network, download more than two terabytes of documents and emails, and share data showing how the Russian authorities censor information on the Belarusian and Russian internet about the war in Ukraine. **395**

Ghostwriter, an international hacking and psyops group that is likely linked to the Belarusian and Russian governments, has promoted anti-US narratives and opposition to NATO among Belarus's immediate neighbors since 2016. Ukrainian officials blamed Ghostwriter for attacking more than 70 Ukrainian government websites in February 2022. **396** One report linked the group to a campaign designed to compromise European officials working with Ukrainian refugees. **397** In February 2022, Meta blocked domains used by Ghostwriter to hack the social media accounts of Ukraine's troops (see B5). **398** The following month, Google's Threat Analysis Group reported that Ghostwriter was conducting phishing campaigns against Polish and Ukrainian government and military officials. **399** The Polish government also spotlighted a Ghostwriter campaign to spread disinformation in April 2023 in Poland with fabricated messages via SMS, Telegram channels, and email. **400** A 2023 report found that Ghostwriter has "impacted thousands of email users, has hacked dozens of social media accounts and media websites, published hundreds of false blog posts and other falsified content, and impersonated multiple government officials, NATO representatives, and journalists in Europe." **401**

In the wake of the Russian invasion of Ukraine, international hackers, including the group Anonymous, launched a sustained attack against websites, including government and state media pages, in Belarus and Russia. **402** Anonymous claimed to have hacked more than 2,500 websites linked to the Belarusian and Russian governments. **403** The attacks continued during this report's coverage period. **404**

A 2021 report found that the Belarusian government employed DNS spoofing to censor the internet. **405** Civil society researchers documented how the authorities injected "fake entries into DNS servers, causing users to be directed to fake and malicious websites." When individuals attempted to access prodemocracy

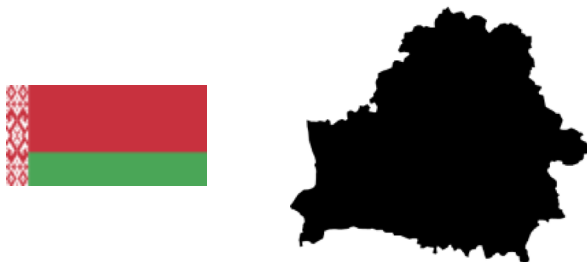
websites, the DNS response would be substituted, and the connection interrupted. According to the joint report from the civil society organizations Access Now, Article 19, Human Constanta, and International Media Support (IMS), the state-owned NTEC was responsible for the disruptions. **406**

Belarus is not a party to the Budapest Convention on Cybercrime. DigitCert, one of the largest website-certification companies; **407** Avast, **408** a cybersecurity company; and other technology companies decided to cease working in Belarus after the Russian military's invasion of Ukraine, and this withdrawal of security products and services may result in more hacking, cybercrime, and government surveillance in the country.

Footnotes

- 1** “Proportion of individuals using the Internet,” National Statistical Committee, [http://gender.belstat.gov.by/communication/200?type=columnChart®=\(T\)...](http://gender.belstat.gov.by/communication/200?type=columnChart®=(T)...) and “Share of internet users aged 6-72,” National Statistical Committee, <http://dataportal.belstat.gov.by/Indicators/Preview?key=226247>.
- 2** “Более 3,1 млн абонентов пользуется стационарным широкополосным доступом в интернет в Беларуси [More than 3.1 million subscribers use fixed broadband Internet access in Belarus],” Information Policy, February 1, 2023, <http://www.infopolicy.biz/?p=20732>.
- 3** Ibid
- 4** “Mobile internet user penetration rate in selected Central and Eastern European countries in 2022,” Statista, <https://www.statista.com/statistics/1133949/mobile-internet-reach-in-ce....>
- 5** “Belarus Median Country Speeds March 2023,” Speedtest Global Index, Ookla, <https://www.speedtest.net/global-index/belarus#mobile>.

More footnotes



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Country Facts

Global Freedom Score

8/100 Not Free

Internet Freedom Score

25/100 Not Free

Freedom in the World Status

Not Free

Networks Restricted

No

Social Media Blocked

No

Websites Blocked

Yes

Pro-government Commentators

Yes

Users Arrested

Yes

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