

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	174
Land:	Belarus
Kilde:	Freedom House
Titel:	Freedom on the net 2014
Udgivet:	4. december 2014
Optaget på baggrundsmaterialet:	16. juni 2015

Belarus

	2013	2014		
Internet Freedom Status	Not Free	Not Free	Population:	9.5 million
Obstacles to Access (0-25)	16	15	Internet Penetration 2013:	54 percent
Limits on Content (0-35)	22	20	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	29	27	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	67	62	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2014 Status:	Not Free

* 0=most free, 100=least free

Key Developments: May 2013 – May 2014

- Belarus experienced dynamic growth in internet access despite continued economic stagnation. In contrast to previous years, the government did not block access to social media platforms or communications apps (see **Obstacles to Access**).
- Diversity of online content is growing, and more Belarusians are using online sources of news and information (see **Limits on Content**).
- While there were fewer cases of prosecutions against internet users than in previous years, prosecutions and detentions continued and are likely to increase ahead of the presidential election in 2015 (see **Violations of User Rights**).

Introduction

The situation regarding internet freedom in Belarus was mixed in 2013-2014. The government, run by the autocratic president Alexander Lukashenka, moved to expand control over the online sphere in anticipation of presidential elections in 2015. There were fewer high-profile cases of prosecution against independent media as ongoing economic woes led the government to consider improving ties with the West. Additionally there were fewer instances of blocked websites, although harassment and detentions of activists for their online activities continued. One Belarusian media expert spoke of the government both “loosening and tightening the screws.”

Over the past year, the use of the internet continued to grow. In terms of ICT development, Belarus was the most dynamic country in the Commonwealth of Independent States (CIS) region during this period. The country's external gateway capacity was expanded to 450 Gbps, the internet penetration rate continued to grow, and broadband access was the highest in the CIS region. All of Belarus' mobile operators offer internet access, and the number of mobile internet users is growing. However, while access may be improving, the government continued to regulate, control, and restrict the scope of online content. Leading experts have found that Belarus continues to have one of the most restrictive media environments in Europe.

The authorities continued to administer a blacklist of websites whose access should be blocked in state-run facilities and cybercafes. The procedure for consigning sites to this secret list remains non-transparent and without an appeals process. As of February 2013, the last time the government acknowledged official figures, the list contained 119 websites, including some leading political, news, and human rights websites. At least 12 new sites were added to the blacklist in 2013-2014, although the actual number of sites to date remains unknown. The government continues to occasionally block certain independent websites under specific circumstances. In early 2014, for example, sites were blocked during the March 23 local elections and March 25 Freedom Day demonstrations.

In 2013-2014, there were about two dozen cases of detentions of online journalists, political and civic activists conducting online campaigns, and members of social networks. Instances of extralegal harassment of online activists, especially those involved in political communities on social networks, continued to take place. Meanwhile, the number of instances of technical attacks against independent websites fell in comparison to previous years.

Obstacles to Access

From 2013-2014, the number of internet users in Belarus continued to grow and the quality of internet connections improved, despite another year of economic stagnation. Continuing economic challenges did not dramatically affect government investment in the internet nor significantly increase internet costs, allowing more citizens to begin using the internet as a source of information and a tool for social interaction. The government's inability to rebuild its popularity and restore its credibility after the 2010-2011 political and economic crises continued to spur demand for alterna-

tive sources of information.¹ With the authorities controlling all broadcast and most print outlets, the internet continues to serve as the country's only island of independent media.

The Measuring the Information Society (MIS) 2013 Report of the International Telecommunication Union (ITU) found Belarus to be among the world's most dynamic countries in terms of growth of household connectivity, households with a computer, households with internet access, and fixed and wireless broadband penetration. Belarus ranked 41st out of 157 countries on the ITU's 2013 ICT development index, second only to Russia in the CIS region.²

The National Statistical Committee reported that Belarus had an internet penetration rate of over 88 percent at the start of 2013,³ while an independent organization, Gemius, reported a penetration rate of 63 percent at the end of 2013.⁴ In contrast, the ITU placed the internet penetration rate lower at about 54 percent by the end of 2013, compared to nearly 47 percent in 2012 and just 23 percent in 2008.⁵ Still, a jump of over 7 percentage points in one year is significant. The National Statistical Committee noted that 97 percent of Belarusian companies and organizations and 48 percent of households had access to the internet in 2012.⁶ In 2014, almost 73 percent of Belarusian internet users visited social media sites.⁷

The key divide in levels of access is not between rural and urban populations—since almost 75 percent of Belarusians live in urban areas—but between the country's capital and other regions. However, the share of users in the capital city of Minsk has decreased from 40 percent six years ago to 28 percent as of November 2013, and internet users in other cities with a population of more than 50,000 now account for almost 20 percent of all internet users.⁸

In November 2013, the country's external internet gateway capacity was expanded to 450 Gbps, a growth of 80 percent capacity compared to a year earlier.⁹ By the end of 2013, Belarus' wireless network had increased to some 50,000 hotspots, including over 6,000 in Minsk.¹⁰

1 Alyksandr Klaskowski, "Private media gain credibility," Belapan, January 9, 2013, http://en.belapan.com/archive/2013/01/09/en_598444_598445. See also, "Alyksandr Klaskowski, The horns of the authorities rusted. What's instead?" [in Russian], *Belorusskie Novosti*, Naviny.by, January 11, 2013, http://naviny.by/rubrics/society/2013/01/11/ic_articles_116_180482.

2 "Measuring the Information Society (MIS) 2013 Report" International Telecommunications Union, http://www.itu.int/en/ITU-D/Statistics/Documents/publications/mis2013/MIS2013_without_Annex_4.pdf.

3 "Almost Half of Belarusians Use the Internet," Naviny.by, translated and posted by the Belarusian Association of Journalists, May 17, 2013, <http://baj.by/en/node/20910>.

4 Online Landscape: Russian Speaking Markets, Gemius, posted June 2014, Online Landscape: Russian Speaking Markets, Gemius, posted June 2014, http://www.e-belarus.org/docs/gemiusKnowledge_RussianSpeaking.pdf, p. 2.

5 International Telecommunication Union (ITU), "Percentage of individuals using the Internet," 2013, 2012, and 2008, accessed August 2014, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

6 Maryna Nosava, "Official statisticians say that 7.5 million Belarusians have web access," May 17, 2013, Belapan, http://en.belapan.com/archive/2013/05/17/en_17051631b.

7 Andrei Aliaksandrau and Andrei Bastunets, "Belarus: Time for media reform," Index on Censorship, February 2014, http://www.indexoncensorship.org/wp-content/uploads/2014/02/IDX_Belarus_ENG_WebRes_FINAL.pdf, p. 10.

8 Alena Spasyuk, "Internet users in Belarus said to have increased in number by 13.3%," Belapan, November 23, 2012, http://en.belapan.com/archive/2012/11/23/en_19271123m, and Mikhail Doroshevich, "Белорусская интернет-аудитория: Ноябрь 2013" [The Belarusian Internet Audience: November 2013], December 29, 2013, Minsk presentation, http://www.slideshare.net/gemius_belarus/2013-29592762, slide 15.

9 "Belarus expands international internet gateway to 450Gbps," E-Belarus.org, November 15, 2013, <http://www.e-belarus.org/news/201311151.html>.

10 "Beltelecom sums up 2013 achievements," E-Belarus.org, January 6, 2014, <http://www.e-belarus.org/news/201401061.html>.

As of January 1, 2014, Belarus had over 11 million mobile telephone subscribers, 438,000 more than the year before, with a total penetration rate of nearly 120 percent.¹¹ Belarus has three operators utilizing GSM; a fourth, which employed a CDMA network, ceased operating when the government cancelled its license for noncompliance in January 2014.¹² At the beginning of 2014, the operators reported a total of 16,800 base stations covering over 98 percent of the country's area where nearly 100 percent of the population resides. All three mobile operators offer internet access; roughly one-third of all subscriptions are 3G-capable.¹³

In 2012, almost 70 percent of Belarusian users reported having broadband access.¹⁴ This figure has increased rapidly since 2010, when Belarus had Europe's lowest level of high speed access, at only 10 percent of the population. Wireless use was up 26 percent in 2013 compared to the previous year.¹⁵ The largest selection and best quality of internet access is available in Minsk, where some 40 companies offer internet access through ADSL, ethernet, cable TV, and mobile networks. Smaller cities have a significantly narrower selection of options. Rural dwellers are largely dependent on the state-owned telecommunications company Beltelecom, which provides IPTV¹⁶ and internet access through ADSL (if phone lines are available), or via mobile internet, which is quite slow in remote locations. Internet connections are the slowest in the sparsely-populated areas of the southeastern and northern parts of the country.

The share of smartphones in the mobile market is approximately 40 percent.¹⁷ By October 2012, about 12 percent of internet users were accessing websites via mobile telephones, half of them with smartphones.¹⁸ According to one report, more than 2 million Belarusians have access to the internet via mobile devices, and more than 4 percent of online page views from Belarus now come from smartphones and tablets.¹⁹ More than 60 percent of Belarusian youth are reportedly using mobile internet.²⁰

11 "Total number of mobile telephone subscribers in the republic is over 11 million" [in Russian], Ministry of Communications and Informatization of the Republic of Belarus, January 24, 2014, <http://www.mpt.gov.by/ru/content/2591>. The ITU also placed the mobile phone penetration rate for Belarus at 118.8 percent by the end of 2013.

12 The operator was said to have failed to attain a population coverage of 90 percent. See "BelCel to lose wireless spectrum," E-Belarus.org, January 14, 2014, <http://www.e-belarus.org/news/201401171.html>.

13 Belarus Telecommunications Report 2014, cited by E-Belarus.org, December 16, 2013, <http://www.e-belarus.org/news/201312161.html>; Alyaksay Areshka, "Number of mobile subscribers in Belarus reached 11.1 million by January 1, communications ministry says," Belapan, January 27, 2014, http://en.belapan.com/archive/2014/01/27/en_19290127H.

14 "Internet audience in Belarus increased by 14%," IT.tut.by, October 24, 2012, <http://it.tut.by/317249>.

15 "Almost Half of Belarusians Use the Internet, Belarusian Association of Journalists, May 17, 2013, <http://baj.by/en/node/20910>.

16 IPTV refers to "internet protocol over television", a manner of providing television viewing through the internet rather than through traditional terrestrial, satellite, or other technologies.

17 "IT figures - statistics for Belarus" [in Russian], IT.tut.by, accessed January 27, 2013, <http://it.tut.by/numbers/#cell>. One of the three mobile phone operators, TeleGeography Mobile Digital Communications (Velcom), declared that as of December 31, 2012 its 3G/3G+ mobile networks were available to 100% of the urban population, while voice services coverage extended to 98.9% of the total population, E-Belarus.org, January 10, 2013, <http://www.e-belarus.org/news/201301101.html>.

18 Alena Spasyuk, "Internet users in Belarus said to have increased in number by 13.3%," Belapan, November 23, 2012, http://en.belapan.com/archive/2012/11/23/en_19271123m.

19 Andrei Alexandrau, "Belarus: Pulling the Plug," Index on Censorship, January 2013, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

20 "Over 60% of youth in Belarus use mobile Internet," E-Belarus.com, August 8, 2013, <http://www.e-belarus.org/news/201308081.html>.

The cost of broadband access via DSL and cable is generally tied to volume, reflecting the pricing structure that Beltelecom uses when selling bandwidth to downstream internet service providers. This makes it somewhat expensive to download large items like music or movies, while for common activities such as email and web browsing, the volume surcharges do not create a barrier for most users. An unlimited internet access service was launched by Beltelecom in 2007. Initially quite expensive, it has become more affordable: currently prices are approximately \$5–\$45 per month for individuals, depending on the speed. While mobile phone and internet access prices in Belarusian rubles increased several times in 2013–2014, the prices in dollars remained roughly the same due to Belarus' chronic inflation.

According to Akamai Technologies, the average internet connection speed in Belarus was 2.6 Mbps in the third quarter of 2013.²¹ Belarus's neighbors—Poland, Russia, and Ukraine—had average speeds ranging from 7.4 to 7.8 Mbps, while Latvia's average was 11.1 Mbps. The global average was 3.6 Mbps, according to the same report. Ookla's Household Download Net Index ranked Belarus 70th of 190 countries, with a download speed of 11.29 Mbps, in April 2014. One year earlier Belarus ranked 91st with average speeds of 5.46 Mbps.²² On average, Belarusian providers were selling 2 Mbps internet subscriptions without a traffic cap for around \$10 per month. Such connections were more or less acceptable for comfortable web browsing, yet still slow for video streaming services like YouTube.²³

While Belarus has two official languages—Belarusian and Russian—the majority of citizens use Russian in daily life. In fact, Russian-language broadcast, print, and online outlets dominate Belarus' media and information space. As a result, a particular feature of the Belarusian internet is its domination by portals, services, and social media sites based in neighboring Russia. Only two or three Belarusian sites are in the top 10 most popular internet sites in Belarus.²⁴ Most Belarusian media consumers and internet users get their news and information in Russian from Russian websites. This situation became more problematic at the end of 2013 and the beginning of 2014 due to the Kremlin's "information war" surrounding the Euromaidan protests in Ukraine and Russia's occupation of Crimea. Most internet software used in Belarus is also in Russian, although some popular software is also available in Belarusian, often due to translation by local enthusiasts. In March 2014, the number of registered domain names in the Belarusian part of the internet (.by, often called the BYnet) exceeded 100,000, making it one of the top five fastest expanding domains.²⁵

Beltelecom and the National Center for Traffic Exchange, established by the government in 2011, remain the only entities permitted to handle connections with ISPs outside of Belarus. Beltelecom, which was created in 1995, also holds a monopoly on fixed-line communications and internet services inside Belarus. In 2012, the Center for Traffic Exchange replaced Beltelecom in providing access

21 Akamai, "Average Connection Speed: Belarus," map visualization, The State of the Internet 6:3 (2013), <http://www.akamai.com/stateoftheinternet/soti-visualizations.html>.

22 Ookla Net Index Explorer, April 2014, <http://explorer.netindex.com/maps?country=Belarus>.

23 "Europe & Eurasia Media Sustainability Index 2013: The Development of Sustainable Independent Media in Europe and Eurasia," IREX, 2013, http://www.irex.org/sites/default/files/u105/EE_MSI_2013_Belarus.pdf, p. 193.

24 Ryhor Astapenia, "How Russian Culture and Media Shape Belarusian Politics," Belarus Digest, February 6, 2014, <http://belarusdigest.com/story/how-russian-culture-and-media-shape-belarusian-politics-16833>; Online Landscape: Russian Speaking Markets, Gemius, posted June 2014, http://www.e-belarus.org/docs/gemiusKnowledge_RussianSpeaking.pdf, p. 6.

25 "Number of BY domain names past 100,000," BelTA, March 25, 2014, <http://news.belta.by/en/news/society?id=743702>.

to the points of sharing national traffic (peering).²⁶ The Ministry of Communications and Information Technology has issued 180 licenses for secondary ISPs, though only about 60 are currently active in Belarus. The Beltelecom subsidiary Belpak remains the largest ISP; through it, Beltelecom controls 84 percent of the Belarusian internet market.²⁷ While the government does not limit the amount of bandwidth that access providers can supply, all ISPs depend on the facilities of the state-owned Beltelecom, which allows the authorities to control access speeds for the entire country.

There is no independent regulator overseeing ICTs in Belarus. The Ministry of Communications and Information Technology handles regulatory functions. In addition, the presidential administration's Operations and Analysis Center (OAC) has the authority to oversee ISPs, conduct online surveillance, and manage Belarus' top-level domain (.by).²⁸ Other bodies with authority over this sector include the State Telecommunications Inspectorate, State Control Committee, and Prosecutor General's Office.

Limits on Content

In 2013 and 2014, there were generally fewer attempts to limit content than there have been in previous years. With the general decline in repression against the independent media, including the dropping of criminal charges in several high-profile cases against internet users originally launched in 2012, there was also a decrease in self-censorship. The authorities continued to practice occasional blocking of certain independent websites with political, economic, or social content under specific circumstances. Because 2013 was not an election year, there was less blocking than during the previous year, when parliamentary elections took place. However, there was an uptick in blocking around the local elections on March 23, 2014 and on the March 25 "Freedom Day," a traditional day of protest for the country's democratic opposition.

The online human rights project conducted by Belarusian LGBT groups—Gaybelarus.by—has been blocked in Belarus, including from private computers and mobile phones, since June 2013. When accessed from Belarus, web browsers indicated that they could not connect to the website.²⁹ At the same time, Gaybelarus.by is accessible in other countries. In August 2013, Alexievich.info, the official website of the internationally acclaimed Belarusian writer Svetlana Alexievich, who was nominated for the 2013 Nobel literature prize, was blocked. The website, hosted in Germany and available abroad, remains inaccessible in Belarus.³⁰

In October 2013, the leading independent trade union website Praca-by.info was blocked for three days. At that time the website was covering the hunger strike of independent trade union leaders at the state-run Mozyr Oil Refinery. The editor was contacted by a representative of the hosting com-

26 "National Center for Traffic Exchange replaced Beltelecom in providing peering services" [in Russian], TechOnliner.by, April 3, 2012, <http://tech.onliner.by/2012/04/03/nacionalnyj-centr-obmena-trafikom-zamenil-beltelekom-v-chasti-uslug-piringa>.

27 "Will you be telling me about dialogue?!", Belarusian Association of Journalists, February 15, 2013, <http://baj.by/en/node/19566>.

28 See "Instructions on the order domain names registration in the space of the hierarchical names of the national segment of the Internet network" at <http://cctld.by/eng/rules.html>.

29 Unsuccessful attempts to access Gaybelarus.by from Belarus were made on June 8, 2013 and April 11, 2014. On the latter day, it was not accessible via Tor.

30 "Website alexievich.info blocked in Belarus," Viasna, August 20, 2013, <http://spring96.org/en/news/65305>. The website remained inaccessible in Belarus as of April 11, 2014.

pany, who claimed that the website's account had been hacked, was distributing spam, and therefore had to be blocked by the provider while it conducted troubleshooting and identified the cause of the problem.³¹

In March 2014, the webpages of a number of regional internet media, political parties and activists, and civil society leaders were hacked, presumably due to their coverage of or participation in local election campaigns.³² Several websites were blocked nationally as Belarusians went to the polls on March 23 to elect local government officials. The sites of the Belarusian Christian Democracy political party, the Tell the Truth civic movement, and the monitoring initiatives Right to Choose and "Election Observation: Theory and Practice" were inaccessible during parts of the election day.³³ During the traditional Freedom Day demonstration on March 25, the live broadcast from Radio Free Europe/Radio Liberty's Belarusian service was blocked. The website of Nasha Niva (Nn.by), a leading independent media outlet, was also blocked during the protest march. The incident regarding Nn.by was the first time in which a blocked Belarusian website could not be accessed by the circumvention software Tor.³⁴

The Lukashenka government has been blocking websites since the 2001 presidential election. To date, however, it does not appear to possess the capacity to employ sophisticated internet blocking techniques, and therefore resorts to more basic approaches like IP filtering and disabling DNS records.³⁵ Also, it seems that the authorities do not perform regular or automated monitoring of the accessibility of banned sites, and it generally takes from 4 to 16 hours for a new IP address to be blocked. No documented instances of deep-packet inspection (DPI) filtering have been recorded so far.

Decree No. 60, which came into effect in July 2010, remains in force. The decree, which is designed "to protect the interests of citizens, society and the state in the information sphere," introduced provisions by which ISPs are required to block access to restricted information, such as pornography and material inciting violence. By law, the authorities can only institute this blocking in state institutions or when requested by individual users. In practice, however, the government engages in ad hoc efforts to limit access to internet content deemed contrary to its interests, though Belarusian telecoms typically cite technical problems rather than admitting to blocking. The authorities have regularly blocked certain websites on specific days when there are elections, days symbolically important to the democratic opposition, or scheduled protests.

In June 2010, the Ministry of Telecommunications and the presidential administration's Operations and Analysis Center (OAC) issued a regulation calling for the creation of two lists to catalog the URLs of all websites whose access should be blocked in state-run facilities and internet cafes; one list is

31 "Trade union's website, reporting on the Mozyr hunger strike, is blocked" [in Russian], *Salidarnast i gazetaby.com*, October 18, 2013, http://gazetaby.com/cont/art.php?sn_nid=63085.

32 "Hackers and anonyms proliferate ahead of local elections," Belarusian Association of Journalists, March 21, 2014, <http://baj.by/en/node/24464>.

33 "Belarus Local Elections Update – March 23, Election Day 08:00-20:00," NDI Belarus Media Digest Special Edition, National Democratic Institute, March 23, 2014.

34 "Online blocking in Belarus and how to fix it," Radio Svoboda, translated and posted by Belarusian Association of Journalists, March 26, 2014, <http://baj.by/en/node/24510>.

35 "In Belarus access to Change.org website is blocked" [in Russian], Providers.by, August 13, 2012, <http://providers.by/2012/08/news/v-belarusi-zablokirovan-dostup-k-change-org>.

public, while the other is accessible only to ISPs.³⁶ As of May 2014, the publicly-accessible list did not contain any URLs, while the number of URLs on the restricted list remains unknown.³⁷ According to Uladzimir Rabavolaw, the first deputy head of the OAC, the list contained 119 websites as of February 2013.³⁸ The 2014 Report of the UN Special Rapporteur on the situation of human rights in Belarus suggests that 40 websites were blacklisted in 2013.³⁹ At least 12 new sites, allegedly those advertising and promoting the use of narcotic and psychotropic drugs, were added to the blacklist in 2013-2014.⁴⁰ The Prosecutor General's office confirmed that two of the country's most popular independent news and information websites, Charter97.org and Belaruspartisan.org, as well as the website of the Viasna Human Rights Center, Spring96.org, are on the restricted list.⁴¹ State bodies authorized to add sites to the blacklist include the Ministry of Internal Affairs, the Prosecutor General's office, and the KGB.

The procedure for adding websites to the restricted list remains unclear and non-transparent. Civil society activists note that the government's decisions are made arbitrarily, do not require judicial approval, and allow no course for appeal.⁴² After filing numerous complaints to identify the state body that made the decision to ban the Viasna website, the deputy chairman of the human rights organization received a reply from the Prosecutor General's Office on December 10, 2013 (International Human Rights Day). The official letter stated that because Viasna was not registered by the Ministry of Justice, actions by an unregistered organization are punishable under Article 193.1 of the criminal code, and since Viasna's website posted information promoting acts prohibited by law (i.e. acting on behalf of an unregistered NGO, organizing or participating in the activities of political parties religious organizations and foundations, which do not have official state registration), the Prosecutor General's office had issued a decision to include this website in the list of those restricted in August 2011.⁴³

In response, Viasna's board issued a statement stressing the legitimacy of the organization's activities, which are guided by provisions of the Belarusian Constitution and international human rights standards ratified by Belarus. It also cited the UN Human Rights Committee's Communication No. 1296/2004 of August 7, 2007, which found the decision of the Supreme Court to officially dissolve Viasna in November 2003 to be a violation of the right to freedom of association and recommended that the government reregister the organization.⁴⁴ According to the OAC, the two popular indepen-

36 "State Supervisory Body for Telecommunications Started Forming the "Black List" [in Russian], Electroname, July 9, 2010, <http://www.electroname.com/story/7329>.

37 "Lists of Restricted Access" [in Russian], Ministry of Telecommunications, accessed on April 11, 2014, <http://belgie.by/node/216>. For the online version of the law, see <http://bit.ly/14Tskal>.

38 "OAC to blocked websites: Write appeals" [in Russian], Viasna, February 17, 2013, <http://spring96.org/be/news/61348>.

39 "Report of the UN Special Rapporteur on the situation of human rights in Belarus," Human Rights Council, 26th Session, United Nations General Assembly, April 22, 2014, A/HRC/26/44, p. 14, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/138/48/PDF/G1413848.pdf?OpenElement>.

40 "Access to websites promoting drugs will be restricted" [in Russian], *Belorusskiye novosti*, April 4, 2014, http://naviny.by/rubrics/computer/2014/04/04/ic_news_128_434407.

41 Vyacheslaw Budkevich, "Government begins blocking access to opposition websites," *Belapan*, April 11, 2011, http://en.belapan.com/archive/2011/04/11/en_20240411.

42 Tanya Korovenkova, "Edict No. 60 less restrictive than feared, but authorities can tighten screws," *Belapan*, July 1, 2013, http://en.belapan.com/archive/2013/07/01/en_634587_634588.

43 "General's Prosecutor Office explains why spring96.org was blacklisted," Viasna, December 16, 2013, <http://spring96.org/en/news/67955>.

44 "Board of the Human Rights Center 'Viasna' once again stresses the legitimacy of the organization's activities in Belarus," Viasna, December 16, 2013, <https://spring96.org/en/news/67892>.

dent news websites, Charter97.org and Belaruspartisan.org, are on the blacklist because of alleged “copyright and journalism ethics violations.”⁴⁵

Under amendments dating from November 2011, which stipulate the fines for violating Decree No. 60, ISPs that provide access to blacklisted websites are required to pay a small fine. In practice, ISPs seem to be inconsistent in blocking access to these sites; some have blocked access to blacklisted sites without any user requests, which is technically illegal under the decree, while others have ignored the blacklist.⁴⁶ ISPs block the blacklisted websites by web address or in combination with IP filtering. In December 2012, Index on Censorship conducted field research using a sample group of blacklisted sites to assess the scope of the filtering. The results indicated varying degrees of blocking. While the sites were available via internet cafes in Minsk and through Belarus’ mobile operators, some or all were blocked in places where the state had greater control over the internet connection, such as government buildings and universities.⁴⁷

Through its selective use of oppressive laws and threats, the government actively promotes self-censorship, which over the past few years has been a pervasive phenomenon for web-based media, especially state and commercial outlets. However, with the general decline in repression against online media, including the dropping of criminal charges in several high profile cases against online journalists and internet users originally launched in 2012, there has been a notable decrease in self-censorship over the past year. In the absence of acute social, political, or economic confrontations, Belarusian internet users generally felt safer in expressing their opinions online, despite the continued repression of critical journalism in print and broadcast media. Media experts have observed an increase in the quality and quantity of online discussions, including on social networks, offering anecdotal evidence to support the notion that people perceive the internet as a safer environment. This trend is also indirectly confirmed by the strong growth in the national (.by) internet domain, despite its more heavily regulated nature.

In December 2013, President Lukashenka issued a decree stating that his aide, Usevalad Yancheuski, would oversee and coordinate the operations of the country’s television channels and news websites. Yancheuski, who is head of the Presidential Administration’s Main Ideological Department, was directed to ensure that “government agencies and organizations conduct a single state policy in the spheres of information technology development, information and communication technologies, telecommunications and high technologies.”⁴⁸

Media experts and website moderators see trolling—the use of inflammatory, extraneous or provocative messages—as one of the government’s less-direct methods of controlling the internet. Since the 2010-2011 protests, the number of trolls and paid commentators has significantly increased on independent websites, the blogs of civic activists and commentators, and popular opposition com-

45 Tanya Korovenkova, “Edict No. 60 less restrictive than feared, but authorities can tighten screws,” Belapan, July 1, 2013, http://en.belapan.com/archive/2013/07/01/en_634587_634588.

46 Volha Prudnikova, “Authorities use both legal and illegal methods to control internet, expert says,” Belapan, June 24, 2011, http://en.belapan.com/archive/2012/01/11/en_522094_522095.

47 Andrei Alexandru, “Belarus: Pulling the Plug,” Index on Censorship, January 2013, pp. 12-13, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

48 “Yancheuski appointed chief of Belarusian internet,” E-Belarus.org, December 5, 2013, <http://www.e-belarus.org/news/201312051.html>; Tanya Korovenkova, “Government may tighten control over Internet before presidential race,” Belapan, December 12, 2013, http://en.belapan.com/archive/2013/12/16/en_669092_669093.

munities on social networks. Obscenities and rudeness continue to be a challenge for the BNet, often making discussions on forums difficult.⁴⁹

Yuri Zisser, the founder and co-owner of Belarus' largest internet-portal Tut.by, has identified at least three different groups of trolls. The first group is made up of Belarusian users expressing their opinions on various internet forums using the clichés and language of state propaganda, participating only in discussions on political or social topics, and intentionally being rude to their opponents. The second consists of Russian citizens, mostly participating in online debates about Belarus-Russia relations. This group has become more active on Belarusian news sites since the Euromaidan protests in Ukraine and the Russian occupation of Crimea.⁵⁰ The third group includes representatives of Belarusian opposition websites who sharply criticize and personally attack their political and ideological opponents.

As an increasing number of Belarusian internet users switch from forums to social networks, trolls have also migrated to popular online communities. While it is difficult to prove that trolls are being paid for their services, one can assume that there is some coordination behind their activities given the fact that they are constantly present on popular internet forums and social networks, immediately react to new developments, and frequently work in teams.⁵¹ In October 2013, the Ministry of Information refused a citizen's request to act against trolls spreading false and malicious information on websites in his name.⁵²

Since 2008, the government has employed stringent requirements for accreditation to restrict non-state journalists' access to information.⁵³ The Law on Mass Media requires journalists to obtain authorization before they can become accredited, and it does not allow individuals to appeal the decision in cases where their accreditation is refused. Journalists, including those publishing online, are not allowed to work professionally if they are not accredited.⁵⁴ There were multiple instances of warnings issued to non-accredited journalists, including those reporting online, in 2013-2014. In March 2014, for example, two Belarusian stringers working for the Poland-based Radio Racyja received a prosecutorial warning for their reporting and blogging on the station's website, Racyja.com.⁵⁵

49 Volha Prudnikava, "Bynet: rudeness is an issue," Belapan, August 8, 2012, http://en.belapan.com/archive/2012/08/08/en_566422_566423.

50 "Tanya Korovenkova, "Media liberalization seen as effective response to information security challenge from Russia," Belapan, March 18, 2014, http://en.belapan.com/archive/2014/03/18/en_688457_688458.

51 "Yuri Zisser: Popularity of the opposition websites grows thanks to censorship" [in Russian], Eurobelarus, October 10, 2013, <http://eurobelarus.info/special-project/meeting/2013/10/07/yuriy-zisser-blagodarya-tsenzure-rastet-poseschaemost-oppozitsionnyh-saytov.html>.

52 "State agencies refuse to assist Pinsk resident in struggle against Internet offenders," Viasna, October 2013, <http://spring96.org/en/news/66547>.

53 The Law on Mass Media envisages an authorization-based procedure of accreditation. Moreover, it does not allow the possibility to appeal against a refusal of accreditation. A journalist is forbidden to carry out professional activities, if he or she is not accredited. "Comments on Suggestions to Media Law," Belarusian Association of Journalists, January 24, 2013, <http://baj.by/en/node/19255>.

54 "Comments on Suggestions to Media Law," Belarusian Association of Journalists, January 24, 2013, <http://baj.by/en/node/19255>.

55 "Mass Media Week in Belarus," Belarusian Association of Journalists, February 17 – March 10, 2014, http://baj.by/sites/default/files/monitoring_pdf/rassylka17_02-09_03_2014en.pdf, p. 3.

While Belarus' 2009 Law on Information, Informatization and Protection of Information guarantees access to, and the distribution of, information of interest to the public, the government routinely restricts information from independent journalists and the media, including online websites. Some 60 state bodies can classify their information as secret, state officials cannot speak with journalists without the approval of their bosses, and media can only gain information from official press services or state ideological departments.⁵⁶

The government continues to influence online content through significant financial support to pro-government media outlets, despite continuing economic woes. While the total amount of funding provided to progovernment online media is unknown, the 2014 state budget allocated €52 million (\$71 million) in direct support for all state media, including €42 million (\$57 million) to television and radio. Over €1.1 million (\$1.5 million) alone was allocated to finance the internet portal of the president. These funds will be used to "collect, prepare and disseminate state orders on official information."⁵⁷ These sums are in addition to favorable advertising (70 percent of the economy is controlled by state-run companies), distribution contracts, and operating costs that are subsidized by the state such as preferential rent.

In contrast, non-state media receive no government subsidies and suffer from a constant lack of funding. The government employs direct and indirect economic pressure to limit financial support for free media, including independent online media outlets, making it nearly impossible for these sites to be profitable. A series of restrictive amendments to the Law on Public Associations and the criminal code were passed secretly in October 2011 and came into force a month later. Of note were provisions that made it a criminal offense for NGOs to receive foreign funding. Since most non-state online outlets are run as NGOs, the amendments pose a grave threat to Belarusian independent media.⁵⁸ Additionally, many independent online newspapers suffer from the negative financial impact of their print versions being regularly repressed and economically discriminated against.⁵⁹

Forced to operate in semi-underground conditions and facing constant pressure from the authorities, independent online media and opposition websites are unable to monetize their increasing audiences and growing popularity, despite the expansion of the market for online advertising. In 2013, Belarus' internet advertising market increased by almost 50 percent over the previous year and reached about \$10.5 million by the end of 2013, surpassing that of 2010 and indicating that the market had recovered from the financial crash of 2011. Experts predicted that online advertising would grow by 25 to 30 percent in 2014.⁶⁰ Yet the share of internet advertising with regard to the total advertising market in Belarus remains one of the smallest in Europe.

56 "Europe & Eurasia Media Sustainability Index 2013: The Development of Sustainable Independent Media in Europe and Eurasia," IREX, 2013, http://www.irex.org/sites/default/files/u105/EE_MSI_2013_Belarus.pdf p. 182.

57 "52 million Euro state support to mass media for 2014," Belarusian Association of Journalists, December 16, 2013, <http://baj.by/en/node/23270>.

58 See: "Belarus: Open Joint NGO Letter to the Parliament of Belarus," Human Rights Watch, October 20, 2011, <http://www.hrw.org/news/2011/10/20/belarus-open-joint-ngo-letter-parliament-belarus>.

59 For details regarding the government's economic leverage over the independent print media, see Andrei Aliaksandrau and Andrei Bastunets, "Belarus: Time for media reform," Index on Censorship, February 2014, http://www.indexoncensorship.org/wp-content/uploads/2014/02/IDX_Belarus_ENG_WebRes_FINAL.pdf, pp. 6-8.

60 "Internet advertising continues to lead the growth in the advertising market" [in Russian], January 31, 2014, <http://marketing.by/main/market/analytics/0065301>.

Most independent news websites remain at an economic disadvantage because state and private companies are afraid to advertise on them. There is an unwritten rule advising state agencies and private companies not to advertise in the independent media, including internet outlets. When interviewed regarding the media market, one advertising executive said: "I have great respect for the independent media and what they are doing. But I don't have a right to put at risk the interests of my clients and therefore I won't place any serious amount of commercial advertising with independent newspapers or websites called the 'fifth column' by Belarusian authorities."⁶¹ There were also cases when even foreign companies, especially those cooperating with state agencies, avoided placing ads on leading independent sites due to political concerns. As a result, even the most popular independent or opposition websites generate little or no advertising revenue.

The government continues its attempts to increase its own virtual presence and influence. In December 2013, the Minister of Information announced that a new portal bringing together the websites of all state-run (national, regional and local) newspapers would be launched under the aegis of the largest, progovernment daily newspaper SB-Belarus Segodnya. The editor of online projects at the paper confirmed that such a portal exists and is expected to start functioning in 2014.⁶²

Despite these and other efforts, government websites in general continue to underperform in comparison to their non-state peers. A 2013 independent review found that the websites of 45 government bodies did not comply with Belarusian law; not one met all the requirements regarding disclosure of information to the public. While the average site provided about 31 percent of the information required by law, the lowest performer, with a score of 12 percent, was the Operations and Analysis Center, the body tasked with policing Belarus' internet.⁶³

The number of readers of print newspapers in Belarus is declining, and the government employs administrative controls and discriminatory economic measures to limit the growth of independent papers. As a result, the internet has emerged as the second-most popular mass media source of information, behind television, in Belarus. According to a mid-2013 survey, 63 percent of the population reported using the internet as a news source (including those who had heard about news items from friends or relatives who had read them online).⁶⁴ Since 2010, in terms of audience growth, the best performing media in Belarus have been non-state online media. A majority of the country's most popular news and information websites are either independent or opposition-run. According to the Belarusian ranking service Akavita.by, most of the top 20 and a majority of the top 50 news and information websites are run by independent or opposition groups,⁶⁵ while the readership of state-controlled media sites has lagged behind. In terms of visits and page views, the readers of

61 "Independent media in Belarus: Achievements, challenges and perspectives," Belarusian Association of Journalists, Minsk, November 23, 2013.

62 Maryia Savushkina, "United online portal and IP TV to be launched with SB-Belarus Segodnya," Belarusian Association of Journalists, December 17, 2013, <http://baj.by/en/node/23280>.

63 Aleksei Kozliuk, Marina Sokolova and Andrei Shushko, "Государственные органы Республики Беларусь: 15 лет онлайн" [Government bodies of the Republic of Belarus: 15 years online], Center for Legal Transformations, December 11, 2013, link to report provided in Center's LawTrend Monitor #3, <http://lawtrend.org/ru/content/about/news/govonline>.

64 From a SAITO survey cited by the Belarusian Association of Journalists, October 18, 2013, <http://baj.by/en/node/22587>. In earlier 2012 surveys, independent and state research bodies found that some 34 percent of Belarusians use the internet as a source of news. See Andrey Vardomatsky, "The Media Behavior of the Belarusian Population," *Belarus Reality: Getting to the heart of the matter*, Issue No. 5, November 2012; and "Information minister concerned about growing role of Internet as source of political and economic news," Belapan, July 14, 2013, http://en.belapan.com/archive/2013/07/14/en_18580714m.

65 "Top Ranker" Akavita.by, accessed on April 11, 2014, http://akavita.by/ru/top/All/Mass_Media_and_News/today/visitors/desc/Belarus/All.

independent online media are more loyal and consume more information than those of progovernmental websites.⁶⁶

Social networks and blogs have also emerged as important sources of information. For example, a recent survey found that 24.3 percent of respondents had garnered information about developments in Ukraine from social media sites.⁶⁷

According to the digital marketing agency Ashwood Creative, as of February 2014, 28 of the top 30 Belarusian media communities on Facebook were run by independent media and civil society groups.⁶⁸ Recent comparative analysis of the media communities in popular social networks demonstrate that information posted and shared by independent media is much more in demand than content published by state media. Links from the social network accounts of independent media are actively clicked, shared and discussed by users, while the social network accounts of the state media are lifeless, with almost no comments or cross-posted links, indicating that they cannot compete with their independent counterparts.⁶⁹ Progovernment sites have few readers, and state officials do not use social networks.⁷⁰

Greater numbers of Belarusians are also reading independent news online because they find it more credible than the government's version of developments in the country and abroad. A December 2013 survey found that more Belarusians trust independent media than the state media (41.1 versus 31.6 percent). Trust in the state media has dropped by 21.3 percent since December 2010. More than half of the population (55.3 percent) does not trust state media. Of the country's 25 leading state and public institutions, non-state media ranked third in public trust, behind only the Orthodox Church and Army.⁷¹

Since the 2006 presidential election, independent websites, blogs, internet forums, and online communities have been playing a growing role in educating citizens, increasing voter turnout, monitoring the polls, and mobilizing protests against electoral irregularities. Beginning in 2010, social networks became an important tool for carrying out actions of solidarity and organizing peaceful protests. With the rapid growth of new media, independent online sources were able to compete with state-controlled newspapers, radio, and television during the 2010 presidential and 2012 parliamentary elections. Independent online media played an important role in documenting and reporting numerous violations committed by the state during the March 2014 local elections.

66 "Independent media in Belarus: Achievements, challenges and perspectives," Belarusian Association of Journalists, Minsk, November 23, 2013.

67 Presentation at "Ukraine through a Belarusian lens: weighting the social and economic costs and benefits," European Council on Foreign Relations, Warsaw, June 9, 2014, http://www.ecfr.eu/events/event/ukraine_through_a_belarusian_lens_weighting_the_social_and_economic_costs_an.

68 "The Rating of Belarusian pages on Facebook in February" [in Russian], Ashwood Creative, accessed on April 11, 2014, https://www.facebook.com/ashwoodcreative/app_152031511604374.

69 "Independent media in Belarus: Achievements, challenges and perspectives," Belarusian Association of Journalists, Minsk, November 23, 2013.

70 Artsyom Shraybman, "Authorities control but do not gag Internet," Belapan, February 8, 2013, http://en.belapan.com/archive/2013/02/08/en_604397_604398.

71 "Negative Dynamics of Trust to Institutions," Independent Institute of Socio-Political and Economic Studies, January 6, 2014, <http://www.iiseps.org/analitica/564/lang/en>, Tables 1 and 2.

The opposition's dominance in the online media sector is proving alarming to the government, especially with presidential elections slated for 2015. As a result, the authorities appear to be moving to tighten control over the internet. As one media expert noted, the end of 2013 was "characterized by a more active persecution of internet-commentators and bloggers. These are still single cases, but it's evident that the authorities are paying more attention to the Internet... It can be easily predicted that the closer the presidential election campaign, the stricter repression against social and political media we'll observe..."⁷²

Increasing internet penetration over the last several years has resulted in the continued growth of citizens' activity on social networking sites. The Russian site VKontakte (vk.com) remains the most popular social network service; as of May 2013, it had 3 million accounts registered and was the most accessed website in the country.⁷³ As of February 2014, more than 1.4 million Belarusians were using the Russian social network Odnoklassniki.ru.⁷⁴ By contrast, the total number of Facebook users in Belarus was 900,000 by December 2013 (about 10 percent of the total population).⁷⁵

In 2013, Belarusian civil society expanded its online activism in comparison to the year before. In one sense, this was a response to the rapid expansion of the internet and its active use by the opposition. But it was also the result of the government's success in preempting most other forms of traditional, offline activism. In particular, online petitioning as a form of civic activism increased in 2013. More than 50 petitions addressing a gamut of issues were created and carried out by Belarusian rights groups and individuals on the Change.org platform alone. These online campaigns achieved varying degrees of success. When President Lukashenka floated the idea of an "exit tax" on Belarusians traveling abroad to shop, for example, or when his government suggested instituting a tax on the unemployed, civil society and media groups responded with strong online campaigns. An internet petition against the "exit tax" generated some 27,000 signatures. The online petitions were accompanied by a great deal of scorn and derision directed at the inane ideas, which dominated social networks. In the end, President Lukashenka was forced to publically denounce the "exit tax" and the government abandoned both taxes. These online campaigns were, according to one observer, "the brightest examples of civic action in 2013."⁷⁶

Another tax, one on motor vehicles, did pass parliament, despite a similar online campaign which gathered more than 81,000 signatures in a matter of weeks. Through social networks and popular internet forums, activists attempted to organize offline protests against the new tax in December 2013. Although more than 100 cars and 200 pedestrians took part, police were able to disperse the first protest in an hour. Participants were punished with fines and administrative arrests, an online community campaigning against the tax was deleted, and its administrator was briefly detained. On the eve of the second protest, related social network communities were invaded by trolls who worked

72 Aliaksandr Starykevich, Vice President of the Belarusian Association of Journalists, quoted in "Mass Media in Belarus E-Newsletter," October-December 2013, Belarusian Association of Journalists, http://baj.by/sites/default/files/monitoring_pdf/5342013_mass_media_in_belarus_en.pdf p. 2.

73 "IT figures - statistics for Belarus" [in Russian], <http://it.tut.by/numbers/#internet>, accessed April 11, 2014.

74 "Top 10 Websites," gemiusAudience, <http://www.audience.by>, accessed on April 13, 2014.

75 Online Landscape: Russian Speaking Markets, Gemius, posted June 2014, <http://www.e-belarus.org/docs/gemiusKnowledge-RussianSpeaking.pdf>, p. 6.

76 Yauheni Preiherman, "Belarusian Domestic Politics in 2013: Cautious Authorities and Divided Opposition," Belarus Digest, January 4, 2014, <http://belarusdigest.com/story/belarusian-domestic-politics-2013-cautious-authorities-and-divided-opposition-16557>; "Belarus Exit Fee: The Authorities Back Down," Belarus Digest, October 10, 2013, <http://belarusdigest.com/story/belarus-exit-fee-authorities-back-down-15719>.

to persuade others not to take part in the protest. When checked, the personal pages of these commentators proved to be fake, with no updates, photos or followers. But the pressure succeeded; only about 10 vehicles took part in the second protest amid tight police security.⁷⁷

In January 2014, some 4,000 people signed an online petition calling on President Lukashenka and the Minister of Health to at least double the pay and improve the working conditions of emergency medical service providers. While the government pressured the initiators to withdraw the petition and put one of them on unpaid leave, it also agreed to a pay raise for ambulance workers.⁷⁸

Violations of User Rights

In 2013-2014, prosecutions against internet users decreased, though harassment and detentions continued. According to Viasna, there were more than 50 cases of politically-motivated administrative persecution (arrests, detentions, and fines) documented in 2013, but this was significantly fewer than the 233 recorded in 2012.⁷⁹ The Belarusian Association of Journalists registered approximately 50 cases of detentions of journalists (including online and offline journalists), independent press distributors, and members of social networks by different law-enforcement bodies in 2013, a decrease of 20 cases in comparison to the year before. Detained media practitioners were usually released within a few hours.

While the rights to freedom of expression and information are guaranteed by the Belarusian constitution, they remain severely restricted and violated in practice. Formally, there are no laws ascribing criminal penalties or civil liabilities specifically for online activities, but since 2007, the government has employed a series of repressive laws—mainly defamation laws—that target traditional media to stifle critical voices online.

In October 2011, the parliament approved an “anti-revolutionary” package of amendments to laws regulating civic organizations and political parties, as well as to the criminal code. These amendments—which also apply to internet-based media outlets—further criminalize protest actions, make receiving foreign funding a criminal offense, and extend the authority of the KGB. Under the amendments, the KGB is freed from the oversight of other state bodies and was given powers that were previously granted only during a state of emergency, including the right to enter the homes and offices of any citizen at any time without a court order.⁸⁰

In 2013, there were several cases of the government prosecuting online users for critical comments on the internet, though fewer than in previous years. In July 2013, Andrei Karelin was found guilty of offending a police officer and fined \$1,050 for two critical comments he had posted on an internet forum a few months earlier. The comments reflected negatively on the Belarusian police and their

77 “Given how active the trolls are, road police didn’t come up with any good plan” [in Russian], *Salidarnast i Gazetaby.com*, December 27, 2013, http://gazetaby.com/cont/art.php?sn_nid=67164; Syarhey Karalevich, “Authorities nip street protests in the bud, disregard online initiatives,” *Belapan*, January 3, 2014, http://en.belapan.com/archive/2014/01/03/en_672246.

78 Alena Spasyuk, “Pay for ambulance service staff in Minsk expected to be raised,” *Belapan*, January 9, 2014, http://en.belapan.com/archive/2014/01/09/en_21090109H.

79 Situation of Human Rights in Belarus in 2013: Review-Chronicle, Viasna, Minsk, 2014, http://spring96.org/files/reviews/en/2013_review_en.pdf, p. 3.

80 “Belarus has adopted ‘anti-revolutionary’ amendments to the legislation,” Belarusian Human Rights House, October 20, 2011, <http://humanrightshouse.org/Articles/17082.html>.

professionalism, and declared that “all normal citizens” hate them. The case was monitored personally by the Minister of the Interior Ihar Shunevich. In August, Mr. Karelin was forced to quit his job as a playwright at a drama theater. He has launched his own crowdfunding website to pay the fines.⁸¹

The authorities continue to detain and prosecute citizen journalists and bloggers for their watchdog activities. In July 2013, Ruslan Mirzoeu, a Minsk worker (and a former drug user on parole), became a BYnet celebrity after shooting a series of clips about everyday life at his factory and posting them on YouTube. Full of black humour and inconvenient insights about one of Belarus’ leading industries, his “Chronicles of the Plant” videos were reposted by leading independent websites and viewed by hundreds of thousands online. In July, he was fired from his job at the Minsk Automobile Plant (MAZ). In August, he released two new films representing urban life in one of Minsk’s suburbs, including depictions of poverty, drug addicts, alcoholics, and prostitutes. He was arrested, tried for using curse words “in public” in the videos, and sentenced to seven days in prison for hooliganism. An official commented on the evening news that the case was not about using crude language but punishing someone for becoming popular by “manipulating social problems.”⁸² In September, district police in Minsk brought a criminal case against Mr. Mirzoeu for violating his parole. On December 13, he was sentenced to one year in prison.⁸³

In October 2013, Aleh Zhalnou, a well-known blogger in Bobruisk who exposes instances of illegal police actions, was arrested with his son for allegedly attacking traffic police. Zhalnou claims that he and his son were the victims of police retaliation after some 2012 incidents in which he allegedly slandered the police and a September 2013 incident in which he filmed police being unresponsive to a complaint and posted the evidence online. Zhalnou was forced to undergo a psychiatric exam and was unable to update his webpage after the raid. In February 2014, he was detained again and questioned by the police for 12 hours on suspicion of planning a bombing. During both arrests, the police confiscated his computer and electronic equipment. A criminal case was launched against him for allegedly insulting the police through online posts. In March 2014, Zhalnou was fined for posting on his YouTube channel a video recording of a meeting he had with a police official.⁸⁴

In December 2013, several activists were detained in connection with the “Stop Tax” online campaign against a new tax on vehicles (see Limits on Content). Police in Mogilev demanded that Anton Kastou, a political activist and member of the “Stop Tax” online campaign, delete the “Stop Fear” site from social networks. After the “Stop Tax” group discussed the possibility of holding a protest on the social network VKontakte, Kastou was sentenced to three days in jail for “organizing and holding

81 “Convicted for insulting police playwright Karelin: ‘I was tried twice for one comment!’ [In Russian],” Tut.by, August 13, 2013, <http://news.tut.by/society/361429.html>; “Playwright Karelin, who offended the police, was fired” [In Russian], “Radio Svaboda, August 28, 2013, <http://www.svaboda.org/content/article/25088925.html>; Andrei Aliaksandrau, “Two people sentenced for online insults in Belarus,” Index on Censorship, August 14, 2013, <http://www.indexoncensorship.org/2013/08/two-people-sentenced-for-online-insults-in-belarus/>; “Man Fined for Insulting a Policeman in Comments on a News Website,” Belarusian Association of Journalists, August 14, 2013, <http://baj.by/en/node/21944>.

82 Artyom Shraibman, “Punishing Citizen Journalism: A New Trend in Belarus?,” Belarus Digest, August 22, 2013, <http://belarusdigest.com/story/punishing-citizen-journalism-new-trend-belarus-15137>.

83 “Criminal case brought up against the author of videos about Minsk Automobile Plant and the suburb of Kurasoushchyna,” Viasna, September 12, 2013, <http://spring96.org/en/news/65798>; and “Author of District Chronicles Ruslan Mirzoyeu imprisoned for 12 months,” Viasna, December 17, 2013, <http://spring96.org/en/news/67911>.

84 “Babruisk blogger Aleh Zhalnou litigates with traffic police, Viasna, November 11, 2013, <http://spring96.org/en/news/66487>; Uladzimir Laptsevich, “Mahilyow Regional Court upholds fine for Babruysk blogger,” Belapan, December 6, 2013, http://en.belapan.com/archive/2013/12/06/en_06121200b; “Mass Media Week in Belarus: January 27-February 16, 2014,” Belarusian Association of Journalists, http://baj.by/sites/default/files/monitoring_pdf/rassylka27_01-16_02_2014en.pdf, pp. 2-3; “Babruysk Blogger Fined for YouTube Video,” March 18, 2014, Belarusian Association of Journalists, <http://baj.by/en/node/24389>.

a mass event.” His laptop was confiscated.⁸⁵ Dzmitry Paliyenka, a political activist and the alleged administrator of the “Stop Tax” social network in VKontakte, was jailed for 15 days for alleged “disorderly conduct.”⁸⁶ It is important to note that these crackdowns were ostensibly of a preventative nature as they took place before the scheduled protests were carried out. Other activists involved with the “Stop Tax” campaign were also fined or briefly jailed for their online calls for protests against the tax.

The government also levied fines for “online picketing” to stifle Belarusians’ attempts to express solidarity with their Ukrainian neighbors protesting in Kyiv. In February 2014, at least two fans of the Belarusian soccer champion team BATE Borisov were jailed for up to five days for participating in an unauthorized mass event. The individuals had allegedly posed with other fans for a photograph with an opposition flag and banners displaying solidarity with Ukrainian anti-government protesters, which was then posted on the internet. The faces of the some two dozen fans in the photo had been blurred out.⁸⁷ In April, three activists were fined for having photos taken of themselves with Belarusian and Ukrainian symbols in historic places and posted on the internet.⁸⁸

These incidents demonstrate several important trends in 2013-2014. Experts point to a new type of repression against online activists, particularly those focused on holding officials accountable.⁸⁹ Rather than blocking individual sites, the government is punishing citizen journalists and activists for their online activities.⁹⁰ Observers noted that the government has adopted the same strategy of targeted repression that has proved effective in suppressing dissent in other civic and media sectors. And it is increasingly doing this by taking laws originally designed to limit traditional activism and applying them to online cases. As the 2014 Report of the UN Special Rapporteur on the Situation of Human Rights in Belarus noted, “The online media continued to be severely affected by a new trend of applying extra-journalistic regulations to web activities.”⁹¹

Another trend that has become prominent is the government’s use of materials obtained online as “evidence” to punish individuals for alleged offline crimes or misdemeanors. Additionally, while most cases of prosecution in 2012 were based in Minsk or larger cities, a majority of the 2013 cases took place in the country’s regions. This is partially due to the rise in the quantity, quality, and impact of independent regional online media.

85 “Authorities afraid of communities ‘Stop Fear’ and ‘Stop Tax,’” Charter 97, January 3, 2014, <http://charter97.org/en/news/2014/1/3/83079>; “UCP Mahiliou activist sentenced to 3 days of arrest,” Viasna, December 27, 2013, <http://spring96.org/en/news/68119>.

86 Situation of Human Rights in Belarus in 2013: Review-Chronicle, Viasna, Minsk, 2014, http://spring96.org/files/reviews/en/2013_review_en.pdf, p. 231.

87 “BATE fan: “At the police station I was shown a photo and told that I was in it,”” Viasna, February 4, 2014, <http://spring96.org/en/news/68863>.

88 “Fines for Online Photos of Solidarity with Ukraine,” from Radio Svaboda, translated and posted by Belarusian Association of Journalists, April 3, 2014, <http://baj.by/en/node/24633>.

89 Artsyom Shraybman, “Authorities hold show trials for online criticism,” Belapan, August 23, 2013, http://en.belapan.com/archive/2013/08/23/en_644696_644697.

90 “Mirzoeu did more than the entire opposition in the last year” [in Russian], *Novy Chas*, August 13, 2013, http://novychas.info/hramadstva/ruslan_mirzoeu_zrabi_u_boliej; Artyom Shraibman, “Punishing Citizen Journalism: A New Trend in Belarus?,” *Belarus Digest*, August 22, 2013, <http://belarusdigest.com/story/punishing-citizen-journalism-new-trend-belarus-15137>.

91 “Report of the UN Special Rapporteur on the situation of human rights in Belarus,” Human Rights Council, 26th Session, United Nations General Assembly, April 22, 2014, A/HRC/26/44, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/138/48/PDF/G1413848.pdf?OpenElement>, p. 14.

Since Belarusian users have regular access to most online resources under normal circumstances—as blacklisted sites are blocked only in public facilities, not private offices or households—users generally have not employed proxy servers or other circumvention tools, leaving them vulnerable during politically sensitive periods when targeted disruptions occur. Circumvention tools have not been blocked by the authorities. Most often, people are reminded about blocking, hacking, trolling, and phishing only when it takes place.⁹²

Individuals are still required to present their passports and register when they buy a SIM card and obtain a mobile phone number. All telecommunication operators are obliged to install real-time surveillance hardware, which makes it possible to monitor all types of transmitted information (voice, mobile text message, and internet traffic) as well as obtain other types of related data (such as user history, account balance, and other details) without judicial or other oversight. Mobile phone companies are required to turn over personal data of their customers at the government's request.

Since 2010, the Belarusian government has allocated resources for online surveillance technologies.⁹³ In 2012, there were reports of Western firms supplying telecommunications hardware and software that would allow the state to expand its surveillance of citizens.⁹⁴ Russian surveillance technologies, including SORM (System for Operative Investigative Measures, an electronic intercept system) are also employed by the Belarusian government.⁹⁵ Decree No. 60 requires ISPs to maintain records of the traffic of all internet protocol (IP) addresses, including those at home and at work, for one year. As a result, the state can request information about any citizen's use of the internet.

The authorities claim that the protection of personal data is a priority. On July 26, 2013, the Law on the Population Register finally came into force after delays caused by the 2011 financial crisis. The register, which is aimed at making information exchange between state agencies more efficient, is a central database that contains the personal data of all Belarusian citizens, including name, gender, personal identity number, date and place of birth, a digital photo, marital status, employment and education, tax obligations, etc.⁹⁶ In order to avoid any leaks of personal data, the register is being created on internal networks of the Ministry of Internal Affairs. While similar registers exist in more than 60 countries, independent Belarusian experts are concerned due to the repressive nature of the Ministry and because Belarus remains the only post-Soviet state that has no proper legislation regulating the protection of personal data; the country also has not joined the Convention of the Council of Europe "For the Protection of Individuals with regard to Automatic Processing of Personal Data." Moreover, the Law on the Population Register does not allow citizens to obtain information about which state agencies are viewing their personal data.⁹⁷ In general, independent experts conclude

92 Yahor Kanapkin, "Through the bug in Skype protection accounts have been massively stolen" [in Russian], Generation.by, November 14, 2012, <http://generation.by/news5764.html>.

93 "Measures on implementation of the National program of accelerated development of information and communication technologies for 2011–2015" [in Russian], <http://www.mpt.gov.by/File/Natpr/pril1.pdf>.

94 Andrei Alexandrau, "Belarus: Pulling the Plug," Index on Censorship, January 2013, pp. 16–17, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

95 Andrei Soldatov and Irina Borogan, "Russia's Surveillance State," World Policy Institute, Fall 2013, <http://www.worldpolicy.org/journal/fall2013/Russia-surveillance>.

96 "Law on the Population Register" [in Russian], Pravo.by, accessed on April 11, 2014, <http://www.pravo.by/main.aspx?guid=3871&p0=H10800418&p2={NRPA}>.

97 Elena Spasiuk, "Belarusians will be checked by database" [in Russian], *Belorusskiye novosti*, July 24, 2013, http://naviny.by/rubrics/society/2013/07/24/ic_articles_116_182443.

that “Belarusian legislation does not provide satisfactory basis for the proper balance between freedom and security online.”⁹⁸

As of 2007, internet cafes are obliged to keep a year-long history of the domain names accessed by users and inform law enforcement bodies of suspected legal violations.⁹⁹ In December 2012, the Council of Ministers abolished the requirement that customers must present their passports at internet cafes. Instead, employees are now required to take pictures of or film visitors.¹⁰⁰ Meanwhile, restaurants, cafes, hotels, and other entities are obliged to register users before providing them with wireless access, whether free of charge or paid.¹⁰¹

In the absence of elections and other major socio-political events in 2013, there were fewer recorded instances of extralegal intimidation and harassment for online activities on social networks than in previous years, though this was still a prominent trend.

Over the course of 2012-2013, Ihar Pastnou, a psychiatrist at the Vitebsk Center for Narcology and Psychiatry, posted a series of videos on YouTube that were critical of the health care system in Vitebsk. In particular, he highlighted medical errors, mismanagement, and misuse of funds by the head of the regional government. On August 16, 2013, Dr. Pastnou was forcibly taken to the psychiatric ward at his place of work for treatment. On August 23, a Vitebsk District Court ordered that he attend compulsory psychiatric treatment.¹⁰² Dr. Pastnou was diagnosed with “psychopathic personality disorder with a mania for persecuting the authorities,” kept in isolation, and banned from having any visits, correspondence, or telephone calls. On September 30, Dr. Pastnou was discharged from the hospital, but is required to visit a psychiatrist regularly. He has demanded an independent examination, considers his case to be an example of punitive psychiatry, and is appealing to the Supreme Court.¹⁰³ Dr. Pastnou’s case will be considered by the UN Human Rights Committee.

On December 24, 2013, police searched the apartment of Anton Kastsov, a member of the United Civic Party in Mahiliou. The police demanded that he remove the “Stop Fear” community from the VKontakte site, despite the fact that the activist had written a statement denying he was a creator of this community, though he agreed to delete his own comments from the group. The “Stop Fear” community was created in order to organize weekly protests against a proposed motor vehicle tax (see Limits on Content).¹⁰⁴

98 “Freedom and Security Online in Belarus: Window for Opportunities,” Marina Sokolova, May 2014 presentation, E-Belarus.org, <http://www.e-belarus.org/docs/MarinaSokolova-Prague052014.pdf>.

99 “Council of Ministers of the Republic of Belarus. Regulations on computer clubs and internet cafe functioning” [in Russian], Pravo.by, April 29, 2010, <http://pravo.by/webnpa/text.asp?start=1&RN=C20700175>.

100 Alyaksey Areshka, “Authorities scrap passport requirement for Internet cafes’ visitors,” Belapan, December 27, 2012, http://en.belapan.com/archive/2012/12/27/en_27122104b.

101 Including the user’s name, surname, type of ID, ID number, and name of the state body which issued the ID, as per Article 6 of the Regulation on computer clubs and internet café functioning, <http://pravo.by/main.aspx?guid=3871&p0=C20700175&p2={NRPA}>.

102 “Outspoken psychiatrist forcibly detained: Igor Postnov,” Amnesty International, August 28, 2013, <http://www.amnesty.org/en/library/asset/EUR49/016/2013/en/3a50954f-3128-4db2-ab83-354b89dd0b94/eur490162013en.html>; Vyachaslav Budkevich, “Dissident doctor in Vitsyebsk banned from demonstrating against police brutality,” Belapan, January 13, 2014, http://en.belapan.com/archive/2014/01/13/en_13011531b.

103 “Ihar Pasnou applies to the Supreme Court,” Viasna, September 12, 2013, <http://spring96.org/en/news/67730>.

104 “Mahiliou: Search in the apartment of UCP activist, require to remove “VKontakte” community “Stop Fear” [in Russian], Radio Svaboda, December 24, 2013, <http://www.svaboda.org/content/article/25211253.html>.

In June 2013, Siarhej Androsenka, the leader of the online human rights project conducted by Belarusian LGBT groups—Gaybelarus.by—left the country following a long campaign of persecution and psychological pressure against him and his family by Belarusian law enforcement agencies.¹⁰⁵

In August 2013, police raided the apartment of Henadz Zhuleba, a blogger in Svetlahorsk, and confiscated his computer after he had posted a video online spotlighting the luxury home of the head of the local administration. The official's wife complained about the clip and accused him of libel. The police told the activist that they would examine the files on his computer before deciding whether to launch criminal proceedings against him. Earlier, the blogger had posted other critical videos online showing the poor state of roads and other social infrastructure in his town.¹⁰⁶

In November 2013, the apartment of Dzianis Dashkevich, the editor-in-chief of the website Vro-gachev.ru in Rahachau, was searched and two computers were confiscated. The inspection was based on a criminal case related to allegations of insulting a local official. The activist and his independent website had previously received official warnings regarding the publishing of "inaccurate information about the political and economic situation in the country."¹⁰⁷

In January 2014, an online petition designed to increase salaries and secure better working conditions for the workers of Belarus' emergency medical services, appeared on Change.org and collected over 5,000 signatures, including those of thousands of medical professionals, in less than two days. But after this period, the initiator, Aliaksei Ipatau, announced that the petition had to be withdrawn without any explanation.¹⁰⁸ The petition was removed from the website, presumably due to government pressure. Another organizer of the campaign, Vital Aheyenka, was forced take unpaid leave from his ambulance job.¹⁰⁹

There were some instances of technical attacks against the websites of independent media and civil society groups during the coverage period. On April 25, 2013, the websites of Belarus Partisan (Belaruspartisan.org) and the Viasna Human Rights Center (Spring96.org) were hacked. Threatening messages were left on the sites, calling them "traitors" and "slanderers" of the Belarusian people.¹¹⁰ Both sites are on the government's list of web resources banned at state institutions.

On December 8, 2013, the websites of the Belarusian, Ukrainian and other services of Radio Free Europe/Radio Liberty (RFE/RL) were unavailable following a massive DDoS attack. Cyberattacks against RFE/RL have occasionally occurred since the beginning of mass protests in Ukraine in November.¹¹¹

105 "Siarhej Androsenka: Homosexuality is natural" [in Russian], Svaboda.org, December 6, 2013, <http://www.svaboda.org/content/article/25189968.html>.

106 "Police raid apartment of blogger who filmed house of head of Svetlahorsk district government," Viasna, August 19, 2013, <http://spring96.org/en/news/65263>; "Blogger's Laptop Seized for Posting a Video about an Official's House," Belarusian Association of Journalists, August 19, 2013, <http://baj.by/en/node/21962>.

107 "Mass Media in Belarus E-Newsletter," October-December 2013, Belarusian Association of Journalists, http://baj.by/sites/default/files/monitoring_pdf/5342013_mass_media_in_belarus_en.pdf, p. 6; "Rahachou activist receives a warning over contributing to independent website," Belarusian Association of Journalists, December 29, 2012, <http://baj.by/en/node/18996>.

108 "Signature collection of the ambulance workers for an appeal to Lukashenka was forcibly stopped" [in Russian], January 8, 2014, Radio Svaboda, <http://www.svaboda.org/content/article/25223456.html>.

109 "Initiator of medics' petition forced to take unpaid leave," Viasna, January 10, 2014, <http://spring96.org/en/news/68358>.

110 "Mass Media in Belarus E-Newsletter," January-April 2013, Belarusian Association of Journalists, http://baj.by/sites/default/files/monitoring_pdf/1-230-312013_mass_media_in_belarus_en.pdf, p. 9; Syarhey Karalevich, "Hackers leave threatening message on opposition news site," Belapan, April 25, 2013, http://en.belapan.com/archive/2013/04/25/en_16470425H.

111 "RFE/RL Target of Internet Attack," Radio Free Europe/Radio Liberty, November 2013, <http://www.rferl.org/content/release-rferl-target-of-internet-attack/25172249.html>.

On December 18, 2013, the leaders of Belarus' largest civic campaign "Budzma" ("Let's be Belarusians") distributed a statement reporting that they had lost access to the campaign's website domain Budzma.org and its administrative system, and asked all users to switch to a reserve website at Budzma.by. The causes of the problems are being investigated by "Budzma" leadership.¹¹²

Belarusian criminal law prohibits these types of technical violence. Specifically, Article 351 of the Criminal Code, covering "computer sabotage," stipulates that the premeditated destruction, blocking, or disabling of computer information, programs, or equipment is punishable by fines, professional sanctions, and up to five years in prison.¹¹³ A special department at the Ministry of Internal Affairs is tasked with investigating such crimes. In reality, a number of the attacks on the independent websites and personal accounts of opposition activists have been linked to the authorities. The government has stated its intention to accede to the Council of Europe's Convention on Cybercrime, but it has made no move to sign on to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.¹¹⁴

112 "Attackers seized the site of "Budzma" campaign" [in Russian], Belarusian Association of Journalists, December 18, 2013, <http://baj.by/be/node/23301>.

113 "Beltelecom: Independent websites could be blocked by other organizations" [in Russian], Charter 97, January 10, 2008, <http://www.charter97.org/ru/news/2008/1/10/2905>.

114 Council of Europe, "Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data," January 1, 1981, <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=108&CL=ENG>.