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Status: Not Free

Total Score: 64/100 (0 = Best, 100 = Worst)

Population: 9,507,875

Internet Penetration: 74.4%

Freedom in the World Status: Not Free

Key Developments, June 1, 2017 – May 31, 2018

- The government blocked more critical webpages and content, including two opposition news outlets (see Blocking and Filtering and Media, Diversity, and Content Manipulation).
- An increasing number of journalists and bloggers were prosecuted and fined for charges such as reporting without required government accreditation, calling for unauthorized demonstrations, and online extremism (see Prosecutions and Detentions for Online Activities).
- The government increased its repression of independent media during the February 2018 local elections by targeting independent observers and journalists who were livestreaming the events and, in at least one troubling case, arresting and beating a journalist who was in custody (see Intimidation and Violence).
- New restrictive amendments to the Law on Mass Media, passed after the coverage period, further solidify the government's control over the internet and will impact online media, website blocking, and intermediary liability, among other things, when they go into effect in December 2018 (see Legal Environment).

Introduction:

The internet remained "Not Free" in Belarus as the government restricted online content by blocking political and critical webpages. However, there were fewer reports of authorities exerting physical violence against journalists and internet users compared to previous years.

New amendments to the Media Law passed in June 2018 will further codify the government's control over the internet when they go into effect in December 2018. The amendments have been called "draconian" and "arbitrary,"^[1] while the UN Special Rapporteur on the situation of human rights in Belarus stated that they "perfect the systemic curtailing of freedom of expression."^[2] They will impact online media, website blocking, and intermediary liability, among other things.

The government intensifies its repression around sensitive moments such as elections and protests. During local elections in February 2018, independent observers and journalists were targeted for livestreaming and, in at least one troubling case, a journalist was arrested and beaten while in custody. During the March 25 'Freedom Day' celebrations, at least a half-dozen journalists attempting to stream the events were detained, while other attendees reported experiencing connectivity issues.

More Belarusians can access the internet, with gradual improvements in coverage and speed as well as further developments to internet infrastructure. Thus, the internet has become a central component of daily life. Despite government censorship and online content manipulation, online journalists and digital activists use the internet to inform, mobilize, and support civil society. As the government restricts traditional media, independent websites, social media, and blogs have developed as reliable sources of news. Belarusians have turned to online petitions and crowdfunding to bring about tangible societal and political change.

Obstacles to Access:

The Belarusian government continued to foster the digital economy and invest in the country's internet and ICT infrastructure. Internet penetration grew slightly within the last year, and access remains fairly affordable for most of the population.

Availability and Ease of Access

Following sustained government investment, the accessibility of the internet in Belarus continued to increase. However, the state's ongoing infrastructure development did not translate into growing availability. The number of Belarusians going online has remained relatively flat since 2014.

By 2017, more than 74 percent of Belarusians were regularly using the internet.^[3] The increase in the number of individuals going online has continued to grow, albeit at a slower rate recently.^[4] The proportion of Belarusians going online everyday has also continued to rise, reaching about 90 percent; the figure is even higher for those under the age of 30.^[5]

Despite progress, digital inequalities persist. According to government figures, significantly more users in urban areas have access to the internet than users in remote areas, though the gap is narrowing. While about 76 percent of the urban population has access to the internet as of 2016, only slightly over 56 percent do in rural areas.^[6] Since 2010, the proportion of female internet users has risen from 48.7 to 52.1 percent.^[7] Belarus is among the leading countries in Europe where citizens over 55 use the internet, though people under 30 are still three times more likely to have internet access.^[8]

Belarus has the highest fixed-broadband penetration rate and one of the highest mobile broadband penetration rate in the CIS region.^[9] There are about 10.3 million broadband internet subscribers in Belarus, which exceeds the population of the country.^[10] By 2017, a third of Belarusians were using fixed broadband and 70 percent mobile broadband.^[11] Belarus ranked 29 of 148 countries in the percentage of households connected to the internet.^[12]

During the reporting period, the country's average download and upload speeds for fixed broadband improved, but the opposite was true for mobile broadband internet.^[13] *RFBenchmark* found Belarus' average mobile internet download and upload speeds to rank among the worst in Europe.^[14]

The number of mobile telephone subscribers has plateaued at slightly over 11 million since 2014.^[15] The 2016 Google Connected Consumer Survey found that 59 percent of Belarusians were using smartphones; for those under 35, the figure was 89 percent.^[16] The country's largest mobile operator, MTS, reported that by mid-2017 the percentage of smart phones in its network was about a third, and that 85 percent of all new mobile sales were smartphones.^[17]

Virtually all of the population is covered by mobile cellular connectivity.^[18] 3G service covers 92 percent of the territory and 98.7 percent of the population.^[19] LTE service, offered by mobile companies via Belarusian Cloud Technologies (beCloud), the country's sole 4G infrastructure provider, is available to 68.5 percent of the population.^[20] In 2017, the number of LTE subscribers grew by 67 percent.^[21] 4G service covers more than 140 urban and rural communities across the country, including Minsk and the country's five regional capitals.^[22]

By 2017, almost 70 percent of Belarusians were using broadband mobile internet.^[23] In 2016, internet traffic from mobile devices exceeded that from desktops for the first time. About 49 percent of internet users in Belarus go online via smartphones, 45 percent from desktops, and six percent from tablets or television. Some 70 to 75 percent of mobile traffic is to social networks and video content.^[24]

GPON fiber-optic technology continues to replace ADSL; more than 9.5 km of fiber-optic lines were installed in 2017.^[25] The number of subscribers connected via GPON grew by 610,000 to 1.7 million by the beginning of 2018.^[26] In late 2017, the telecom operator Velcom launched the first Narrow Band Internet of Things network in Belarus.^[27]

Internet access in Belarus continued to be relatively affordable. With inflation and devaluation, prices rose only slightly during the reporting period. Despite the cost of the internet being relatively low in Belarus compared to other countries, it is not the cheapest in Eastern Europe or the CIS.^[28] Domestic experts point out that the government monopoly over the state gateway hinders market development, and a five percent VAT increase on telecom services for mobile and fixed providers in 2016 made the internet more expensive and limited the number of users.^[29] Beltelecom is known to periodically flood the market with under-priced packages to reduce competition from private operators.^[30] Google and other digital companies which generate significant online traffic also have preferential agreements with Beltelecom, allowing it to engage in predatory pricing.^[31] However, the ITU noted that Belarus' developed infrastructure combined with its affordability "creates a favorable environment for new ICT-services and ICT-usage growth."^[32]

While Belarus has two official languages – Belarusian and Russian – the majority of citizens use Russian in daily life. Russian-language broadcast, print, and online outlets – both foreign and domestic – dominate Belarus' media and information spheres.^[33] As a result, the Belarusian internet has been strongly influenced by sites based in Russia. While websites originating in Russia once dominated the Belarusian internet, this trend is changing. In 2009, up to 94 percent of internet traffic from Belarus was to Russia-based sources; by 2016, traffic to Russian sources and Western sources was almost equal.^[34]

The vast majority of Belarusian internet users are active on social media. As of May 2018, Belarus' most popular social media site was YouTube, followed by VKontakte, Facebook, and Twitter.^[35] Facebook is said to be the most popular social platform for activists.^[36] A recent trend has been the rise in popularity of instant messengers like Viber, Telegram, and WhatsApp.^[37] For example, by mid-2017, there were almost 5.5 million Viber users in Belarus.^[38]

Restrictions on Connectivity

The Belarusian government did not impose any permanent restrictions on ICT connectivity during the reporting period. However, some internet users experienced connectivity issues in March, but it is unclear whether the government intentionally restricted access. The authorities possess this capability, since the government owns and controls the backbone connection to the international internet.

Internet users and journalists from leading independent media outlets experienced connectivity issues at the March 25 'Freedom Day' demonstrations.^[39] They stated that once they moved only a few hundred feet away from the center of the demonstrations, their phones connected normally. Some activists speculated that security forces and intelligence services could be behind the targeted disconnection.^[40]

The state-owned Beltelecom and National Center for Traffic Exchange are the only entities permitted to handle connections with ISPs outside of Belarus. All commercial providers must purchase internet access from Beltelecom's Belpak gateway. The National Center provides access to national traffic exchange points (peering). While the government does not limit the amount of bandwidth that providers can supply, the fact that ISPs depend on Beltelecom allows the authorities to control access speeds for the entire country.

Launched in 1994, the Belarusian domain zone (.BY, often called the "BYnet"), had more than 127,000 registered domain names as of September 2018. Since 2014, it has been one of the fastest growing country domain zones in Europe.^[41] By law, all entities operating in the ".BY" domain must use Belarusian hosting services. In 2014, ICANN approved Belarus' request for a Cyrillic domain .БЕЛ (.BEL) as an alternative national domain. As of September 2018, the .БЕЛ domain contained more than 14,900 registered names.^[42]

ICT Market

The ICT sector in Belarus continued to develop.^[43] Since 2016, the country has been called the "Silicon Valley of Eastern Europe."^[44] The government's latest programs to foster Belarus' digital economy^[45] suggest that authorities understand the relationship between increased internet access and a growing economy; however, they also have followed the China model of connecting citizens while tightly controlling online spaces.

Fostering the digital economy has become part of Belarus' national strategy. The state program of innovative development for 2016-2020 includes actively developing the ICT industry.^[46] During the last decade, Belarus' IT industry has distinguished itself from other sectors of an economy in crisis. It is the fastest growing sector in the national economy in terms of investment inflows and exports, and it has emerged as the second-largest contributor to a positive balance of service exports.^[47]

On December 21, 2017, President Lukashenko signed Decree No. 8 "On the Development of the Digital Economy," which aims to develop a competitive 21st-century digital economy. While mainly garnering attention for its elimination of all legal obstacles for mining, keeping, buying, selling, distributing, or exchanging cryptocurrencies, the decree also seeks to create a more favorable business environment for IT companies.^[48]

The Ministry of Communications has issued more than 230 licenses for telecom operators providing internet access services; 153 are functioning.^[49] There is competition between internet providers, but more than half the market is controlled by the state-owned Beltelecom.^[50] The largest selection and best quality of internet access is available in Minsk, where more than 30 companies offer access.^[51]

Belarus has three mobile service providers. The largest is MTS, which is a joint venture of the state-run Beltelecom and the Russian MobileTeleSystems; it has 5.2 million subscribers. Velcom, which is a member of the Telekom Austria Group, has 4.9 million. BeST/Life, with 1.6 million subscribers, is owned by Turkcell and the State Property Committee of Belarus. Mobile providers have started offering services in the fixed internet market. This trend could reduce competition and increase state control, given the government's stakes in MTS and BeST/Life.^[52]

Regulatory Bodies

There is no independent regulator overseeing ICTs in Belarus. There is strong state regulation and involvement in the telecommunications and media market. The Ministry of Communications founded Beltelecom in 1995 and continues to regulate the company, undermining regulatory independence. In addition, the Presidential Administration's Operations and Analysis Center (OAC),^[53] which was initially 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' top-level domains. Other governmental bodies with authority over this sector include the State Telecommunications Inspectorate, the State Control Committee, the KGB, and the Prosecutor General's Office.

In November 2017, Lukashenko established the Interagency Committee on Security in the Information Space to assess "the intense build-up of dangerous trends in the global and national information space."^[54] The Interior Minister, Defense Minister, and the chairman of the KGB, among others, all are involved with the Committee.

Limits on Content:

In the past year, the government restricted access to more political content, including two leading opposition news sources. The 2018 amendments to the Media Law will further restrict online media and increase censorship. Independent Belarusian outlets

struggle for resources, an issue exacerbated by Belarus' poor economic performance. Belarusians, however, continue to use blogs, social media, and crowdfunding campaigns to raise awareness of important political and social issues.

Blocking and Filtering

The Belarusian government blocked more websites during the reporting period compared to the previous year, including two leading opposition news sources and other political sites.^[55] New amendments to the Media Law, which will go into effect in December 2018, expands the Ministry of Information's ability to block and filter content.

Authorities blocked at least 35 websites and 12 social media groups from January to May 2018^[56] and over 100 sites in 2017.^[57] In April 2018, websites blacklisted by the Russian government were also blocked.^[58] Tor and VPN services remained unavailable during the reporting period.^[59] Over the last three years, the Belarusian government has blocked more than 500 of what the Ministry of Interior calls "information resources."^[60]

During the reporting period, the government restricted access to two opposition news sources. On January 24, 2018, the government blocked *Charter 97*, one of Belarus' most popular independent websites.^[61] This Poland-based site is linked to the Belarusian political opposition^[62] and was blocked for spreading banned "extremist" content and other information that could hurt Belarusian interests. The Ministry of Information blocked the site under Article 38 of the Law on Mass Media, which does not require a legal process for blocking and offers no avenue for appeal.^[63]

On December 15, 2017, *Belarus Partisan*,^[64] another leading news source, was blocked for regularly publishing "banned" information.^[65] The Ministry of Information blocked the outlet under Article 511 of the Law on Mass Media. Several days later, however, *Belarus Partisan* began publishing again without interference after the site moved to the national internet domain.^[66]

The government blocked other sites during the reporting period for seemingly political reasons. For example, in October 2017, after an online petition about the death of a young army conscript gathered over 10,000 signatures (see Digital Activism), the Zvarot.by petitions website was blocked at the behest of the Ministry of Defense.^[67] In another example from March 2018, the Ministry of Information blocked, for the second time, the Vkontakte page of the anarchist group Pramen.^[68] Several accounts of users who were running the VK group were also blocked. Anarchists have long opposed the Lukashenka government and were among the most active and effective groups protesting the 'Parasite Tax' in 2017.^[69]

Under amendments made to the Media Law in 2015, the Ministry of Information may issue warnings, suspend, and file closure suits against online outlets.^[70] The Ministry can block access to sites if two warnings have been issued within 12 months, and can also block sites without a warning for posts it deems illegal.^[71] The types of information considered illegal were expanded to include "information, the distribution of which can harm the national interests." These and other provisions are subject to broad interpretation and are used to stifle critical media. The controversial 2018 amendments to the Media Law also give the Ministry of Information power to warn, suspend, block, and close registered and unregistered online outlets and allow for the possibility of blocking social media platforms, without warning or judicial oversight.^[72]

A blacklist of banned websites, to which any government body may contribute, is compiled by the Ministry of Information and maintained by the Telecommunications Ministry's State Inspectorate for Electronic Communication. Only government agencies and ISPs have access to the blacklist, which must be reviewed daily. A website can be blocked by a provider within 24 hours, while it may take the Ministry up to a month to restore access to it once all violations are corrected. Experts note that the government's decisions are arbitrary, do not require judicial approval, and allow no course for appeal.^[73]

According to Ruling No. 6/8, which laid out the mechanisms and procedures for legally restricting access to websites, sites can be blocked if they contain information the government deems to be illegal.^[74] Websites also may be blocked if their owners fail to correct violations of the Media Law as required by the authorities. The directive allows not only state agencies but also any individual to propose the blocking of specific websites.

As in the past, basic techniques such as IP filtering and disabling DNS records are employed. Authorities do not appear to perform regular or automated monitoring of the accessibility of banned websites, and it generally takes several hours for a new IP address to be blocked. However, the Belarusian government is reported to be in possession of equipment and software necessary for DPI.^[75]

Content Removal

The government issues warnings to pressure websites to take down politically sensitive content. The Ministry on Information issued 17 warnings regarding content to independent media in 2017, most of which also have corresponding webpages and social media pages, a slight increase over 2016. Seven websites received warnings in 2017; two sites received multiple warnings.^[76] Two or more such warnings received within a year can lead to the closure of an outlet.

The Ministry also sometimes pressures websites to remove comments posted by users. NN.by, a leading independent news site, received warnings for several comments posted by readers in March 2017 regarding anti-government protests. The comments were subsequently removed by the outlet.^[77] In February 2018, SB.by, the website of the state-run *Sovetskaya Belarussiya-Belarus Segodnya*, the country's largest newspaper, shut down the section that allowed comments to its articles.^[78]

In September 2017, independent online outlets experienced a unique request for content removal from the lawyers of businessman Viktor Prakapenya, who is currently President Lukashenka's point person for Belarus' IT development. Prakapenya requested the removal of articles on his detention from two years ago in which he was never officially charged. Both prominent and smaller outlets alike either agreed to delete the content or made it unsearchable.^[79]

Under the 2018 amendments to the Media Law, website owners can be held liable for content that is false, defamatory, or harms the national interest.^[80] Owners can also be liable if users who are not properly identified as defined in the law share content or post comments.

The authorities increased pressure on online outlets to remove content after the 2015 amendments to the Media Law. These amendments require owners of websites to remove content disputed by any person and to post a refutation in its place. If owners do not comply, their sites can be blocked. Website owners are also held liable for any illegal content posted on their sites and can be punished for abusive or "incorrect" comments left on message boards.^[81] The Ministry of Information may demand the deletion of information deemed illegal within broad categories, such as content related to extremism or content considered harmful to national interests.^[82]

Media, Diversity, and Content Manipulation

Destabilizing developments in the region – including worsening relations with Russia, ongoing economic difficulties, and local elections in Belarus – had an adverse effect on the online media landscape. With the internet serving as an important source of information for Belarusians, the authorities stepped up their efforts to influence and manipulate online content by blocking prominent opposition news sources. Attempts to influence content using bots also grew. Once the 2018 amendments to the Media Law go into effect (see Legal Environment), the government will have more power to control the online media space. However, during the reporting period, more people engaged with independent online sources, finding them more credible than state-run media.

In a troubling move impacting the diversity of viewpoints online, the government blocked two opposition news sources: *Belarus Partisan*^[83] in December 2017 and *Charter 97* in January 2018 (see Blocking and Filtering).^[84] *Belarus Partisan* was unblocked after moving to a national domain, raising concerns that the site and its content could be more easily controlled by the government.

Through selective use of oppressive laws, threats, and force, the government actively promotes self-censorship. The 2018 amendments to the Media Law criminalize the spread of "false" information and limit anonymous commenting.^[85] Like the 2015 amendments to the Media Law, the 2018 amendments also hold website owners liable for content posted by third parties on their pages, thus making moderators proactively censor online discussion forums (see Content Removal).^[86] The fear of having one's website blocked or otherwise restricted reinforces self-censorship among editors, journalists, and website owners.^[87]

State-run media outlets also manipulate information. For example, independent online media sources reported the internet search engine Yandex's finding that the most popular query of Belarusians in 2017 was 'Freedom Day,' the March 25 opposition holiday that played an important role in the spring 2017 protests. However, the state-run news agency *BelTA* reported the same story, but left out 'Freedom Day' while highlighting "Game of Thrones" and "Eurovision 2017."^[88]

The Belarus government increases its repression of independent media around elections. During the February 2018 local elections, independent experts noted that authorities prevented some online journalists and bloggers from monitoring the election by expelling them from polling stations.^[89] The authorities also closed a press center set up by "Right to Choose," an independent election observation coalition, to report irregularities only half an hour after it began livestreaming.^[90]

Trolling is one of the government's less direct methods of manipulating online content. Since the 2010-2011 protests, the number of trolls and paid commentators praising the government and denouncing the opposition has increased significantly on independent media websites. While it is difficult to prove that trolls are paid, some coordination behind their activities is evident. They are constantly present on popular and influential forums and social networks, frequently work in teams, and immediately react to breaking developments.^[91] Research shows that trolls are not particularly effective at changing online discourse, with ordinary users frequently stepping in to refute their comments.^[92]

Attacks on independent media by bots, which are often cheaper than paid human commentators, have recently increased. For example, in February 2018, a Belsat video on life in Russian villages was attacked by tens of thousands of bots producing 'dislikes' from around the world. In another instance, the independent newspaper *Nasha Niva* detected bot attacks on several of its articles.^[93]

While Belarus has always been subject to Russian propaganda, this influence has increased since the 2014 'Revolution of Dignity' in and Russia's subsequent invasion of Ukraine.^[94] Since most Belarusians use the Russian language daily, Russian websites and social media dominate the media scene and broadly influence the Belarusian internet audience.^[95] An April 2017 poll demonstrated that, while citizens' trust in Belarusian state media has declined from 2014-2017, their trust in Russian media remained strong.^[96]

Russian outlets, including websites, have unleashed a vitriolic campaign against both state and non-state actors in Belarus. In many ways, the Kremlin operation resembles the campaign organized against westward-leaning Ukraine. Russian sites accuse Lukashenka of being disloyal to Russia, too independent, and pro-Western. Always critical of the symbols, culture, and history embraced by the Belarusian democratic opposition, they now allege that the Belarusian authorities and their opponents have allied

to promote 'dangerous nationalism' and 'Russophobia.'^[97] Nationalist Russian websites like *Imperiya News*, *Regnum*, and *Sputnik i Pogrom* have ratcheted up their campaign against Lukashenka's "soft Belarusization."^[98] Russian trolls on Belarusian websites and social media pages purportedly outnumber Belarusian trolls. These trolls not only attack pro-democratic online forums and activities, but seek to influence viewers and manipulate content on Russian-Belarusian issues.^[99]

In February 2018, Lukashenka replaced the heads of the main state media television, radio, and newspaper outlets, which also maintain important websites.^[100] The reshuffling suggests the intent to begin responding to propaganda from Russia^[101] and the failure of the state's media outlets to compete effectively in terms of trust, content, and readership with independent media.^[102]

The authorities use onerous administrative laws to restrict independent journalists. Journalists are not allowed to work without state accreditation, exposing freelancers and online journalists to legal sanction (see Prosecutions and Detentions for Online Activities).^[103] While authorities relaxed enforcement of the rules around the September 2016 parliamentary elections, they have again clamped down on unaccredited journalists after the February-March 2017 protests.

The 2018 amendments to the Media Law will expand what is defined as traditional media to include online media and other related websites, providing the option for sites to register as media companies.^[104] For those choosing not to register, they will not be considered official media and will lose special journalism-related protections.

The government controls all broadcast media and more than 600 news outlets, as well as their websites. Since 2015, the government has been operating the portal "Mass Media in Belarus," or *BelSMI*, which aggregates news and information from the websites of more than 250 local TV, radio stations, and print newspapers. The website only includes state-controlled local media, and experts have criticized *BelSMI* for its one-sided content.^[105] The government also determines online content through significant financial support to progovernment media outlets. In 2018, the government increased its support to state media to about US\$59 million, up from \$50 million in 2017 and \$48 million in 2016.^[106] These funds are used to "collect, prepare and disseminate state orders on official information."^[107]

The government also employs direct and indirect economic pressure to limit financial support for independent online media outlets, making it nearly impossible for these sites to be profitable.^[108] Forced to operate in semi-underground conditions and facing constant pressure, independent online media and opposition sites are unable to monetize their growing audiences and popularity. During the reporting period, foreign donor support for Belarusian civil society organizations, including independent online outlets, declined.^[109] Restrictive amendments to the Law on Public Associations and the Criminal Code that were passed secretly in 2011 included an administrative penalty against non-state organizations if they receive foreign funding that are "in violation of law."^[110] The 2015 amendments to the media law restricted foreign ownership of media outlets, including online sources, to 20 percent.^[111]

In 2017, internet advertising in Belarus grew by 30 percent to US\$27 million. Internet advertising is the fastest growing segment of the total media advertising market.^[112] However, most independent news and information sites are not benefiting sufficiently.

Despite the challenging media environment, Belarus continues to display a diverse and vibrant online presence. The great majority of the 50 most popular news and information websites are either independent or opposition-run.^[113] During the reporting period, Belarusians consumed more news from independent online sources, as their influence grew after their coverage of the spring 2017 protests, which state media largely ignored.

Social networks and blogs are the fourth leading source of news and information for Belarusians due to government restrictions over traditional media.^[114] Social media has also amplified the reach of independent media.^[115] More than 42 percent of Belarusians get news and information from social media and blogs.^[116] For independent-minded commentators, blogs serve as an alternative tool for disseminating uncensored information and fostering discussion on social, political, and economic issues.^[117] The followings of some popular Belarus blogs rival the circulations of many independent newspapers and attract more viewers than some state television news programs. While text blogs in Belarus traditionally have more elite authors, youth and regional activists produce popular video blogs, especially on YouTube.

Digital Activism

The internet has grown as a tool for advancing civic and political activism, particularly during times of unrest like elections and protests.^[118] During the reporting period, online petitions and crowdfunding bought about tangible change.

Citizen petitions^[119] played an important role in major political issues.^[120] On October 3, 2017, the body of a young army conscript, Alexander Korzhich, was found hanging at a training base. Military authorities initially declared the death a suicide, but Korzhich's loved ones reported that he had complained about extreme bullying and suspected murder. Along with investigations by independent outlets, civil society launched a social media and petition campaign titled "Stop tyranny in the Army-protest against hazing."^[121] More than 10,000 people signed the petition in the first 48 hours. The public outcry resulted in a new investigation that led to the opening of 10 criminal cases,^[122] and an apology from President Lukashenka to the family.

In recent years, crowdfunding has become a popular way for Belarusians to support civil society causes including social and political initiatives.^[123] In fact, the largest crowdfunding campaign in Belarus raised over US\$100,000 to support the translation of the collected works of Belarusian Nobel Laureate Sviatlana Alexievich, a critic of Lukashenka and Vladimir Putin, into Belarusian.^[124]

A group of popular bloggers and activists ran the #BNR100 campaign celebrating the 100th anniversary of the proclamation of the Belarusian People's Republic on March 25, 2018. They raised more than US\$18,000 in less than a month, with over 1,000 people donating.^[125] Organizers used the financial support to publish informational materials, raise online awareness, and hold a concert and other activities in downtown Minsk that were attended by tens of thousands of people.

Independent online media outlets also turn to crowdfunding for support. One example is 1863x, a donation-funded opinion and analysis site run by former political prisoner Eduard Palchys.^[126]

Violations of User Rights:

Law enforcement authorities harassed, detained, and prosecuted online journalists, targeting those covering political or other sensitive issues. The Belarusian government continued to expand sophisticated surveillance technology. There is no independent oversight over the state's surveillance practices and no meaningful protections of citizens' data.

Legal Environment

While the rights to freedom of expression and information are guaranteed by the constitution, they are not respected in practice. Since 2008, the government has passed a series of repressive laws to stifle critical voices online.^[127]

In June 2018, the government passed the long-anticipated amendments^[128] to the Law on Mass Media. The amendments will tighten the government's control over the internet when they go into effect on December 1, 2018. Under the changes, all online news and information sources will be considered mass media and will be subject to the country's restrictive Media Law. If online news and information outlets do not register as mass media, their reporters will not be accorded journalists' rights and status. Web outlets blocked by the government could lose their registration, and anyone participating in discussion boards or posting materials and comments online must be identified to at least the website owners. The law also provides for the administrative blocking of social media, without legal decision.^[129] Furthermore, the law allows the government to prosecute users suspected of sharing "false" information. The OSCE Representative on Freedom of the Media worries that the "amendments send a worrying signal about media freedom and pluralism – online and offline – in Belarus."^[130]

In a separate move in June 2018, the Prosecutor General indicated that he was also drafting a law that criminalized spreading "false" information online.^[131]

Prosecutions and Detentions for Online Activities

Amid social, economic, and political unease, the government continued cracking down on online activists and journalists. The Belarusian Association of Journalists (BAJ) reported that 101 journalists, many of whom work for online outlets, were detained in 2017, a number not seen since 2011.^[132] This repression continued into 2018;^[133] in August 2018, after the reporting period, the government arbitrarily detained at least 18 journalists.^[134]

The government routinely targets journalists and bloggers attempting to cover important national issues and events. For example, during the February 2018 local elections, the independent journalist Andrei Koziel was beaten (see Intimidation and Violence), arrested, and convicted for "disobeying the police" after livestreaming inside a polling station.^[135] During the March 25 'Freedom Day,' authorities detained at least a half-dozen journalists attempting to report on and stream the events. Andrei Koziel was again targeted by police, and detained and dispatched to a mental hospital before later being released.^[136]

In December 2017, the *Borisovskie Novosti* newspaper and website were fined under the Law on Mass Media for mentioning an unauthorized demonstration. In a first, the court ruled that an article mentioning an opposition demonstration in Minsk on October 21 had violated the law on mass gatherings, which bans giving the date and time of unauthorized demonstrations.^[137]

During the reporting period, the Belarusian authorities continued targeting freelance journalists, including those reporting online, with administrative fines for reporting without the required government accreditation under Article 22.9 of the Administrative Code.^[138] While the government had scaled back this practice in 2016 amid local and international criticism, it increased in 2017 with 69 cases that included fines totalling US\$29,600.^[139] By the end of May 2018, there were 46 additional cases.^[140] Some reporters have been charged multiple times; Volha Chaychyts, a freelancer for the satellite and online TV station *Belsat* in Poland, was fined at least six times in 2017 and five more times from January to May 2018.^[141] Her husband and cameraman Andrei Koziel was fined at least three times in 2017 and four times from January to May 2018. In February 2018, they were both fined for a story about their own trial regarding a previous fine.^[142]

BAJ has condemned the government's persecution of freelancers. It has pointed out that the legal provision under which the freelancers are being charged applies only to media organizations, not to individual journalists, and that the prosecution of freelancers violates Belarus' constitutional and international obligations.^[143] The OSCE and other international organizations defending freedom of expression have denounced the practice as well.^[144]

The authorities began prosecuting social media users and bloggers in recent years,^[145] using a range of laws including the restrictive media and assembly laws.^[146] In March 2018, vloggers Sergei Pyatruckhin and Alexander Kabanau were prosecuted for filming protests against the construction of a Brest-based factory.^[147] The court ruled that their sharing of videos on Facebook and YouTube constituted an "illegal production and (or) distribution of media products."^[148] In another case, Vlogger Maksim Filipovich filmed the spring 2017 protests and posted the videos on his *No Guarantees* YouTube page, which has accumulated

more than eight million views. In July 2017, Filipovich was charged with "replacing the state media with his own video production," but the charges were later dropped.^[149] In February 2018, vlogger Stsyapan Svyatlou^[150] (pseudonym NEXTA) had his home searched and laptop and video camera seized. Svyatlou is being investigated under Article 386 of the Criminal Code for insulting President Lukashenka in a video.^[151]

In 2017, the government accused 15 individuals of online extremism under Article 130 of the Criminal Code for inciting ethnic, religious, and racial hatred. This was a significant increase over the four individuals accused in 2016.^[152] In a high-profile case, in February 2018, a Minsk court convicted Yury Paulavets, Dzmitry Alimkin, and Siarhei Shyptenka for contributing to the Russian news site *Regnum* and other nationalist Russian websites. They were charged under Article 130 of the Criminal Code for inciting ethnic hatred because the websites were judged to be extremist. They were sentenced to five years in prison, but were released after the court suspended three of the years.^[153] Public and expert opinion in Belarus were divided on this unusual case. Despite *Regnum's* extreme nationalist character and Russia's growing information war against Belarus, some argued that the case was another example of the state's continual assault on freedom of expression.^[154]

Surveillance, Privacy, and Anonymity

During the reporting period, there were changes to the government's surveillance activities. More government agencies will now have access to data retrieved from a new centralized video monitoring system, and draft legislation on data protection was released in May 2018.^[155] Additionally, the 2018 amendments to the Media Law will restrict anonymity online once they go into effect (see Legal Environment).

Belarus employs systematic, sophisticated surveillance to monitor its citizens and control critical expression online. Legislation allows the government to undertake wide-ranging surveillance at its discretion, and it does not require independent judicial authorization or oversight. A 2016 Amnesty International report noted that "fear of surveillance is pervasive amongst civil society activists in Belarus." Activists reportedly fear that their offices are bugged, their phone calls listened to, their locations tracked, and their online communications at risk of being hacked.^[156]

In 2016, the government's Investigative Committee publicized its use of a Japanese system, Cellebrite's UFED Touch, to gain access to data on smartphones.^[157] Through a system known as "Passport," the Interior Ministry can monitor and track all citizens that enter into a contract with a telecommunications company.^[158] Mobile subscribers and SIM card purchasers must be video photographed.

In May 2017, after confronting the spring 2017 protests,^[159] President Lukashenka signed Decree No. 187 "On the Republican Public Security Monitoring System," creating a centralized video monitoring system that continuously collects real-time data.^[160] In November 2017, the Council of Ministers decided that data collected from this system will be available to the KGB, Ministry of Internal Affairs, Ministry for Emergency Situations, Financial Investigation Department of the KGC, Presidential Security Service, and the President's Operational Analytical Center.^[161] The State Border Committee and State Customs Committee could also be provided this data. The government has targeted up to \$100 million for the system.

Since at least 2010, the authorities have employed mobile telephone surveillance measures.^[162] All telecommunications operators are required to install surveillance equipment, making it possible for the government to monitor all types of transmitted information in real-time and obtain other types of related data, including user history, without judicial oversight. As of 2016, all ISPs must retain information about their customers' browsing history for one year. Mobile phone companies are required to preserve data regarding their customers' devices and internet activities for at least five years, so that the authorities can access it remotely, and turn over the personal data of their customers at the government's request. As a result, law enforcement agencies have access to the private browsing history of all web users in Belarus.^[163]

Since 2010, the authorities have been utilizing the Russian-developed intercept technology System of Operative Investigative Measures (SORM).^[164] SORM provides state authorities with direct, automated access to communications and associated data from communications providers, including landline telephones, mobile networks, and ISPs.^[165] Since 2011, deep packet inspection (DPI) technology has been available for network packet inspection and filtering according to content.^[166] The Belarusian government uses Semantic Archive, software developed in Russia that monitors open data such as media archives, online sources, blogs, and social networks.^[167] It also employs viruses, malware, and spy software for cyber surveillance.^[168]

Chinese and Western firms reportedly have supplied equipment and software that allow the state to expand its surveillance of citizens.^[169] In 2015, the government engaged a Chinese firm to provide hardware and software for monitoring and blocking content online. According to one expert, the equipment can carry out a deeper analysis of internet traffic to determine which websites are undesirable for visitors, and track user actions, sites visited, materials read, and programs connected.^[170]

In Belarus, there is no judicial or independent oversight of internet or ICT surveillance. Among experts, there is widespread belief that the government routinely monitors internet traffic, text messages, and voice calls of political and civic activists. One study called the Lukashenka government "a pioneer and leader in counter-revolutionary, including ICT-based, tactics among all the post-Soviet states."^[171]

Given the government's increasing control over the internet, Belarusians are using proxy servers and other methods to circumvent restrictions and surveillance. At the end of the reporting period, there were about 4,000 Tor users connecting directly and over 2,000 Tor users connecting via bridges,^[172] figures higher than in the previous year.

Belarus' legislation on data protection is not in line with international standards. The country does not have a separate law on personal data and has not joined the Council of Europe's Convention 108 on the Protection of Individuals with regard to Automatic Processing of Personal Data and the EU's General Data Protection Regulation.^[173] In May 2018, a draft legislation on a new law on personal data was published for discussion.^[174] The country's main acts regulating personal data protection^[175] are from 2006 and 2008, and both the state and civil society agree that new legislation is needed.^[176]

Since 2007, internet cafes are required to keep a year-long history of the domain names accessed by users and inform law enforcement bodies of suspected legal violations.^[177] Internet cafes also must photograph or film users.^[178] Restaurants, hotels, and other entities are obliged to register guests before providing them with wireless access, whether free or paid.^[179]

Intimidation and Violence

The government employed less intimidation and violence during the reporting period in part, perhaps, because there were fewer unsanctioned protests.

The Belarus government increases its repression of independent media around elections, which proved true during the February 2018 local elections. According to observers, independent journalist Andrei Koziel suffered head injuries after police beat him and banged his head against the station's doors.^[180] The journalist Artsiom Liava, who writes for the *Novy Chas* newspaper and website, was also expelled from a polling station in Minsk.^[181]

A February 2018 report from the non-governmental organization Article 19 found that 'hate speech' and violence, discrimination, and hostility against LGBT people in Belarus are widespread online.^[182]

In August 2018, after the reporting period, police raided multiple independent news outlets.^[183] At least 18 journalists were arbitrarily detained, including reporters from TUT.by and *BelaPAN*. The government claimed that the journalists illegally accessed online information.^[184]

Technical Attacks

Technical attacks are not pervasive in Belarus, although there were several reported unusual activities affecting independent websites and outlets during the coverage period. The government apparently employs technical attacks against independent media, often around important political events, such as elections, opposition holidays, or street protests. While Belarusian criminal law prohibits these types of technical attacks, law enforcement agencies rarely pursue such cases; when they do, the investigation is a mere formality.

In January 2018, Praca-by.info, the website of the Belarusian Independent Trade Union of Radio Electronic Industry Workers (REP), was hacked. REP has been active on the 'Parasite Tax' and associated protests.^[185] In November 2017, 6tv.by, an independent news website in Mogilev run by pro-democratic journalists, was taken down by a cyberattack.^[186] The Belarus Security Blog's website Bsblog.info was taken down after its content was manipulated by unknown assailants in December 2017. The independent blog focuses on military and security issues, including sensitive relations with Russia and Ukraine.^[187]

During the March 25 'Freedom Day' demonstrations, a dozen drones near the Opera Theatre, some of which belonged to independent media outlets, went missing, were hijacked, or experienced technical malfunctions. According to a *Belsat* representative, the police were informed beforehand about several of the drones and they recorded their serial numbers.^[188] However, after one drone took off, the *Belsat* operator immediately lost control over it. Representatives from *TUT.by* and *RFE/RL* also reported difficulties with their drones.^[189] The cause of the incident and who perpetrated it remain unknown.

Notes:

¹ "Belarus media law could get even more repressive," Reporters Without Borders, April 19, 2018, <https://rsf.org/en/news/belarus-media-law-could-get-even-more-repressive>.

² "Report of the Special Rapporteur on the situation of human rights in Belarus," UN General Assembly, Human Rights Council, 38th Session, A/HRC/38/51, May 15, 2018, <http://undocs.org/A/HRC/38/51>, p. 6.

³ Telecommunication Union, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>; "Statistical Yearbook of the Republic of Belarus, 2017," National Statistical Committee, Minsk November 2, 2017, http://www.belstat.gov.by/en/ofitsialnaya-statistika/publications/statistical-publications-data-books-bulletins/public_compilation/index_8145, p. 343.

⁴ See Country ICT Data, Individuals using the Internet, Belarus, 2005-2017, Excel spreadsheet, <https://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

⁵ Mikhail Doroshevich and Marina Sokolova, "Digital Transformation: To What Extent is the Country Ready to Embrace it?", *Belarusian Yearbook 2017, Nashe Mnenie*, Vilnius, 2017, <http://nmnby.eu/yearbook/2017/en/page16.html>.

⁶ "Belarus in Numbers: A Statistical Reference Book" [in Russian], National Statistical Committee, Minsk, March 2017, http://www.belstat.gov.by/ofitsialnaya-statistika/publications/izdania/public_compilation/index_7187, p. 55. "Statistical Yearbook of the Republic of Belarus, 2017," National Statistical Committee, Minsk, November 2017,

http://www.belstat.gov.by/en/ofitsialnaya-statistika/publications/statistical-publications-data-books-bulletins/public_compilation/index_8145, p. 343. This may be less of an issue because Belarus is a highly urbanized country, with about 78 percent of its population living in cities.

⁷ "Five Years of Belarusian Internet Audience," *e-belarus*, February 5, 2015, <http://www.e-belarus.org/news/201502051.html>. 2015 SAITO poll cited by Mikhail Doroshevich and Marina Sokolova, "WWW: The Limits of Developing Extensive Infrastructure," *Belarusian Yearbook 2016, Nashe Mnenie*, <http://nmnby.eu/yearbook/2016/en/page16.html>. For a detailed snapshot on gender inequality, see "Gender Inequality in Belarusian Internet Audience," e-baltic.ORG/Baltic Internet Policy Initiative, March 8, 2018, <https://www.facebook.com/e.baltic.org/photos/a.1167140543384730.1073741828.1160567284042056/1512692412162873/?type=3&theater>.

⁸ Mikhail Doroshevich and Marina Sokolova, "Digital Transformation: To What Extent is the Country Ready to Embrace it?", *Belarusian Yearbook 2017, Nashe Mnenie*, Vilnius, 2017, <http://nmnby.eu/yearbook/2017/en/page16.html>.

⁹ Belarus country profile, "Measuring the Information Society Report 2017," Volume 2, ITU, Geneva, 2017, https://www.itu.int/en/ITU-D/Statistics/Documents/publications/misr2017/MISR2017_Volume2.pdf, p. 21.

¹⁰ Minister of Communications and Informatization Sergei Popkov quoted in "10 million subscribers use broadband Internet access in Belarus" [in Russian], *Digital Report*, February 14, 2018, <https://digital.report/v-belarusi-shirokopolosnyim-dostupom-v-internet-polzuetsya-10-millionov-abonentov>.

¹¹ See Annex 2 and 3, "The State of Broadband: Broadband catalyzing sustainable development," ITU and UNESCO, September 2017, https://www.itu.int/dms_pub/itu-s/opb/pol/S-POL-BROADBAND.18-2017-PDF-E.pdf, pp. 88, 90.

¹² "The Republic of Belarus is ranked 29-th out of 148 countries according to the ranking of percentage of households connected to the Internet," Ministry of Communications and Informatization, October 4, 2017, <http://www.mpt.gov.by/en/news/04-10-2017-2338>.

¹³ Speedtest, <https://www.speedtest.net/global-index/belarus>, accessed February 12, 2018.

¹⁴ Maciej Biegajewski, "Mobile internet connection speed in Europe – RFBenchmark report (Q4 2017), RFBenchmark, January 31, 2018, <http://www.rfbenchmark.eu/mobile-internet-connection-speed-in-europe-q4-2017>.

¹⁵ "Statistical Yearbook of the Republic of Belarus, 2017," National Statistical Committee, Minsk, 2017, http://www.belstat.gov.by/en/ofitsialnaya-statistika/publications/statistical-publications-data-books-bulletins/public_compilation/index_8145, p. 339.

¹⁶ Figures from the Google Connected Consumer 2016 for Belarus, from a September 20, 2016 TUT.by article reprinted in English by BelarusFeed, <http://belarusfeed.com/always-online-google-reveals-how-belarusians-behave-in-internet>.

¹⁷ "Development of 4G in Belarus: dozens of cities, hundreds of thousands of users and billions of megabytes of traffic" [in Russian], MTS, August 2, 2017, <http://company.mts.by/presscenter/press/97056>.

¹⁸ "Statistical Yearbook of the Republic of Belarus, 2017," National Statistical Committee, Minsk, 2017, http://www.belstat.gov.by/en/ofitsialnaya-statistika/publications/statistical-publications-data-books-bulletins/public_compilation/index_8145, p. 339.

¹⁹ "Telecommunication," Ministry of Communication and Informatization, <http://www.mpt.gov.by/en/telecommunication>, accessed April 12, 2017.

²⁰ "The Ministry of Communications summarized the results of the year, set priorities for 2018" [in Russian], Ministry of Communications and Informatization, January 25, 2018, <http://mpt.gov.by/ru/news/25-01-2018-2686>.

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²² "4G technology available in over 140 towns and rural localities in Belarus," BelTA, June 12, 2018, <http://eng.belta.by/society/view/4g-technology-available-in-over-140-towns-and-rural-localities-in-belarus-112529-2018>.

²³ "The State of Broadband: broadband catalyzing sustainable development," ITU and UNESCO, September 2017, https://www.itu.int/dms_pub/itu-s/opb/pol/S-POL-BROADBAND.18-2017-PDF-E.pdf, p. 90.

²⁴ "Results and Prospects of Development of the Internet Market in Belarus" [in Russian], Rating the BYNet, February 24, 2018, <https://ratingbynet.by/itogi-i-perspektivy-razvitiya-internet-rynka-belarusi-dolya-kontekstnoy-reklamy-znachitelno-vyrastet>.

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²⁶ "The Ministry of Communications summarized the results of the year, set priorities for 2018" [in Russian], Ministry of Communications and Informatization, January 25, 2018, <http://mpt.gov.by/ru/news/25-01-2018-2686>.

²⁷ "Velcom launches first Internet of Things network in Belarus," *Stolichnoe Televidenie*, December 7, 2017, <http://en.ctv.by/en/1512654634-velcom-launches-first-internet-of-things-network-in-belarus>.

²⁸ See "Belarus In Top 10 Countries With Cheapest Internet Access," *BelarusFeed*, <http://belarusfeed.com/belarus-internet-access> and "Price Rankings by Country of Internet (60 Mbps or More, Unlimited Data, Cable/ADSL) (Utilities (Monthly)), Numbeo, https://www.numbeo.com/cost-of-living/prices_by_country.jsp?displayCurrency=USD&itemId=33, accessed July 22, 2018.

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³⁰ Vladimir Volkov, "Google in Belarus Supports State Telecom Monopoly Against Fair Competition-and Its Own Principles," *Digital Report*, March 1, 2016, <https://digital.report/google-in-belarus-supports-state-telecom-monopoly>.

³¹ Ibid.

³² "Measuring the Information Society Report 2017," Volume 2, ITU, Geneva, 2017, https://www.itu.int/en/ITU-D/Statistics/Documents/publications/misr2017/MISR2017_Volume2.pdf, p. 21.

³³ See Tatiana Cojocari et al., "Ukraine, Moldova and Belarus facing Russian Information War. What has been done; what to do next," *Larics.ro*, February 15, 2017, <http://larics.ro/en/ukraine-moldova-belarus-facing-russian-information-war-done-next>.

³⁴ "'Long Tail' in the Belarusian Internet" [in Russian], *Information Policy Biz*, December 8, 2016, <http://www.infopolicy.biz/?p=9078>; Mikhail Doroshevich and Marina Sokolova, "'Digital Transformation': To What Extent is the Country Ready to Embrace it?", *Belarusian Yearbook 2017, Nashe Mnenie*, Vilnius, 2017, <http://nmnby.eu/yearbook/2017/en/index.html>, p. 140.

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⁴⁰ "What caused the problem with mobile phones in the center of Minsk on March 25" [in Belarusian], *Radio Liberty*, March 25, 2018, <https://www.svaboda.org/a/29122632.html>.

⁴¹ See <http://cctld.by/en/statistics>, accessed September 2018.

⁴² See <http://cctld.by/statistics/stats-bel>, accessed September 2018.

⁴³ See the infographic ICT Development in Belarus, *BelTA*, <http://eng.belta.by/infographica/view/ict-development-in-belarus-1908>.

⁴⁴ "Belarus is Emerging as the Silicon Valley of Eastern Europe," *Wall Street Journal*, December 6, 2016, <https://www.wsj.com/articles/belarus-is-emerging-as-the-silicon-valley-of-eastern-europe-1481032802>; Ivan Nechepurenko, "How Europe's Last Dictatorship Became a Tech Hub," *New York Times*, October 5, 2017, <https://www.nytimes.com/2017/10/05/world/europe/belarus-minsk-technology.html>; and "Vitali Valianuk: Belarus may become a Silicon Valley in Eastern Europe and the CIS region," *Euronews*, April 11, 2018, <http://www.euronews.com/2018/04/11/vitali-valianuk-belarus-may-become-a-silicon-valley-in-eastern-europe-and-the-cis-region>.

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⁴⁸ For the text of the Decree [in Russian], see the Official Internet Portal of the President of the Republic of Belarus, http://president.gov.by/ru/official_documents_ru/view/dekret-8-ot-21-dekabrya-2017-g-17716. Also see Peter Roudik, "Belarus:

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⁵⁹ "VPN and Tor banned in Belarus," VPN Pick, April 4, 2017, <https://vpnpick.com/vpn-and-tor-banned-in-belarus>.

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