

Belarus

	2016	2017		
Internet Freedom Status	Not Free	Not Free	Population:	9.5 million
Obstacles to Access (0-25)	13	14	Internet Penetration 2016 (ITU):	71.1 percent
Limits on Content (0-35)	21	20	Social Media/ICT Apps Blocked:	No
Violations of User Rights (0-40)	28	30	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	62	64	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2017 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2016 – May 2017

- Amid major antigovernment protests, authorities temporarily blocked mobile internet at protest hotspots in an attempt to prevent digital journalists from reporting at the scene (see **"Restrictions on Connectivity"**).
- Activists and journalists live streaming protests were targeted by law enforcement, and some were violently detained (see **"Prosecutions and Detentions for Online Activity"**).
- Anonymizing service Tor was blocked, hampering Belarusian users' efforts to access censored content and browse anonymously (see **"Blocking and Filtering"**).

Introduction

Internet freedom deteriorated in Belarus in the past year as the government clamped down on activists and journalists amid major antigovernment protests, temporarily restricting mobile internet and arresting activists live streaming the events.

The country's economic woes fuelled widespread social unrest in 2017. The largest antigovernment protests in recent years were held across the country throughout February and March after the government announced the introduction of a so-called "parasite tax" on the unemployed. The authorities responded with a heavy-handed crackdown against protesters, arresting hundreds of people. Recognizing that social media and communication platforms were crucial to sparking and sustaining the protest movement, the government temporarily blocked mobile internet in protest hotspots, and attempted to quash live streaming and digital reporting about the demonstrations. Digital journalists reporting from the protests were targeted by law enforcement, and violently detained in many cases.

The government temporarily blocked some independent digital media outlets during politically sensitive times within the coverage period, including in the lead-up to the September 2016 parliamentary elections and around the antigovernment protests of spring 2017. In an apparent attempt to prevent users from bypassing government censorship, the authorities introduced a new law blocking anonymizing service Tor.

Despite government censorship, the internet has increased in importance as a source of independent information, with greater numbers of Belarusians going online to find reliable news as state-sponsored mass media declines in popularity. More Belarusians are able to access the internet, with gradual improvements in coverage and speed as well as further development of internet infrastructure. The government has also relaxed some laws relating to public Wi-Fi access, meaning public venues are no longer required to obtain a license before offering Wi-Fi

Obstacles to Access

Despite several years of economic stagnation and a significant downturn in the past couple of years, the Belarusian government continued to invest in the country's internet and ICT infrastructure. Internet penetration grew significantly within the last year, and access remains fairly affordable for most of the population.

Availability and Ease of Access

The availability and accessibility of the internet in Belarus continued to grow. Since 2011, the country's internet penetration rate has increased by 55 percent.¹ More than 5 million Belarusians—70 percent of the population aged 15 to 74—were regularly online by January 2017.² By 2016, 91 percent of Belarusian internet users were going online daily; the figure was even higher – 98 pe -

1 International Telecommunication Union, "Percentage of Individuals Using the Internet," 2000-2015, <http://bit.ly/1FDwW9w>

2 Mikhail Doroshevich and Marina Sokolova, "WWW: The Limits of Developing Extensive Infrastructure," *Belarusian Yearbook 2016*, Agency for Social and Political Expert Appraisal, *Nashe Mnenie*, <http://nmnby.eu/yearbook/2016/en/page16.html> and "Graph of the Month: The people vs unique users in Belarus" (in Russian), Information Policy Biz, February 28, 2017, <http://www.infopolicy.biz/?p=9306#more-9306>

cent – for users under 35.³ For the last five years, Belarus has been one of leaders in online audience growth in Eastern Europe.⁴ However, it continues to trail Russia and its Western neighbors.⁵

Key Access Indicators		
Internet penetration (ITU) ^a	2016	71.1%
	2015	62.2%
	2011	39.6%
Mobile penetration (ITU) ^b	2016	124%
	2015	124%
	2011	113%
Average connection speeds (Akamai) ^c	2017(Q1)	9.8 Mbps
	2016(Q1)	7.6 Mbps

^a International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2016," <http://bit.ly/1cblxxY>.

^b International Telecommunication Union, "Mobile-Cellular Telephone Subscriptions, 2000-2016," <http://bit.ly/1cblxxY>.

^c Akamai, "State of the Internet - Connectivity Report, Q1 2017," <https://goo.gl/TQH7L7>.

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. Seventy-two percent of the urban population has access to the internet, compared to 52 percent in rural areas.⁶ As of the end of 2014, the share of internet users concentrated in the capital of Minsk had decreased to 29 percent, and the number of users in towns and rural areas had grown to 39 percent.⁷ Since 2010, the proportion of female internet users has risen from 48.7 percent to 52.1 percent.⁸ 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.⁹

In 2016, the average speed experienced by a Belarusian broadband subscribers increased by 54 percent, from 5.7 to 8.8 Mbps.¹⁰ However, average speeds can be much slower when accessing servers outside the country during peak hours.¹¹

The number of subscribers to Belarus' fixed telephone line network, through which the majority

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

4 Only Ukraine and Moldova have a higher rate. "Overview of the audience of banking websites and websites about finance in Belarus" [in Russian], gemiusAudience, March 2, 2016, https://www.slideshare.net/gemius_belarus/ss-58965549, slide 6.

5 "Internet penetration in the Baltic Sea region countries" [in Russian], Information Policy Biz, March 11, 2017, <http://www.infopolicy.biz/?p=9339>

6 "Belarus in Numbers: A Statistical Reference Book" (in Russian), National Statistical Committee, Minsk, 2017, http://www.belstat.gov.by/ofitsialnaya-statistika/publications/izdania/public_compilation/index_718_, p. 55.

7 "Five Years of Belarusian Internet Audience," *e-Belarus*, February 5, 2015, <http://www.e-belarus.org/news/201502051.html>

8 "Five Years of Belarusian Internet Audience," *e-belarus*, February 5, 2015, <http://www.e-belarus.org/news/201502051.html>. 2015 SAITO poll cited by Doroshevich and Sokolova, "WWW: The Limits of Developing Extensive Infrastructure," Belarusian Yearbook 2016, Agency for Social and Political Expert Appraisal, *Nashe Mnenie*, <http://nmbny.eu/yearbook/2016/en/page16.html>. For a detailed gender breakdown, see Mikhail Doroshevich, "Gender Inequality in the Belarusian Internet," *Gemius*, September 29, 2015, http://www.slideshare.net/MikhailDoroshevich/gender-inequality-in-belarusian-internet-audience?next_slideshow=1

9 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://nmbny.eu/yearbook/2017/en/index.html>, p. 138

10 Beltelecom, cited by Providers.by, February 15, 2017, <http://providers.by/page/4>.

11 Vladimir Volkov, "Belarus: At peak hours, Internet access speed drops up to 10 times" [in Russian], Digital Report, February 15, 2017, <https://digital.report/belarus-v-chasyi-pik-skorost-internet-dostupa-padaet-v-10-raz>.

of Belarusian access the internet, remained steady at about 4.4 million.¹² The number of mobile telephone subscribers also has remained approximately the same, at 11.4 million, since 2014.¹³ The current mobile penetration level in Belarus suggests a saturation of the market. Smartphones are becoming cheaper and their share in the mobile market is rising in Belarus. Google's 2016 Connected Consumer Survey found that 59 percent of Belarusians are using smartphones; for those under 35, the figure is 89 percent.¹⁴ Belarusian smartphone users are making fewer calls and going online more often.¹⁵

Cellular communications services cover 99.9 percent of the population and 98.4 percent of the territory of the country.¹⁶ Commercial 4G LTE service was launched in December 2015. The service is available in Minsk, the country's five regional capitals, and least 30 district centers and large cities. 3G service covers 92 percent of the territory with 98.7 percent of the population.¹⁷

Mobile internet is now available virtually anywhere in the country. By the first quarter of 2017, the number of Belarusians using mobile internet had reached 6.4 million, roughly two thirds of the population; the figure has increased seven-fold over the last seven years.¹⁸ A government poll in late 2015 found that 59 percent of internet users access the web from mobile devices, and more than 77 percent of Belarusian youth aged 16 to 29 use mobile internet.¹⁹ However, bucking a global trend, most Belarusians still access the internet from desktops. Mobile phones and tablets account for only 22 percent of internet usage in Belarus.²⁰

In 2016, state-owned Beltelecom added about 160,000 Wi-Fi hotspots and now operates more than 530,000 throughout the country.²¹ GPON fiber-optic technology continues to replace ADSL lines. The number of subscribers connected via GPON more than doubled in 2016; topping one million by year's end.²²

Internet access continued to be relatively affordable in Belarus, with prices decreasing from 2014 to 2015 as a percentage of Belarusians' household budgets. However, Belarus did not rank particularly well in the CIS in regard to costs, and internet access remained relatively expensive compared to

12 We Are Social, Hootsuite, "Digital in 2017: Eastern Europe," <https://www.slideshare.net/wearesocialsg/digital-in-2017-eastern-europe>, slide 21.

13 "Belarus in Numbers: A Statistical Reference Book" [in Russian], National Statistical Committee, Minsk, 2017, http://www.belstat.gov.by/ofitsialnaya-statistika/publications/izdania/public_compilation/index_718_, p. 54.

14 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>.

15 "Most Belarusian 3G subscribers use the internet everyday" (in Russian), DigitalReport, November 25, 2016, <https://digital.report/beloruskie-3g-abonenty-polzuyutsya-internetom-kazhdyiy-den>.

16 "More than 11 million cellular subscribers are counted in Belarus," [in Russian], 42.tut.by, January 24, 2014, <https://42.tut.by/383801>

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

18 "The external internet gateway of Belarus has expanded 16 times in the last five years" (in Russian), 42.TUT. Y, April 11, 2017, <https://42.tut.by/539022>.

19 "More than 87% of Belarusian users turn to the internet almost daily" [in Russian], *BelTA*, January 11, 2016, <http://www.belta.by/tech/view/bole-87-beloruskih-juzerov-obraschajutsja-k-internetu-prakticheski-ezhednevno-176980-2016>

20 StatCounter Global Stats, <http://gs.statcounter.com/platform-market-share/desktop-mobile-tablet/belarus/#monthly-201606-201703>.

21 From Beltelecom's Press Service, cited in "Penetration of fixed broadband internet access in Belarus reached 25%," Interfax by, February 15, 2017, <https://www.interfax.by/news/belarus/1220196>

22 "ICT development development," Ministry of Communications and Informatization, February 10, 2017, <http://www.mpt.gov.by/en/news/10-02-2017-1638>

European countries.²³ Nevertheless, prices do not generally constitute a barrier to ICT uptake in Belarus.²⁴ With inflation and devaluation, prices for internet access have risen only slightly in 2017. Beltecom is known to periodically flood the market with under-priced packages to reduce competition from private operators.²⁵ Google and other digital companies which generate significant online traffic also have preferential agreements with Beltelecom, allowing it to engage in predatory pricing²⁶

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.²⁷ 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; as of 2016, traffic to Russian sources and Western sources was almost equal.²⁸

By April 2015, almost 75 percent of Belarusian internet users were active on social media.²⁹ As of March 2017, Belarus' most popular social media site was VKontakte, followed by Odnoklassniki, Facebook, and Twitter.³⁰ YouTube is the third most popular website among young people in Belarus.³¹ Instagram had over 650,000 users a month by the end of 2016.³²

Restrictions on Connectivity

The Belarusian government did not impose any permanent restrictions on ICT connectivity or access to particular social media or communication apps. The authorities possess this capability, since the backbone connection to the international internet is owned and controlled by the government.

However, the government did shut down mobile internet in downtown Minsk and at least one regional capital during antigovernment protests held on "Freedom Day" on March 25, 2017. The out-

23 See Chapter Four, "Monitoring the price and affordability of ICTs" in the *Measuring the Information Society Report 2015*, ITU, Geneva, 2016, <http://www.itu.int/en/ITU-D/Statistics/Documents/publications/misr2015/MISR2015-w5.pdf>, pp. 93-144; and Chapter Four, "ICT Prices, in *Measuring the Information Society Report 2016*, ITU, Geneva, 2016, <http://www.itu.int/en/ITU-D/Statistics/Documents/publications/misr2016/MISR2016-w4.pdf>, pp. 97-152. For a comparison of ICT costs in the CIS, see "ITU Report 2016: The cheapest fixed internet is in the CIS" [in Russian], Digital Report, November 30, 2016, <https://digital.report/otchet-mse-2016-v-sng-samyiy-nedorogoy-fiksirovannyiy-interne>.

24 Belarus ranked 41st in the Mobile-cellular sub-basket, 47th in the Fixed-broadband sub-basket, and 26th in Mobile-broadband prices. See *Measuring the Information Society Report 2016*, <http://www.itu.int/en/ITU-D/Statistics/Documents/publications/misr2016/MISR2016-w4.pdf>, pp. 97-152.

25 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>

26 Ibid.

27 See: <http://larics.ro/en/ukraine-moldova-belarus-facing-russian-information-war-done-next>.

28 "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.

29 Mikhail Doroshevich, "Users of Social Media in Belarus and their Behavior," *Gemius*, July 1, 2015, <http://www.slideshare.net/MikhailDoroshevich/doroshevich-01072015?related=1>, p. 8.

30 StatCounter, <http://gs.statcounter.com/social-media-stats/all/belarus>, Accessed April 9, 2017.

31 "Generation C YouTube Generation," *Gemius Global*, February 27, 2017, <https://www.gemius.com/all-reader-news/generation-c-youtube-generation.html>.

32 Gemius, Audience Research, Belarus, <https://audience.gemius.com/en/research-results/belarus>.

age was widely regarded as an attempt to prevent journalists and protesters from reporting and live streaming from the demonstration.³³

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 Center provides access to the points of sharing national traffic (peering)³⁴ 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 122,000 registered domain names by November 2017. Since 2014, it has been one of the fastest growing country domain zones in Europe.³⁵ All legal 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 November 2017, the .БЕЛ domain contained almost 14,500 registered names.³⁶

ICT Market

The ICT sector in Belarus continued to develop.³⁷ In 2016, the country was called the "Silicon Valley of Eastern Europe."³⁸ In the ITU's *Measuring the Information Society 2016* report, Belarus ranked 31st of 175 countries, up two places from the year before.³⁹ Belarus continued to lead the CIS and was the only CIS country to improve its global ranking in 2016.⁴⁰ President Lukashenka signed a decree approving the state program of innovative development for 2016-2020, which includes the objective of actively developing the ICT industry in Belarus.⁴¹

The Ministry of Communications has issued more than 230 licenses for ISPs in Belarus; 66 were active in early 2017.⁴² There is competition between internet providers, but more than half the market

33 "Freedom Day in Minsk: Riot police with weapons and water cannons, hundreds detained" [in Belarusian], Radio Liberty, March 25, 2017, <http://www.svaboda.org/a/28390548.html> and "Several hundreds of people attended Freedom Day demonstration in Brest" [in Belarusian], Radio Liberty, March 25, 2017, <http://www.svaboda.org/a/28390478.html>

34 "National Center for Traffic Exchange replaced Beltelecom in providing peering services," [in Russian] *TechOnliner*, April 3, 2012, <http://bit.ly/1GKgTIA>

35 See <http://cctld.by/en/statistics>, accessed April 13, 2017.

36 See Official Site of the Domain Zones Y and .БЕЛ, <http://cctld.by/statistics/stats-bel>, accessed November 2017.

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

38 "Belarus is Emerging as the Silicon Valley of Eastern Europe," *The Wall Street Journal*, December 6, 2016, <https://www.wsj.com/articles/belarus-is-emerging-as-the-silicon-valley-of-eastern-europe-1481032802>; "Without HTP, the level of Belarus' export of IT services would be three times less" [in Russian], Thinktanks.by, February 24, 2017, <https://thinktanks.by/publication/2017/02/24/bez-pvt-uroven-belorusskogo-exporta-it-uslug-by-l-by-v-tri-raza-menshe.html>; "Belarus Named Among Top Outsourcing Destinations of 2016," BelarusFeed, September 23, 2016, <http://belarusfeed.com/belarus-named-among-one-of-the-top-outsourcing-destinations-of-2016>

39 *Measuring the Information Society Report 2016*, ITU, Geneva, 2016, <http://www.itu.int/en/ITU-D/Statistics/Documents/publications/misr2016/MISR2016-w4.pdf>, p. 12.

40 Ibid, p. 61.

41 State program of innovative development for 2016-2020, [in Russian], http://www.pravo.by/upload/docs/op/P31700031_1486414800.pdf; For a critical analysis, see 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. 141-143.

42 See "All providers," *Providers.by*, accessed April 13, 2017, <http://providers.by/by-providers>

is controlled by the state-owned Beltelecom.⁴³ The largest selection and best quality of internet access is available in Minsk, where some 37 companies offer access; smaller cities have fewer options⁴⁴

Belarus has three mobile service providers. The largest is MTS, which is a joint venture of the state-run Beltelecom (51%) and the Russian MobileTeleSystems (49%); it has 5.3 million subscribers. Velcom, which is a member of the Telekom Austria Group, has 4.9 million. Life:) is owned by Turkcell (80%) and the State Property Committee of Belarus (20%); it has 1.6 million subscribers. Mobile providers have started offering services in the fixed internet market. This trend could mean less competition and more state control, given the government's stakes in MTS and Life:).⁴⁵

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), which was initially a subdivision of the State Security Committee (KGB), has the authority to oversee ISPs, 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

Limits on Content

In the past year, the government has restricted access to some political content online, particularly around politically significant events, such as elections and protests. Belarus' legal regime gives the state powers to limit online content which falls within broad categories such as threatening national interests or promoting extremism. As the internet in Belarus is dominated by Russian outlets, Russian progovernment propaganda and trolls continue to distort the online media landscape. Meanwhile, independent Belarusian outlets struggle for resources, an issue exacerbated by Belarus' economic crisis.

Blocking and Filtering

The Belarusian government blocked more websites in 2016-2017 compared to the previous year. The majority of these cases did not involve political or social issues, as the Belarusian government sought to improve relations with the European Union. Some opposition anarchist websites were blocked, as well as sources of independent news relating to the 2016 parliamentary elections and spring 2017 economic protests. Following an earlier legal directive, the government also began blocking Tor.

According to the Ministry of Information, the government blocked access to 47 websites in 2016,

43 Anne Austin, Jonathan Barnard, and Nicola Hutcheon, "New Media Forecasts 2015, *ZenithOptimedia*, October 2015, http://www.zenithoptimedia.com/wp-content/uploads/2015/11/NewMediaForecasts2015_Report.pdf, p. 14.

44 See "By city," *Providers.by*, http://providers.by/by-providers/?by_cities

45 In 2016, the mobile provider Velcom bought Atlant Telecom, Belarus' largest private ISP. Vladimir Volkov, "Belarus is preparing for a large redistribution of the fixed internet market," Digital report, November 29, 2016, <https://digital.report/v-belarusi-gotovitsya-masshtabnyiy-peredel-ryinka-fiksirovannogo-internet-dostup>

compared to 40 websites blocked in 2015.⁴⁶ Access to one website blocked in 2016 has been restored. Authorities justify blocking on the grounds that a website is distributing extremist materials, selling drugs, engaging in illegal advertising, or promoting pornography. Websites of anarchist groups “Revolutionary Action” and “Pramen” were among the websites blocked in this coverage period.⁴⁷ Russian website Sputnipogrom.com was also blocked, deemed by authorities as an extremist website calling for “violent change of the constitutional order of Belarus.”⁴⁸

Authorities have also targeted independent online media during politically sensitive times. The websites of three independent news websites, *Charter97*, *BelarusPartisan*, *UDF*, and *NN*, were briefly unavailable on the day of Belarus’ parliamentary elections in September 2016.⁴⁹ *Charter97* was again temporarily blocked during the March 2017 economic protests.⁵⁰

Amendments made to the Media Law in 2015 allow the government to treat online media as traditional media and permit the Ministry of Information to issue warnings, suspend, and file closure suits against online outlets.⁵¹ 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.⁵² The types of information considered illegal were expanded to include “information, the distribution of which can harm the national interests of the Republic of Belarus.” This and other provisions are subject to broad interpretation and can be used to stifle critical media. Whereas it had been the responsibility of courts to decide what internet posts were illegal, the amendments now empower officials to do so, leaving no avenues for appeal. The amendments are seen by the Organization for Security and Cooperation in Europe (OSCE) Representative on Freedom of the Media and other media rights experts as posing a major threat to free speech.⁵³

Under the amended Media Law, a blacklist of websites is now maintained by the Telecommunications Ministry’s State Inspectorate for Electronic Communication, which makes changes to the list on instructions from the Ministry of Information. Only government agencies and ISPs have access to the blacklist, which should be reviewed daily. Any government body can add to the blacklist through the

46 “Mass Media Annual Results 2016 In Figures” in E-NEWSLETTER: MASS MEDIA IN BELARUS, Bulletin #4 (50) (October–December 2016), Belarusian Association of Journalists, March 7, 2017, <https://baj.by/en/analytics/e-newsletter-mass-media-belarus-bulletin-450-october-december-2016>

47 “Anarchist Website Blocked in Belarus,” *Charter97*, October 31, 2016, <https://charter97.org/en/news/2016/10/31/229542>. The Belarusian government has a history of repressing anarchist groups. See Vadzim Bylina, “Belarusian Authorities Step Up Pressure on Anarchists,” *Belarus Digest*, March 17, 2015, <http://belarusdigest.com/story/belarusian-authorities-step-pressure-anarchists-21862>.

48 Andrey Serada, “Information ministry blocks Russian far-right website,” *BelaPAN*, January 25, 2017, http://en.belapan.by/archive/2017/01/25/en_25011259b.

49 “Parliamentary Elections 11 September 2016,” OSCE/ODIHR Election Observation Mission Final Report, p.18, December 8, 2016, <http://www.osce.org/odihr/elections/287486?download=true>

50 “Authorities Block Charter97.org Site in Belarus,” *Charter97*, March 15, 2017, <https://charter97.org/en/news/2017/3/15/243844>.

51 For a critical analysis of the amendments, see Andrei Bastunets, “Analysis of Amendments to Media Law,” *BAJ*, January 22, 2015, <http://bit.ly/1Le32bb>.

52 The updated subparagraph 1.3 of Article 38 specifies information illegal for distribution and reads as follows, “information aimed at the propaganda of war, extremist activity or containing calls for such activity, pornography, violence and cruelty, as well as other information, the distribution of which can harm national interests of the Republic of Belarus or banned by this Law, and other legislative acts of the Republic of Belarus.”

53 Organization for Security and Cooperation in Europe (OSCE), “New regulation and recent blockings threaten free speech on Internet in Belarus, says OSCE Representative,” press release, December 22, 2014, <http://bit.ly/1QAuUb4>; Committee to Protect Journalists, “Belarus adopts restrictive media law amendments, blocks websites,” December 23, 2014, <https://cpj.org/x/5e76>; Reporters Without Borders, “Belarusian authorities impose alarming Internet controls,” May 19, 2015, <http://bit.ly/1G9BWmW>; Official version of amendments at: “Amendments to the Law on Media,” [in Russian] December 21 2014, <http://bit.ly/1QAvqFT>.

Ministry of Information. A website can be blocked by a provider within 24 hours, while it may take the Ministry of Information up to a month to restore access to it once all violations are corrected. Experts note that the government's decisions are made arbitrarily, do not require judicial approval, and allow no course for appeal.⁵⁴

Ruling No. 6/8, which laid out the mechanisms and procedures for restricting access to websites under the new law, came into force in February 2015.⁵⁵ According to the directive, sites will be blocked if they contain information deemed to be illegal by the government. 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.

In late November 2016, the Belarusian authorities began blocking Tor.⁵⁶ The Ministry of Communications stated that the blocking is intended to prevent access to blocked websites.⁵⁷ The crackdown on Tor was foreshadowed by Ruling no. 6/8, which also permits the blocking of proxy servers and anonymizers.⁵⁸ According to experts, authorities are impeding Tor usage by denying access to known Tor relays.⁵⁹ However, Tor users appear to be successfully circumventing the block, with increasing numbers of Belarusians connecting to Tor using bridge relays, which are more difficult for authorities to block.^{60,61} Experts believe that authorities have acquired technology from Chinese suppliers to assist with online censorship, including with censoring TOR.⁶²

The authorities continued their efforts to block, close, and regulate e-commerce sites, a practice that began in 2014. The Ministry of Trade reported that it had suspended the operations of 11 websites

54 Tanya Korovenkova, "Edict No. 60 less restrictive than feared, but authorities can tighten screws," *BelaPAN*, July 1, 2013, <http://bit.ly/1Le7Ddp>.

55 Ruling of the Operational and Analytical Center and the Ministry of communication and informatization № 6/8 from February 19, 2015, [in Russian], <http://bit.ly/1VWX32N>. In May 2015, the Ministry of Information began warning websites, including a number of political and news sources, that they were allegedly violating the amended Media Law. The first official use of the amended Media Law took place on June 2015, when the lifestyle website KYKY.org was blocked by the Ministry for Information without warning for distributing content harmful to the country's national interests.

56 Jack Margolin, "Belarus Moves to Block Tor in Fight Against Online Anonymity," Advox Project, Global Voices, December 14, 2016, <https://advox.globalvoices.org/2016/12/14/belarus-moves-to-block-tor-in-fight-against-online-anonymity>.

57 "Ministry of Communication on blocking Tor: Not limiting anonymous access to the internet, but to forbidden sites" [in Russian], BelTA, December 6, 2017, <http://www.belta.by/society/view/minsvjazi-o-blokirovke-tor-ogranichivaetsja-ne-anonimnyj-dostup-v-internet-a-poseschenie-zapreschennyh-222459-2016>.

58 See <http://www.pravo.by/document/?guid=12551&p0=T21503059&p1=1>.

59 Belarus Moves to Block Tor in Fight Against Online Anonymity," Global Voices Advox, December 14, 2016, <https://advox.globalvoices.org/2016/12/14/belarus-moves-to-block-tor-in-fight-against-online-anonymity> and " or at the Heart: Bridges and Pluggable Transports," Tor Blog, December 11, 2016, <https://blog.torproject.org/blog/tor-heart-bridges-and-pluggable-transports>.

60 "Tor Audience in Belarus Rise after Blocking," from a Radio Liberty article translated and published by the Belarusian Association of Journalists, December 13, 2016, <https://baj.by/en/content/tor-audience-belarus-rise-after-blocking>.

61 "Belarus Moves to Block Tor in Fight Against Online Anonymity," Global Voices Advox, December 14, 2016, <https://advox.globalvoices.org/2016/12/14/belarus-moves-to-block-tor-in-fight-against-online-anonymity> and " or at the Heart: Bridges and Pluggable Transports," Tor Blog, December 11, 2016, <https://blog.torproject.org/blog/tor-heart-bridges-and-pluggable-transports>.

62 Private interview conducted December 2016. Since 2006, observers have suggested that China has been selling its internet monitoring and filtering technology to Belarus. Huawei and TE, two big Chinese companies, are leading suppliers of internet and telecom equipment to Belarus. Experts suggest that China not only exports the hardware and software behind the Great Firewall" and "Golden Shield" but also an online blueprint for "adaptive authoritarianism." There are reports that China has helped to do the same in Russia. Claire Vox and Julien Pain, "Going Online in Cuba: Internet under Surveillance," Reporters Without Borders, October 2006, https://web.archive.org/web/20090303221407/http://www.rsf.org/IMG/pdf/rapport_gb_md_1.pdf; "China's internet: A Giant Cage," *The Economist*, April 6, 2013, <http://www.economist.com/news/special-report/21574628-internet-was-expected-help-democratise-china-instead-it-has-enabled>; Vince Beiser, "Digital Weapons Help Dissidents Punch Holes in China's Great Firewall," *Wired*, November 1, 2010, https://www.wired.com/2010/11/ff_firewallfighters; and Iri Borogan and Andrei Soldatov, "China: the Architect of Putin's Firewall," *Eurozine*, February 21, 2017, <http://www.eurozine.com/china-the-architect-of-putins-firewall>

for advertising irregularities in early 2017.⁶³ One internet expert noted that the Ministry of Trade has assumed the functions of an economic and political censor.⁶⁴

As in the past, basic techniques such as IP filtering and disabling DNS records were 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.⁶⁵

Content Removal

The government increasingly issues warnings to pressure websites to take down politically sensitive content. The Ministry issued eight warnings to independent print media, most of which also have corresponding webpages and social media pages, and eight warnings to websites in 2016.⁶⁶ Two websites received warnings in 2017.

In March 2017, *TUT*, the country's largest news portal, was forced to remove an article about Belarusian volunteers fighting alongside Ukrainians in Donbas. The Ministry of Information issued a warning to the outlet, claiming that the article could "harm the national interests" of Belarus.

The Ministry also sometimes pressures websites to remove comments posted by users. *NN*, a leading independent news site, received warnings for several comments posted by readers in March 2017 regarding the antigovernment protests. The comments were subsequently removed by the outlet.⁶⁷ Two or more such warnings received within a year can lead to the closure of the media outlet.⁶⁸

The authorities ramped up pressure on online outlets to remove content after 2015 amendments to the Media Law permitted the Ministry of Information to demand the deletion of information deemed illegal within broad categories, such as content related to extremism or content considered harmful to national interests.⁶⁹ The amendments require the owners of websites to remove any online content disputed by any person and to post a refutation in its place. If the publishers do not comply, their sites can be blocked. Website owners are held liable for any illegal content posted on their sites, and can also be punished for abusive or "incorrect" comments left on message boards.⁷⁰

63 "Eleven Websites Blocked for Breach of Advertising Law," Belarusian Association of Journalists, January 16, 2017, <https://baj.by/en/content/eleven-websites-blocked-breach-advertising-law>.

64 Ihar Karnej, "'Clearing' internet-shops: Nuclear bomb dropped on a single house" [in Russian], Radio Liberty, January 10, 2015, <http://bit.ly/1MtRQVI>.

65 Mikhail Doroshevich and Marina Sokolova, "Internet Development and Usage," ed. Anatoly Pankovsky and Valeria Kostyugova, *Belarusian Yearbook 2012*, Minsk, 2013, <http://bit.ly/1hJ9XhL>, p. 174.

66 "Mass Media Annual Results 2016 In Figures" in E-NEWSLETTER: MASS MEDIA IN BELARUS, Bulletin #4 (50) (October–December 2016), Belarusian Association of Journalists, March 7, 2017, <https://baj.by/en/analytics/e-newsletter-mass-media-belarus-bulletin-450-october-december-2016> and "Brief Annual Review" in E-NEWSLETTER: MASS MEDIA IN BELARUS, Bulletin #6 (46), February 1, 2016, Belarusian Association of Journalists, <https://baj.by/en/analytics/e-newsletter-mass-media-belarus-bulletin-646-brief-annual-review>.

67 "Ministry of Information issued a warning to Nasha Niva," [in Russian], TUT.by, March 21, 2017, <https://news.tut.by/society/536119.html>.

68 "Ministry of Information warns Nasha Niva," Belarusian Association of Journalists, March 21, 2017, <https://baj.by/en/content/information-ministry-warns-nasha-niva>.

69 "Lozovik: Some websites are set up to flood Internet with negative information," *Bel a*, December 17, 2014, <http://bit.ly/1OIM0V6>.

70 Vladimir Volkov, "Moderators on forums in Belarus act as watchmen and guards" [in Russian], *Digital Report*, January 27, 2017, <https://digital.report/moderatoryi-na-forumah-v-belarusi-vyipolnyayut-rol-vahterov-i-ohrannikov>.

These decisions are no longer made by courts but by executive bodies, and there is no dispute mechanism or right to appeal.

Media, Diversity, and Content Manipulation

Destabilizing developments in the region, including a Russian propaganda campaign, a lingering economic crisis in both Belarus and Russia, and the 2016 parliamentary election in Belarus, had an adverse effect on the online media landscape. With the internet serving as an important source of information for Belarusians, the government stepped up its efforts to influence and manipulate online content. The authorities also continued to use preferential subsidies to favor progovernment media outlets and accreditation requirements to punish freelance journalists. These measures proved unsuccessful, as more people turned to independent online sources in 2016-2017, finding them at least as credible as state-run media.

Through selective use of oppressive laws, threats and force, the government actively promotes self-censorship. In particular, following amendments to the Media Laws which hold website owners liable for content posted by third parties on their page, moderators proactively censor online discussion forums.⁷¹ A fear of having one's website blocked or otherwise restricted reinforces self-censorship among editors, journalists, and website owners.^{72,73}

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 has increased significantly on independent Belarusian websites. While it is difficult to prove that trolls are paid, a level of coordination behind their activities is evident. They are constantly present on popular and influential internet forums and social networks, immediately react to new developments, and frequently work in teams.⁷⁴

Suspicious that the state-run Belarusian Union of Youth (BRSM) were being used as trolls were confirmed in a series of online leaks in 2016. The leaked messages contained instructions from the secretary of the BRSM branch at the Belarus State University to other BRSM leaders to mobilize online and defend their fellow member online. The leader instructed others to comment on critical articles, providing several examples of acceptable comments, and set strict deadlines.⁷⁵

Trolls become particularly active during times of unrest, inundating social media and comment sections with praise for the government and criticism of the opposition. State television often quotes these comments as voices of ordinary Belarusians. Recent research shows that trolls are not particu-

71 Vladimir Volkov, "Moderators on forums in Belarus act as watchmen and guards" [in Russian], *Digital Report*, January 27, 2017, <https://digital.report/moderatoriyi-na-forumah-v-belarusi-vyipolnyayut-rol-vahterov-i-ohrannikov>

72 "Information Ministry starts blocking websites for criticism of authorities," *Belarus in Focus*, June 6, 2015, <http://belarusinfofocus.info/p/6733>

73 Interview with TUT.by's Jiri Zisser in Vladimir Volkov, "The founder of TUT.by: There are no taboo subjects, but there are forbidden forms of speech" [in Russian], *DigitalReport*, November 19, 2016, <https://digital.report/osnovatel-tut-by-zapretnyih-tem-net-no-est-zapreshhennyie-formyi-vyiskazyvaniy>. See also "The authorities want to force journalists into self-censorship – Bastunets," [in Belarusian] *Svaboda*, February 15, 2015, <http://bit.ly/1Pxbntx>

74 "Yuri Zisser: Popularity of the opposition websites grows thanks to censorship," [in Russian] *Eurobelarus*, October 10, 2013, <http://bit.ly/1kakUei>.

75 "'Every department must provide two positive comments.' How BRSM trolls work on the *Nasha Niva* website" [in Belarusian], *Nasha Niva*, November 19, 2016, <http://nn.by/?c=ar&i=180737>.

larly effective at changing online discourse, with ordinary users frequently stepping in to refute their comments.⁷⁶

Russian propaganda continues to play a divisive role in Belarus, where the Russian language and Russian outlets dominate the media scene and influence Belarusians.⁷⁷ According to an unpublished 2017 poll, Belarusians trust Russian media more than Belarusian state or independent media. Russian propaganda encourages the view that Belarusians are not a separate nation but are part of the “Russian world,” and the idea is influential in Belarus—according to a 2015 poll, roughly a third of Belarusians believe in the Kremlin’s narrative.⁷⁸ Though traditionally close to Russia, Lukashenka has come to fear an aggressive Kremlin in the wake of its invasion of Ukraine. Russia’s economic problems have made it less willing to support Belarus’ ailing economy, prompting Lukashenka to encourage more national sentiment at home, neutrality on Ukraine, and improved relations with the West.

The response from the Kremlin and Russian nationalists has been harsh. Russian media outlets, including websites, increased their pro-Russian propaganda and unleashed a vitriolic campaign against both state and non-state actors in Belarus. In many ways, the Kremlin operation resembles the trolling campaign organized against westward-leaning Ukraine. Russian websites accuse Lukashenka of being disloyal to Russia, too independent, and pro-Western. Always critical of the national 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.”⁷⁹ In the last year, nationalist Russian websites such as *Imperiya News*, *Regnum*, and *Sputnik I Pogrom* increased their campaign linking Belarusian national symbols to fascism.⁸⁰ Russian trolls also have become more active on Belarusian websites and social media pages, and 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.⁸¹

Despite Belarus’ traditionally close relationship with Russia, the Belarusian government has indicated that it is prepared to curb information coming from Russia that it deems threatening. In December 2016, Minister of Information Lilia Ananich declared “We will not allow the information space of our sovereign state to become an arena of confrontation and conflict. And it doesn’t matter from which direction these ideas are thrown at us - West or East.”⁸²

The authorities continued using onerous administrative laws to restrict non-state journalists. Journalists are not allowed to work without state accreditation, exposing freelancers and online journalists

76 “How state propaganda manipulates ‘the voices of ordinary Belarusians’” [in Belarusian], *Nasha Niva*, March 27, 2017, <http://nn.by/?c=ar&i=187936>.

77 Ryhor Astapenia, “How Russian culture and media shape Belarusian politics.”

78 “The most important results of the public opinion poll in December 2015,” *IISEPS*, December 29, 2015, <http://www.iiseps.org/?p=3865&lang=en>.

79 Alexander Cajcyc, “Russian media attack Belarus: Minsk remains on the Kremlin radar,” *Belarus Digest*, February 2, 2016, <http://belarusdigest.com/story/russian-media-attack-belarus-minsk-remains-kremlin-radar-24482>.

80 Andrei Yeliseyeu and Veranika Laputska, “Anti-Belarusian disinformation in Russian media: Trends, features, countermeasures,” *East Media Review*, No. 1, 2016, <http://east-center.org/wp-content/uploads/2016/12/EAST-Media-Review.pdf>.

81 “KGB hires trolls urgently?” *Charter97*, April 11, 2012, <http://bit.ly/1LSgJn>; “Troll from Olgino: They would mock Lukashenka as hard as possible,” *Charter97*, September 9, 2014, <http://bit.ly/1jsJbfm>; “Yuri Zisser: Popularity of the opposition websites grows thanks to censorship,” [in Russian] *Eurobelarus*, October 10, 2013, <http://bit.ly/1kakUei>.

82 “Ananich: “We will not allow the information space of our sovereign state to become an arena of confrontation and conflict” (in Belarusian), Radio vaboda, December 10, 2016, <http://www.svaboda.org/a/ananicz-paskardzilasia-na-bielarusafobau/28168210.html>

to legal sanction.⁸³ While authorities relaxed enforcement of the rules around the September 2016 parliamentary elections, they once again clamped down on unaccredited journalists during the February-March 2017 protests (See “Prosecutions and Detentions”).

The government controls all broadcast media and more than 600 newspapers and information websites. Since 2015, the government has been operating the site, *Belsmi*, which promotes state-controlled local media and strives to create a favorable image of the country. Experts have criticized the site for its one-sided content.⁸⁴ The government also determines online content through significant financial support to progovernment media outlets, made more influential by the country’s poor economic conditions. In 2017, the government increased its support to state media to about US\$50 million, up from US\$48 million in 2016. The amount dedicated for online state media also appears to have risen.⁸⁵ These funds are used to “collect, prepare and disseminate state orders on official information.”⁸⁶ The government also provides preferential advertising and subsidizes rent and other operating costs.

In contrast, non-state media receive no government subsidies and suffer from a chronic lack of funding. The government 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.⁸⁷ 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.

The online advertising market was worth approximately 18 million in 2016.⁸⁸ While most independent news websites cannot benefit, private companies appear to be less afraid to advertise on their platforms. Restrictive amendments to the Law on Public Associations and the Criminal Code that were passed secretly in 2011 made it a criminal offense for NGOs to receive foreign funding, posing a direct threat to independent media.⁸⁹

In spite of the challenging media environment, Belarus continues to have a vibrant and diverse online presence. In 2016–2017, greater numbers of Belarusians consumed news and information from independent online sources, finding them to be as credible as the government’s media.⁹⁰ The great majority of the top 50 news and information websites continue to be either independent or opposition-run.⁹¹

83 “Comments on suggestions to Media Law,” *BAJ*, January 24, 2013, <http://old.baj.by/en/node/19255>

84 Aliaksandr Klaskowski, “Authorities launch official media site, keep independent media under thumb,” *BelaPAN*, May 7, 2015, <http://bit.ly/1OJe6j2>.

85 “47 million Euro support to state media” and accompanying infographics, Belarusian Association of Journalists, October 26, 2016, <https://baj.by/en/content/47-million-euro-support-state-mass-media>.

86 “Mass Media Week in Belarus,” *BAJ*, December 12–22, 2013, <http://bit.ly/1RfkAol>; “Figures of the year,” *BAJ*, January 3, 2015, <http://baj.by/en/analytics/figures-yea>.

87 IREX, “Europe and Eurasia Media Sustainability Index 2015–Belarus,” <https://www.irex.org/sites/default/files/2015-msi-belarus.pdf>, p. 12.

88 “AMC has estimated the volume of the media advertising market in Belarusian rubles” [in Russian], Marketing.by, March 28, 2017, <http://marketing.by/analitika/mediareklama>; Elena Artiomenko, “Media: A Lack of Consistent Media Policy in a Changing Geopolitical Situation,” *Belarusian Yearbook 2017*, Nashe Mnenie, Vilnius, 2017, <http://nmnby.eu/yearbook/2017/en/index.html>, p. 132.

89 Human Rights Watch, “Belarus: Open Joint NGO Letter to the Parliament of Belarus,” October 20, 2011, <http://bit.ly/1KdT1H4>

90 A May 2016 national survey found that 61.8 percent of respondents fully or partially trusted Belarusian independent media, and 68.8 percent felt the same about state media; more respondents – 19.4 to 18.5 percent – distrusted state than independent media. Cited in Andrei Yeliseyev and Veranika Laputskaya, “Anti-Belarusian disinformation in Russian media: Trends, features, countermeasures,” *East Media Review*, No. 1, 2016, <http://east-center.org/wp-content/uploads/2016/12/EAST-Media-Review.pdf>

91 Akavita internet ranking site, accessed April 15, 2017, <http://bit.ly/1LoRJe0>

Independent online media grew in influence around the February-March 2017 protests, with four independent outlets broadcasting online live from the protests, which state media meanwhile largely ignored; one broadcast was watched by over two million viewers, an unattainable figure for state media.⁹² Social media has amplified the reach of independent media.⁹³ The ten most-visited Facebook pages of media outlets in Belarus are dominated by independent or opposition news and information sources.⁹⁴ On Twitter, leading independent media figures have followers numbering in the hundreds of thousands.⁹⁵

Because of government repression, many political, civic and media activists emigrated over the last two decades. As a result, the editorial offices of some of Belarus' most popular and influential websites are based outside of the country: in Poland (Charter97.org, Euroradio.fm), Ukraine (Belaruspar-tisan.org), and the Czech Republic (Svaboda.org). Nevertheless, the vast majority of these websites' viewers and reporters are based in Belarus.

Belarus has a vibrant blogosphere due to government restrictions over traditional media. For independent-minded commentators, blogs serve as an alternative tool for disseminating uncensored information and fostering discussion on social, political and economic issues.⁹⁶ The followings of the most popular Belarus blogs rival the circulations of many independent newspapers. While blogs in Belarus traditionally have been written by elites, video blogs by different social groups recently have become more popular.

Digital Activism

As more Belarusians turn to the internet for news and information, it has also grown as a tool for activism. The mobilizing potential of the internet has been most apparent during times of unrest, such as elections or protests.

Major antigovernment protests were held in Minsk and other major cities in Belarus in February and March 2017, sparked by a "social parasite" tax proposed by the government targeting unemployed people.⁹⁷ Social networks and mobile messengers, including VKontakte and Telegram were used to organize the demonstrations.⁹⁸ In the wake of the demonstrations and critical independent media coverage, President Lukashenka suspended implementation of the tax.⁹⁹

Online platforms were also essential for information sharing during the protests, as state media largely ignored or misreported about the protests. Live streaming, for example, was a key technolo-

92 Valer Karbalevich, "What political consequences we should expect from the propaganda campaign surrounding 'Bely Legion' case" [in Belarusian], Radio Liberty, April 13, 2017, <http://www.svaboda.org/a/jakich-palitycnych-nastupstvau-varta-cakac-ad-prapahandysckaj-kampanii-vakol-spravu-bielaha-liehijonu/28428169.html>

93 Pavlук Bykovsky, "Social networks give way to other traffic channels for Belarusian media," *Belarusian Association of Journalists*, February 18, 2016, <http://baj.by/be/analytics/sacsetki-sastupayuc-inshym-kanalam-trafik-u-belaruskih-medyy>

94 Socialbakers, "Facebook stats – media in Belarus," <http://www.socialbakers.com/statistics/facebook/pages/total/belarus/media>, accessed February 27, 2016.

95 Twitter Counter, "Top 100 Followers in Belarus," http://twittercounter.com/pages/100/belarus?utm_expid=102679131-70.Cf2Z6uGtR42NAFbYKQT74A.0&utm_referrer=http%3A%2F%2Ftwittercounter.com%2Fpages%2F100, accessed February 2016.

96 Such as Victor Malishevski's <http://antjournalist.by>

97 Aliksandr Herasimenka, "Belarus detains dozens amid 'social parasite' protests," Human Rights House Network, March 15, 2017, <https://www.youtube.com/watch?v=fSLPJZFu5BM&feature=youtu.be>

98 "Telegram: How Pavel Durov's application becomes a political tool in Belarus" [in Russian], 1863x, April 5, 2017, <http://1863x.com/telegram>

99 <http://www.bbc.com/news/world-europe-39221147>

gy employed by activists in confronting state propaganda and mobilizing civic protest. On March 25, dozens of journalists from independent media and hundreds of ordinary participants reported live from the Freedom Day demonstration in Minsk and other regional centers, while state media either ignored the protests or broadcasted misleading images of empty streets shot hours beforehand.

Although the authorities shut down mobile phone and internet connectivity at the epicenter of the demonstration, some activists within coverage range managed to continue live streaming and several million people watched live online broadcasts of the brutal dispersal of protesters.¹⁰⁰ Never before had such a large audience watched video online simultaneously. One media activist noted, “We were streaming the truth while state media were still editing their lies. Now that we are armed with new technologies, it’s a lost cause for the regime.”¹⁰¹ On March 25, several leading independent news websites registered a record number of visitors and page views.¹⁰²

Live streaming was also used by activists in the lead-up to the protests to document individual cases of mistreatment by the authorities. On March 15, Piotr Markelau, a young civic activist, was arrested for live streaming from a Minsk trolley bus in which special police were brutally arresting participants of an authorized demonstration. He was sentenced to 12 days in prison. Markelau’s video went viral and generated over 155,000 views on YouTube.¹⁰³

In another case, a prominent youth leader, Zmicier Dashkevich, live streamed from his car as he was chased by the KGB. When his feed was cut by the police, another activist stepped in and continued the live feed documenting the authorities’ harsh treatment of Dashkevich as he was placed in detention; 20,000 people watched the stream. Later, hundreds of people listened to an audio stream from the court trial, exposing blatant lies by the police witnesses about the circumstances of Dashkevich’s arrest.¹⁰⁴ As a popular author and commentator noted, “we were witnessing the most powerful talk show in the modern history of Belarus—the first real people’s live broadcast through streaming on social networks.”¹⁰⁵

Online political satire has become a popular medium to channel frustrations with the government. In a June 2016 address, Lukashenka called on citizens to “get undressed and get to work. Work until we sweat. If we don’t, we’ll perish.”¹⁰⁶ Young Belarusians took his order enthusiastically, launching one of the largest virtual flash mobs in the recent years. The following day, social media were flooded with photos and videos of naked employees at their workplaces, covered only with office equipment. The flash mob continued for several days, receiving extensive coverage by Belarusian independent outlets and leading foreign media, and generating hundreds of thousands of views, comments, and shares on social networks.¹⁰⁷ By ridiculing the autocratic government, collective satire reduces fear of authorities and motivates citizens to further resist.

100 “In the live mode” [in Belarusian], *34mag*, March 30, 2017, <https://34mag.net/post/u-rezhzime-live>

101 Inha Lindarenka, *Belarus Days 2017*, March 28–30, Stockholm.

102 “NN.by set a record of views” [in Belarusian], *Nasha Niva*, March 26, 2017, <http://nn.by/?c=ar&i=187933>

103 “A human rights defender, who was livestreaming detention of the anarchists, was sentenced to 12 days” [in Belarusian], *TUT.by*, March 16, 2017, <https://news.tut.by/economics/535625.html>

104 Anastasia Dashkevich, “Streaming against zombie-horrors” [in Belarusian], *Radio Liberty*, March 14, 2017, <https://www.svaboda.org/a/28369040.html>

105 Victor Martinovich, “Where heroes come from. Response to Anastasia Dashkevich” [in Belarusian], *Budzma Belarusami*, March 14, 2017, <http://budzma.by/news/adkul-byarucca-hyeroi-adkaz-nascye-dashkyevich.html>

106 “Address by the President of Belarus at the fifth All-Belarusian People’s Assembly” [in Russian], *President.gov.by*, June 22, 2016, http://president.gov.by/ru/news_ru/view/uchastie-v-pjatom-vsebelorusskom-narodnom-sobranii-13867

107 Tetyana Lokot, “Belarusians get naked and get to work. (President’s Orders),” *GlobalVoices*, June 29, 2016, <https://globalvoices.org/2016/06/29/belarusians-get-naked-and-get-to-work-presidents-orders>

Despite a chronic economic crisis, reform of the national currency, and falling living standards, civic crowdfunding is flourishing in Belarus. While the average donation is modest and varies between US\$5-US\$20, the Belarusian crowdfunding market reached US\$500,000 in 2017, according to one estimate.¹⁰⁸ Crowdfunding has become a convenient and simple form of civic participation, creating alternative, horizontal community support networks. Analysis indicates that Belarusians are more willing to donate to non-politicized humanitarian, social, and cultural initiatives.¹⁰⁹ The online magazine *Imena* (Names) crowdfunded a record US\$21,000, becoming Belarus' first independent media outlet totally funded by its readers.¹¹⁰ *Imena* also launched a successful online crowdfunding campaign in support of children in state institutions, raising US\$35,000. The campaign forced the government to conduct investigations at ten state long-term care facilities, ultimately allocating additional funding and reviewing its healthcare policies.¹¹¹

For many Belarusians, crowdfunding has also become means of supporting pro-democratic causes, without the risks of participating in demonstrations. *Nasha Niva*, the oldest Belarusian language newspaper, and its popular news website NN.by, ran a bold crowdfunding campaign, raising more than US\$8,000 (170% of the original target) for investigative journalism projects, proving that a certain segment of the online audience is ready to pay for objective information.¹¹²

Activists used online crowdfunding platforms to support activists arrested during the peaceful demonstrations in March 2017. A group of online activists launched a fundraising campaign to cover hundreds of activists' fines, as well as providing other support. The campaign was widely backed and promoted by the independent online media. In less than two weeks, more than US\$42,000 was raised, with donations coming from Belarus and around the world.¹¹³

Crowdfunding has also helped civic and political activists that are otherwise barred from finding official work as a result of their activism. The #BY_help initiative launched a database of small businesses and services offered by activists that anyone can access. Another database managed by #Y_help volunteers contains information about companies willing to provide special offers, discounts, or even free services to the activists and their families.¹¹⁴

Violations of User Rights

Law enforcement authorities detained and harassed digital journalists covering the spring 2017 anti-government protests, particularly targeting those who were live streaming. Ordinary social media users were fined for posting calls to protest. The Belarusian government continued to expand the sophisti-

108 "Talaka and the media: What do we need the state for?" [in Belarusian], 34mag.net, June 13, 2017, <https://34mag.net/post/talaka-i-medyya-report>.

109 Alesia Rudnik, "Advocacy crowdfunding in Belarus: The best projects of 2016," Belarus Digest, December 29, 2016, <http://belarusdigest.com/story/advocacy-crowdfunding-belarus-best-projects-2016-28408>.

110 "Financed by its readers, the magazine *Imena* fundraised over 39,000 rubles on Talaka.by" [in Russian], Naviny.by, October 25, 2016, <http://naviny.by/new/20161025/1477396140-finansiruemy-chitatel-ami-zhurnal-imena-sobral-bolee-39-000-rublej-na>.

111 Katerina Siniuk, "'Nutrition for children from the state budget. Reprimands for state officials.' The results of investigation at ten long-term care facilities" [in Russian], *Imena*, February 27, 2017, <http://imenamag.by/proverki-v-internatah>.

112 "Investigations by *Nasha Niva*/NN.by" [in Belarusian], Talaka.by, accessed on April 8, 2017, <https://www.talaka.by/projects/1750/fund>; "Today is the last day of raising money for NN.by investigative reports" [in Belarusian], *Nasha Niva*, January 8, 2017, <http://nn.by/?c=ar&i=183388>.

113 By_help, accessed on April 8, 2017, <https://www.facebook.com/BYhelpBY>.

114 "BY_help campaign launched a new line of support to the repressed" [in Russian], *Solidarnast*, April 16, 2017, http://gazetaby.com/cont/art.php?sn_nid=125052.

cated surveillance technology within its arsenal, with no independent oversight over the state's surveillance practices.

Legal Environment

While the rights to freedom of expression and information are guaranteed by the Belarusian constitution, they remain severely restricted and violated in practice. Since 2008, the government has passed a series of repressive laws to stifle critical voices online¹¹⁵ The 2014 amendments to the 2008 Media Law extended the government's restrictive laws against independent print media to cover the online sphere. In January 2015, amendments to Articles 188, 361, and 367 of the Criminal Code also came into force. These amendments specifically made information distributed via the internet subject to criminal penalties for defamation, defamation of the president, and threats to national security.¹¹⁶

Prosecutions and Detentions for Online Activities

Amid growing economic and social unrest, law enforcement cracked down on online activists and journalists. Recognizing the mobilizing power of social media and online outlets, authorities pursued online activists with renewed intensity, particularly throughout the spring 2017 antigovernment protests.

The Belarusian Association of Journalists (BAJ) reported that well over 100 journalists were punished by law enforcement authorities for reporting on the protests in March 2017. The majority of these journalists were reporting live online for various online media outlets. On March 31, police raided two Belsat offices in Minsk. The police confiscated all of their equipment. The head of Belsat's ne division linked the searches with the TV channel and website's active and extensive coverage of the protests.

While most journalists arrested for their coverage of the protests were released after several hours, many were prosecuted and fined. In at least 10 cases, journalists were subject to administrative arrests varying from five to fifteen day Belsat journalist and cameraman Aliaksandr Barazenska was arrested while live streaming from the protest. Barazenska's video footage of his own arrest contradicted the subsequent testimony of the arresting officer¹¹⁷

Law enforcement targeted citizens and journalists live streaming from the protests, recognizing the technology's power to instantly spread information to a wide audience. In March 2017, Maksim Philipovich, a video blogger from Homel who is known for his public criticism of the "parasite tax," was arrested for live streaming from protests and sentenced to 25 days administrative imprisonment.¹¹⁸ Another blogger, Siarhej Piatrukhin, well known through his popular YouTube channel "The

115 For a review of legislation prior to 2014, see "Part II: ICT Regulatory Policy" in "National ICT profile of Belarus" [in Russian], DigitalReport, October 12, 2014, <https://digital.report/belarus-regulyativnaya-politika-v-oblasti-ikt>

116 See, ЗАКОН РЕСПУБЛИКИ БЕЛАРУСЬ 5 января 2015 (Law of the Republic of Belarus, January 5, 2015) № 241-3, <http://bit.ly/1PmNK7I>

117 E-NEWSLETTER: Events of "hot spring" in Belarus Bulletin #1(51) (January – April 2017), Belarusian Association of Journalists, June 2, 2017, <https://baj.by/en/analytics/e-newsletter-events-hot-spring-belarus-bulletin-151-january-april-2017> and "Belsat Cameraman Goes on Hunger Strike (+ Audio of Detention)," Belarusian Association of Journalists, March 28, 2017, <https://baj.by/be/node/7858>.

118 Ales Dashchynski, "Blogger Philipovich is released" [in Belarusian], Radio Liberty, April 5, 2017, <http://www.svoboda.org/a/28412216.html>

People's Reporter," was also arrested while live streaming from protests and sentenced to 15 days administrative arrest.¹¹⁹

The authorities resumed targeting freelance online journalists with administrative fines for reporting without necessary government accreditation, charging them under Article 22.9 of the Administrative Code for "illegal production and distribution of information."¹²⁰ While the government had scaled back this practice in 2016 amid local and international criticism, by the end of October 2017, 50 fines totalling US\$20,520 were issued.¹²¹ Some reporters were charged multiple times, with fines ranging from US\$240 to US\$480 each.¹²² Volha Zhuravskaya, a popular video blogger who has runs the channel "Filming Allowed" on YouTube, was fined for her video report from the "Freedom Day" demonstration in Vitebsk.¹²³

In April 2017, a blogger was charged under Article 22.9 for the first time for live streaming on social media. An animal rights volunteer was fined US\$245 for live streaming from an animal shelter on social network Odnoklassniki. The court ruled that the social network was mass media, the volunteer, who had never worked in the media, was a journalist, and the streaming qualified as the illegal production and distribution of a media product.¹²⁴ While this case was unique, it could become a precedent for using Article 22.9 against bloggers and online activists.

The Belarusian Association of Journalists (BAJ) has condemned the government's persecution of freelancers. It has pointed out that the legal provision under which the freelancers are being charged is applicable to media organizations, not to individual journalists. Furthermore, the prosecution of freelancers violates both Belarus' constitution and its international obligations.¹²⁵ The OSCE and other international organizations defending freedom of expression have denounced the practice.

In January 2016, the Belarusian authorities arrested Eduard Palchys, the creator of the antigovernment website 1863x.com. He was charged under Article 130 of the Criminal Code for inciting racial, national, or religious hatred, as well as distributing pornographic materials, through the content published on his website.¹²⁶ The blogger faced up to five years imprisonment.¹²⁷ Independent experts considered the charges baseless,¹²⁸ and Belarusian and international human rights groups con-

119 "Blogger from Brest Siarhej Piatrukhin is streaming from demonstrations and from his own court trial" [in Belarusian], Radio Liberty, March 14, 2017, <http://www.svaboda.org/a/siarhieji-piatrukhin/28367236.html>

120 See FOTN 2016 report

121 Fines to Journalists for Violating Article 22.9 of the Administrative Code (Chart), Belarusian Association of Journalists, <https://baj.by/en/analytics/fines-journalists-violating-article-229-administrative-code-chart-updated>, accessed on November 11, 2017

122 "Larysa Shchyryakova fined under four charges," Belarusian Association of Journalists, April 14, 2017, <https://baj.by/en/content/larysa-shchyryakova-fined-under-four-charges>; Rechica court punished journalist Shchyryakova, but local residents gave her flowers" [in Belarusian], Belarusian Association of Journalists, April 14, 2017, <https://baj.by/en/node/7991>; A family of journalist was 'greeted' with a \$1,000 fine on their wedding anniversary" [in Belarusian], Belarusian Association of Journalists, April 13, 2017, <https://baj.by/en/node/7984>.

123 "Vitebsk blogger is fined 345 rubles for March 25 demonstration" [in Belarusian], [svaboda.org](http://www.svaboda.org/a/28400719.html), March 30, 2017, <http://www.svaboda.org/a/28400719.html>.

124 Pavel Sviardlou, "Girl from Orsha is fined for streaming on Odnoklassniki" [in Belarusian], [Euroradio.fm](http://euroradio.by/dzyauchynu-z-orshy-ashtrafavalizatsiyu-adnaklasniki), April 11, 2017, <http://euroradio.by/dzyauchynu-z-orshy-ashtrafavalizatsiyu-adnaklasniki>.

125 "BAJ protests against prosecution of journalists for contribution to foreign mass media," *Eurobelarus*, September 30, 2014, <http://bit.ly/1G9XPIT>.

126 See FOTN 2016 report

127 Vadzim Smok, "John Silver: A New Political Prisoner in Belarus?," *BelarusDigest*, July 12, 2016

128 Reporters Without Borders, "Belarus: RSF urges withdrawal of baseless charges against detained blogger," October 12, 2016, <https://rsf.org/en/news/rsf-urges-withdrawal-baseless-charges-against-detained-blogger>.

sidered Palchys a political prisoner.¹²⁹ In October 2016, Palchys was found guilty and sentenced to one year and nine months of restricted freedom, but was released in the courtroom for time served. This “hybrid sentence” was interpreted as a concession by the government in its attempt to continue a political thaw, hoping to improve relations with the West while still appeasing Moscow. Palchys was a vocal opponent of Russia’s war against Ukraine.¹³⁰ After his release, Palchys resumed producing his web publication, which remains critical of the regime and popular with readers.

In December 2016, the government detained three Belarusian citizens—Yury Paulavets, Dzmitry Aimkin, and Siarhei Shyptenka—who contributed publications to the Russian news agency Regnum and other nationalist Russian websites. They were charged under Article 130 of the Criminal Code, and the criminal proceedings were based on a Ministry of Information determination that their online publications were extremist.¹³¹ The arrest took place one week after Minister of Information Ananich had sent a letter to Russia’s Special Representative on International and Cultural Cooperation, in which she expressed concern over the rise of “tendentious” and “sometimes destructive” materials being published in the Russian media, which “impugn the sovereignty and territorial integrity of Belarus.”¹³² While public opinion in Belarus was divided on this unusual case, given Regnum’s nationalist character and Russia’s growing information war against Belarus, freedom of expression advocates viewed it as another example of the state’s obstruction of freedom of speech and freedom of opinion.¹³³

This past year, the authorities began prosecuting social media users for their activity online. The precedent-setting case occurred in September 2016, when an activist from Mogilev was charged in absentia for sharing a post in V Kontakte calling on people to protest against fraudulent elections.¹³⁴ Authorities stepped up prosecution of social media users in the aftermath of the spring 2017 protests, likely after the government became aware of social media’s role in coordinating the demonstrations. On March 24, Homel resident Andrey Makarov was found guilty of inciting participation in an unauthorized protest on Facebook and sentenced to seven days of administrative arrest by a Gomel court.¹³⁵ An independent trade union leader from Bobruisk was fined US\$490 for posting appeals on Odnoklassniki to take part in demonstrations. Similar charges were brought against an opposition activist in Slutsk.¹³⁶ A journalist from the Slutsk independent newspaper and website *In-fa-Kurjer* was fined for his posts in social networks. One week earlier, he had spent 12 days in prison after being detained on the eve of the “Freedom Day” protest.¹³⁷ Aleksandar Rabets, a man from

129 “Eduard Palchys is a political prisoner. Joint statement by human rights groups,” *Viasna*, October 5, 2016, <http://spring96.org/en/news/85127>; Reporters Without Borders “Belarus: RSF calls for release of blogger held for past six months,” July 29, 2016, <https://rsf.org/en/news/belarus-rsf-calls-release-blogger-held-past-six-months>

130 Alexander Klaskovsky, “Hybrid sentence to Belarusian blogger Eduard Palchys” (in Belarusian), *Naviny.by*, October 28, 2016, <http://naviny.by/article/20161028/1477665886-belorusskomu-blogeru-palchisu-vynesli-gjibridny-prigovor>

131 “E-newsletter: Mass media in Belarus Bulletin #4 (50) October–December 2016,” Belarusian Association of Journalists, March 7, 2017, <https://baj.by/be/node/7663>

132 “Investigative Committee detains two bloggers over inciting national hate,” Belarusian Association of Journalists, December 9, 2016, <https://baj.by/be/node/7125>

133 “RSF calls for release of three Belarussian bloggers,” Reporters Without Borders, December 29, 2016, <https://rsf.org/en/news/rsf-calls-release-three-belarussian-bloggers>

134 “For the first time Belarusian court brought up the case for a political repost in V Kontakte” [in Belarusian], *Radio Liberty*, September 29, 2016, <http://www.svaboda.org/a/bielarusa-upiersyniu-sudzili-za-palitycny-repost-ukantakcie/28021615.html>

135 “Disabled Makarau is sentenced to 7 days of arrest in Gomel” [in Belarusian], *Radio Liberty*, March 24, 2017, <http://www.svaboda.org/a/28387993.html>

136 “Activists are detained and fined for appeals in social networks to participate in protests” (in Russian), *Salidarnast*, March 22, 2017, http://gazetaby.com/cont/art.php?sn_nid=124281

137 “Fine for a post in social networks” [in Belarusian], *Novy Chas*, April 13, 2017, <http://novychas.by/palityka/slucki-sud-acaniu-zaklik-na-dzen-voli-u-25-bazavyh>

small town in the Mogilev region, was fined \$120 for reposting a video about anarchists. Rabets, whose mobility is limited due to a disability, had his mobile phone confiscated.¹³⁸ A young person from Khoyniki was charged for reposting the same video in Vkontakte.¹³⁹ In Mozyr, Dzmitry Shcharbatykh was fined for making derogatory posts about the Belarusian language on social media in September 2016.¹⁴⁰

Surveillance, Privacy, and Anonymity

Belarus employs systematic, sophisticated surveillance to monitor its citizens and control critical expression online. The law allows the government to undertake wide-ranging surveillance at its discretion, and does not require independent judicial authorization or oversight. A recent Amnesty International report notes 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. It concludes that “civil society itself is weaker in Belarus because of surveillance, and the chilling effect that comes with the fear of surveillance.”¹⁴¹

The Belarusian government continued increasing its ability to monitor its citizens and control critical expression online through systematic surveillance. In July 2016, the government’s Investigative Committee publicized its use of a Japanese system, Cellebrite’s UFED Touch, to gain access to data on smartphones.¹⁴² Through a system known as “Passport,” the Interior Ministry will be able to monitor and track all citizens that enter into a contract with a telecommunications company.¹⁴³ Mobile subscribers and SIM card purchasers now will be video photographed. The authorities plan to set up a nationwide surveillance system after confronting the largest protests in two decades.¹⁴⁴

In Belarus, all telecommunications operators must install surveillance equipment which makes 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 January 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 5-10 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.¹⁴⁵

138 “Disabled person from Parychau is fined and his mobile phone confiscated for a report of a video about anarchists” [in Belarusian], *Nasha Niva*, March 29, 2017, <http://nn.by/?c=ar&i=188143>.

139 “Like the invalid from Parychau, young man from Khoyniki is labeled an extremist” [in Belarusian], Radio Liberty, March 20, 2017, <http://www.svaboda.org/a/maksim-maksimienka/28380711.html>.

140 Alena Hermanovich, “Man in Mazyr fined for making insulting statements about Belarusian language,” *Bela AN*, September 22, 2016, http://en.belapan.by/archive/2016/09/22/en_22091526b.

141 “It’s Enough for People to Feel It Exists: Civil Society, Security and Surveillance in Belarus,” Amnesty International, London, 2016, file:///C:/Users/_odger/Downloads/EUR4943062016ENGLISH.PDF.

142 Andrey Gavron, “Minsk investigators have a system that can extract data from smartphones” [in Russian], *Minsk News*, July 22, 2016, <http://minsknews.by/blog/2016/07/22/minskie-sledovateli-obzavelis-kompleksom-po-izvlecheniyu-dannyih-iz-smartfonov>.

143 “Carriers will more thoroughly check the information of subscribers when connected” [in Russian], TUT.by, September 6, 2016, <https://42.tut.by/510954>.

144 Aliaksandr Kudrytski, “Belarus Rolls Out Big Brother to Counter Worst Unrest in Decades,” *Bloomberg*, March 27, 2017, <https://www.bloomberg.com/politics/articles/2017-03-27/belarus-rolls-out-big-brother-to-counter-worst-unrest-in-decades>

145 Alyaksey Areshka, “Internet service providers required to keep records of customers’ visits to websites,” *BelaPAN*, March 15, 2015, <http://bit.ly/1LSCE3M>.

Since 2010, the authorities have been utilizing the Russian-developed intercept technology SORM (System of Operative Investigative Measures).¹⁴⁶ SORM provides state authorities with direct, automated access to communications and associated data from communications providers, including landline telephones, mobile networks, and internet service providers (ISPs).¹⁴⁷ Since late 2011, deep packet inspection (DPI) technology has been available for network packet inspection and filtering according to content.¹⁴⁸ The Belarusian government uses Semantic Archive, software developed in Russia that monitors open data such as media archives, online sources, blogs, and social networks.¹⁴⁹ It also employs viruses, malware, and spying software to conduct cyber surveillance.¹⁵⁰ Since at least 2010, the authorities have employed mobile telephone surveillance measures.¹⁵¹

Chinese and Western firms reportedly have supplied equipment and software that allow the state to expand its surveillance of citizens.¹⁵² 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 unsuitable for visitors, and track user actions, sites visited, materials read, and programs connected.¹⁵³ Another report indicated that the government had installed equipment to track anonymizer and proxy tools so that it could prevent their use to access banned websites.¹⁵⁴

In Belarus, there is no judicial or independent oversight of internet or ICT surveillance. Among experts, there is widespread belief that the internet traffic, text messages, and voice calls of political and civic activists are routinely monitored. One study called the Lukashenka government “a pioneer and leader in counter-revolutionary, including ICT-based, tactics among all the post-Soviet states.”¹⁵⁵ While the government continues to expand surveillance over the internet, few ordinary Belarusians realize the extent of this surveillance and the threat it poses to internet users.¹⁵⁶ But this may be changing; a recent study on cyber threats found that 48 percent of Belarusian internet users cover their web cams because they fear hackers.¹⁵⁷

Given the government’s increasing control over the internet, Belarusians are using proxy servers

146 Ministry of Communications and Informaization (MPT), “Measures on implementation of the National program of accelerated development of information and communication technologies for 2011-2015” [in Russian] <http://bit.ly/1RftClJ>

147 See “What is SORM?”, “It’s Enough for People to Feel It Exists: Civil Society, Security and Surveillance in Belarus,” Amnesty International, London, 2016, <file:///C:/Users/odger/Downloads/EUR4943062016ENGLISH.PDF>, p. 34.

148 Mikhail Doroshevich and Marina Sokolova, “Internet Development and Usage,” ed. Anatoly Pankovsky and Valeria Kostyugova, *Belarusian Yearbook* 2012, 2013, 174, <http://bit.ly/1hJ9XhL>.

149 Andrei Soldatov and Irina Borogan, “Russia’s Surveillance State,” *World Policy Institute*, Fall 2013, <http://bit.ly/1cZerr4>

150 “Insights into Internet freedom in Central Asia: Belarus,” Digital Defenders Partnership 2013, accessed March 24, 2015, <http://bit.ly/1OJ7ocQ>

151 Stanislav Budnitski, “Big Brother in Eurasia: Surveillance goes digital,” *Digital.Report*, November 13, 2014, <http://bit.ly/1Rfu5nU>

152 Andrei Aliksandrau, “Belarus: Pulling the Plug,” 16-17.

153 Galina Petrovskaya, “The Belarusian segment of the internet: under the hood of the state” [in Russian], *Deutsche Welle*, September 24, 2015, <http://bit.ly/2fuDknz>

154 “A system for tracking anonymizers has been launched in Belarus,” [in Russian], *Providers.by*, December 10, 2015, <http://providers.by/2015/12/news/v-belarusi-zarabotala-sistema-poiska-anonimajzerov>

155 Volodymyr Lysenko and Kevin Desouza, “The Use of Information and Communication Technologies by Protesters and the Authorities in the Attempts at Colour Revolutions in Belarus 2001–2010,” *Europe-Asia Studies*, vol. 67, issue 4, 2015, <http://www.tandfonline.com/doi/full/10.1080/09668136.2015.1031642>

156 Jerome Taylor, “Government of Belarus using ‘new tools’ to silence dissent on internet, says Index on Censorship report,” *The Independent*, January 4, 2013, <http://ind.pn/1QATQPw>. Since a majority of Belarus’ internet traffic passes through Russia which also employs SORM, it is also presumably spied on by that country’s security services, which have close relations with their Belarusian counterparts.

157 Tatiana Zharnosek, “Half of Belarusians suspect that they are being spied on” [in Russian], *Завтра Твоей Страны*, March 24, 2017, http://zavtra.by/art.php?sn_nid=24365

and other methods to circumvent restrictions and surveillance. During the past year, Tor use in the country declined from about 6,500 to less than 4,000 users.¹⁵⁸ This could be due to the government's 2015 ban of anonymity and circumvention tools and the blocking of Tor in late November 2016 (See "Blocking and Filtering").

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.¹⁵⁹ Internet cafes are also required to photograph or film users.¹⁶⁰ Restaurants, hotels, and other entities are obliged to register guests before providing them with wireless access, whether free or paid.¹⁶¹ In July 2016, The Interior Ministry announced that it will launch a website at which hotels and other establishments providing accommodation will be required to provide information about their foreign guests within three hours of check-in. The website was expected to go online by October 1, 2017.¹⁶²

Belarus has not joined the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.¹⁶³ In general, independent experts conclude that "Belarusian legislation does not provide a satisfactory basis for the proper balance between freedom and security online."¹⁶⁴

Intimidation and Violence

Though extralegal violence and intimidation became less widespread in 2016 as the Belarusian government sought international recognition for the September parliamentary elections in an attempt to normalize relations with the EU, the environment changed rapidly amid the spring antigovernment protests.

During the peaceful protests of February and March 2017, riot police often employed unnecessary and disproportionate force. Despite displaying their press badges, journalists were unjustly beaten and abused while being detained and arrested.¹⁶⁵

The Belarusian Association of Journalists called on the Ministry of Internal Affairs to halt the escalation of violence against journalists and to conduct necessary investigations. The Ministry's official response stated that it had no information regarding any illegal actions by police and that "belonging to the media does not exempt citizens from being accountable for violating the public order by

158 Tor Project, "TorMetrics – Users," accessed April 22, 2017, <https://metrics.torproject.org/userstats-relay-country.html?start=2016-06-01&end=2017-04-22&country=by&events=off>

159 "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>

160 Alyaksey Areshka, "Authorities scrap passport requirement for Internet cafes' visitors," *BelaPAN*, December 27, 2012, <http://bit.ly/1Mubh0t>

161 Including the user's name, surname, type of ID, ID number, and name of the state body which issued the ID, as per Art. 6. Regulation on computer clubs and internet café functioning, <http://bit.ly/1jlgoTB>

162 Vyachaslav Budkevich, "Hotels to inform police about foreign guests online," *BelaPAN*, July 26, 2016, http://en.belapan.by/archive/2016/07/26/en_26071227b

163 Elena Spasiuk, "Belarusians will be checked by database," [in Russian] *Belorusskiye Novosti*, July 24, 2013, <http://bit.ly/1Oz6VLH>

164 Marina Sokolova, "Freedom and Security Online in Belarus: Window for Opportunities," *Lawtrend*, (presentation, May 2014) <http://bit.ly/1Oz72a5>

165 "Prosecution of Journalists in March 2017 – General Figures," Belarusian Association of Journalists, March 30, 2017, <https://baj.by/en/content/prosecution-journalists-march-2017-general-figure> and "Monitoring of Violations of Journalists Rights in 2017 (Chart), Belarusian Association of Journalists, March 22, 2017, <https://baj.by/en/analytics/monitoring-violations-journalists-rights-2017-chart>, accessed April 21, 2017.

organizing mass events, especially those posing as journalists.” In turn, the Ministry called on BAJ “to stop covering for and excusing individuals who have nothing to do with the media.”¹⁶⁶

Journalists and media activists detained during the protests reported poor conditions and violent treatment in prison. The editor of the Belarusian service of InformNapalm.org, who was sentenced to five days of administrative arrest, complained about the inedible food and lack of drinking water at Minsk’s Akrescina prison. He also claimed that he and his cellmates had been denied pens and therefore could not compose appeals.¹⁶⁷

Dzianis Maruk, editor of RealBrest.by, was brutally beaten at a police station after being detained while covering the protests in March 2017. Maruk claimed that officers were trying to forcibly remove a flash drive with recorded video, which he was hiding in his mouth. Maruk was ultimately fined and released, though the Lenin district police department in Brest denied the entire incident.¹⁶⁸

Female journalists and media activists reported cases of gender-related harassment and intimidation. Some were ordered to undress in front of a video camera at a police station. Others complained that they were not allowed to make calls to their family members, including minors, to inform them that they had been detained, or to use the bathroom for several hours.¹⁶⁹ Some journalists had to seek psychological counseling as a result of the abuse they endured.

Technical Attacks

Technical attacks are not prevalent in Belarus, but the government occasionally employs them against independent websites, often coinciding with important political events, such as elections, national 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.

This past year, technical attacks were infrequent. However, several independent online news outlets did report unusual activities on their sites. *Gazetaby* observed a sudden increase in visitors in December 2016–January 2017, which abruptly ceased on January 31. Analysis of the audience sources and behavior revealed that the cause was actually a multitude of bots, originating from Russia, which were trying to uncover weaknesses in the site’s security. In March 2017, another independent website, *Novychas*, experienced a short but intense Distributed denial-of-service (DDoS) attack. According to the site’s administrator, the attack also was testing its defenses.¹⁷⁰

On the eve of the March 25 “Freedom Day” demonstration, the Facebook accounts of Mikola Statkevich, an opposition leader and a chief organizer of the protest, and Maryna Adamovich, his wife, were hacked. The accounts disseminated fake posts under Statkevich’s name that discouraged people from attending the demonstration. On the same day, similar messages were sent via Viber from

166 “Ministry of Internal Affairs to BAJ: Introduce themselves as journalists, but not being them,” [in Belarusian], BAJ.by, April 18, 2017, <https://baj.by/be/content/mus-bazhu-pradstauyayucca-zhurnalistami-ale-ne-zyaulyayucca-imi>

167 Andrei Mialieshka, “Dzianis Ivashyn: I will continue holding to account my judge and perjurers,” [in Belarusian], BAJ.by, March 31, 2017, <https://baj.by/be/content/dzianis-ivashyn-budu-prycyagvac-da-adkaznasci-i-suddzyu-i-ilzhesvedak>

168 “Editor of Realbrest.by portal: ‘Police used a spoon to unclench my mouth, where I hid a flash drive with personal videos,’” [in Belarusian], NN.by, March 28, 2017, <http://nn.by/?c=ar&i=188082>

169 “Press conference on recent detentions in Belarus,” BAJ.by, March 20, 2017, <https://baj.by/en/content/press-conference-recent-detentions-journalists>

170 “Novy Chas’ website is under DDoS attack” (in Belarusian), Belarusian Association of Journalists, March 22, 2017, <https://baj.by/be/content/na-sayt-gazety-novy-chas-adbyvaecca-dos-ataka>

an old number that the Statkevich had not used for a long time.¹⁷¹ When journalists called Statkevich to verify that he indeed had sent the messages, his phone proved to be unavailable. Later that day, Adamovich confirmed that their social networks had been hacked and that someone was trying to discredit Statkevich and misinform the public about the demonstration.¹⁷² She also stated that all of their home's communication channels, including their landline, wireless internet and mobile telephone, had been shut down.

171 "Demonstration will take place on March 25. Fakes messages are being distributed on behalf of Statkevich' – Niakliaeu says" [in Belarusian], Radio Liberty, March 24, 2017, <http://www.svaboda.org/a/28388378.html>

172 "All connectivity is shut down in the house of Maryna Adamovich and Mikola Statkevich" [in Belarusian], Radio Liberty, March 24, 2017, <http://www.svaboda.org/a/28388484.html>