

BELARUS

	2012	2013
INTERNET FREEDOM STATUS	NOT FREE	NOT FREE
Obstacles to Access (0-25)	16	16
Limits on Content (0-35)	23	22
Violations of User Rights (0-40)	30	29
Total (0-100)	69	67

POPULATION: 9.5 million
INTERNET PENETRATION 2012: 47 percent
SOCIAL MEDIA/ICT APPS BLOCKED: Yes
POLITICAL/SOCIAL CONTENT BLOCKED: Yes
BLOGGERS/ICT USERS ARRESTED: Yes
PRESS FREEDOM 2013 STATUS: Not Free

* 0=most free, 100=least free

KEY DEVELOPMENTS: MAY 2012 – APRIL 2013

- Change.org, an online petition platform, was blocked for two weeks in August 2012, possibly in connection with a petition that supported the release of two citizens who had been unjustly arrested (see **LIMITS ON CONTENT**).
- The overall number of online users arrested declined in comparison to the mass arrests that occurred during the spring 2011 protests; however, government persecution of online activists became more targeted as arrests and detentions were more directly linked to users’ online activities (see **VIOLATIONS OF USER RIGHTS**).
- Each of the three major cases of criminal prosecution against media practitioners concerned internet publications (see **VIOLATIONS OF USER RIGHTS**).
- Instances of technical attacks against the websites of independent media and civil society groups continued to grow (see **VIOLATIONS OF USER RIGHTS**).

INTRODUCTION

The overall situation for internet freedom in Belarus remained relatively stagnant during 2012-2013. The government, run by the autocratic President Alexander Lukashenka, continues to exert control over the online sphere by blocking websites and intimidating online users. Repression of activists also became more targeted this year, compared to the large number of arrests made in connection with a series of protests in 2011.

During the past year, internet access in Belarus continued to grow. The country's external gateway capacity expanded to 350 Gbps, and significantly more users reported having access to broadband networks. All of Belarus' mobile operators offer internet access and the number of mobile internet users is growing. However, while access may be improving, the government continues to regulate, control, and restrict the scope of online content.

In 2010, the Ministry of Telecommunications issued a regulation for a catalogue of websites whose access should be blocked in state-run facilities and cybercafes. The procedure for consigning sites to this blacklist remains nontransparent and there is no functioning appeal process. As of February 2013, the list reportedly contained 119 websites, including a number of leading political, news, and human rights websites. The authorities continue the practice of occasionally blocking certain independent websites under specific circumstances. On September 23, 2012, the day of the parliamentary elections, the authorities blocked access to four websites that were reporting violations observed by independent organizations and citizens.

During the past year, the harassment and persecution of online journalists and activists deemed to be critical of the government continued and became more targeted. In 2012-2013, each of the three major cases of criminal prosecution against media practitioners concerned internet publications. Of the 11 political prisoners being held by the government, two regularly published online. There were about 60 cases of detentions of journalists, independent press distributors, and members of social networks. Instances of extralegal harassment of online activists, especially those involved in political communities on social networks, continued to take place. In August 2012, the authorities launched a campaign against social networks critical of President Lukashenka. Instances of technical attacks against independent websites grew. In April 2013, several leading political and civil society sites experienced a coordinated hacker attack, which included explicit threats against online publishers and journalists.

OBSTACLES TO ACCESS

From 2012-2013, the number of internet users in Belarus continued to grow rapidly and the quality of internet connections improved, despite a year of political and economic stagnation. The government's loss of popularity and credibility in the wake of the 2011 economic crisis continued

to spur demand for alternative sources of information.¹ With the authorities controlling the majority of print and broadcast outlets, the internet serves as the country's only island of free media. At the same time, the crisis did not dramatically affect government investment in the internet nor significantly increase internet costs, allowing many to begin using the internet as a source for news and a tool for social interaction.

The National Statistical Committee reported that Belarus has an internet penetration rate of 71.9 percent.² An independent study by Gemius in December 2012 found that there were 4.6 million internet users, or 13.8 percent more than the year before, producing a penetration rate of about 56 percent.³ Statistics reported by the International Telecommunication Union (ITU) place the internet penetration rate lower at 47 percent for 2012.⁴ In January 2013, the country's external internet gateway capacity was expanded to 350 Gbps. Following a growth of 20 percent in 2012, this upgrade will result in an increase in capacity of 44 percent in the first half of 2013.⁵ In 2012, Belarus' wireless network was expanded to 1,300 hot spots, including 712 in the capital.⁶

The country's four mobile phone operators had a combined total of 10.7 million subscribers, for a total penetration rate of 113 percent as of January 2012.⁷ All four mobile operators offer internet access, and 4,360 of the country's 15,000 base stations are 3G-capable. The share of smartphones in the mobile market is approximately 40 percent.⁸ By October 2012, about 12 percent of internet users were accessing websites via mobile telephones, half of them with smartphones.⁹ A report by Index on Censorship calculates that more than 2 million Belarusians have access to the internet via mobile devices and that more than 4 percent of online page views from Belarus now come from smartphones and tablets.¹⁰ Mobile phone operators report considerable growth in the average

¹ Alyksandr Klaskowski, "Private media gain credibility," *Belapan*, January 9, 2013, http://en.belapan.com/archive/2013/01/09/en_598444_598445. See also Александр Класковский, «Рупоры властей заржавели. Что взамен?» [Alyksandr Klaskowski, The horns of the authorities rusted. What's instead?], *Naviny.by*, January 11, 2013, http://naviny.by/rubrics/society/2013/01/11/ic_articles_116_180482.

² National Statistical Committee (NSC), "Key indicators of public communication," accessed January 27, 2013, <http://belstat.gov.by/homep/ru/indicators/transport.php>. NSC data is based on the numbers reported by providers and does not distinguish between legal entities and private users.

³ Mikhail Doroshevich, "Internet in Belarus, December 2012, E-Belarus, January 31, 2013. For the November 2012 statistics, see Alena Spasyuk, "Internet users in Belarus said to have increased in number by 13.3%," *Belapan*, November 23, 2012, http://en.belapan.com/archive/2012/11/23/en_19271123m.

⁴ International Telecommunication Union (ITU), "Percentage of individuals using the Internet," 2012, accessed July 6, 2013, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>

⁵ Belarus plans to raise Internet gateway capacity nearly by half, <http://news.belta.by/en/news/society/?id=697993>.

⁶ "Belarus external Internet gateway capacity up to 350Gbps, *Belta*, January 3, 2013, <http://news.belta.by/en/news/society?id=703179>.

⁷ National Statistical Committee (NSC), "Key indicators of public communication," accessed January 27, 2013, <http://belstat.gov.by/homep/ru/indicators/transport.php>.

⁸ "Цифры ИТ – статистика в Беларусі" [IT figures - statistics for Belarus], *IT.tut.by*, accessed January 27, 2013, <http://it.tut.by/numbers/#cell>. One of the four mobile phone operators, TeleGeography Mobile Digital Communications (Velcom), declared that as of December 31, 2012 its 3G/3G+ mobile networks were available to 100% of the urban population, while voice services coverage extended to 98.9% of the total population, <http://www.e-belarus.org/news/201301101.html>.

⁹ Alena Spasyuk, "Internet users in Belarus said to have increased in number by 13.3%," *Belapan*, November 23, 2012, http://en.belapan.com/archive/2012/11/23/en_19271123m.

¹⁰ Andrei Alexandrau, Belarus: Pulling the Plug, *Index on Censorship*, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

revenue per user (ARPU), which is attributed to the rising number of the internet users and the development of data transmission services.¹¹

According to Gemius, 80.7 percent of internet users in Belarus access the internet on a daily basis.¹² The key divide in levels of access is not between rural and urban populations—since almost 75 percent of Belarusians live in urban areas—but between the country’s capital and other regions. However, the share of users in the capital city of Minsk has decreased from 40 percent to 28 percent over the last five years, and internet users in other cities with a population of more than 50,000 now account for more than 20 percent of the total.¹³ Another significant determinant of internet use is age: 30 percent of all users are 25-34 years old, 21 percent are 19–24 years old, 19.5 percent are 35–44 years old, and only 6.5 percent are 55 years or older.¹⁴ Most internet users—93.5 percent—regularly access the internet at home, and 29.8 percent do so at work. Internet cafes remain the least popular point of access, with just 4.2 percent of users utilizing them.¹⁵

While Belarus has two official languages—Belarusian and Russian—the majority of citizens use Russian in daily life. As a result, most online software is in Russian, although some popular software is also available in Belarusian, often translated by local enthusiasts.

In September 2012, almost 70 percent of Belarusian users reported having broadband access.¹⁶ This figure has increased rapidly since 2010, when Belarus had Europe’s lowest level of high speed access, at only 10 percent of the population. The largest choice and best quality of internet access is available in Minsk, where 38 companies offer internet access through ADSL, Ethernet, cable TV, and mobile networks. Smaller cities have a significantly narrower selection of options. Rural dwellers are largely dependent on the state-owned telecommunications monopoly Beltelecom, which provides IPTV¹⁷ and internet access through ADSL (if phone lines are available), or via mobile internet, which is quite slow in remote locations. Internet connections are the slowest in the sparsely-populated areas of the southeastern and northern parts of the country.

The cost of broadband access via DSL and cable is generally tied to volume, reflecting the pricing structure that Beltelecom uses when selling bandwidth to downstream internet service providers (ISPs). This makes it somewhat expensive to download large items like music or movies, while for common activities such as e-mail and web browsing, the volume surcharges do not create a barrier for most users. An unlimited internet access service was launched by Beltelecom in 2007. Initially quite expensive, it has become more affordable, and prices range from approximately \$5–\$45 per

¹¹ “The average revenue per user (ARPU) of Belarusian mobile carriers rose considerably in Q3 2012,” Belta, November 19, 2012, <http://news.belta.by/en/news/econom?id=699383>.

¹² Mikhail Doroshevich, “Internet in Belarus, December 2012,” E-Belarus, January 31, 2013, <http://www.e-belarus.org/news/201301311.html>.

¹³ Alena Spasyuk, “Internet users in Belarus said to have increased in number by 13.3%,” Belapan, November 23, 2012, http://en.belapan.com/archive/2012/11/23/en_19271123m.

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

¹⁵ Mikhail Doroshevich, “Internet in Belarus, December 2012,” E-Belarus.org, <http://www.e-belarus.org/news/201301311.html>.

¹⁶ “Internet audience in Belarus increased by 14%,” IT.tut.by, October 24, 2012, <http://it.tut.by/317249>.

¹⁷ IPTV refers to “internet protocol over television”, a manner of providing television viewing through the internet rather than through traditional terrestrial, satellite, or other technologies.

month, depending on the speed. Beltelecom raised internet access prices by 10 percent in March 2012 and by another 10 percent in January 2013.¹⁸ Mobile phone and internet access charges were increased by 20 percent in January 2013, as mobile operators were no longer exempted from paying a value added tax (VAT).¹⁹

The increase in internet penetration has resulted in the continued growth of citizens' activity on social networking sites. The Russian site VKontakte (vk.com) continues to be the most popular social network service, with 2.5 million accounts registered in Belarus, and is the most accessed website in the country.²⁰ About 1.6 million Belarusians use the Russian social network Odnoklassniki.ru.²¹ As of February 2013, there were more than 112,000 blogs registered on LiveJournal from users in Belarus.²² As of May 2012, there were 95,000 Belarusian users registered on Twitter, including 18,000 active users.²³ The total number of Facebook users in Belarus is close to 500,000 (about 5 percent of the total population and 16 percent of internet users), and has grown by more than 130,000 since May 2012.²⁴

While foreign social networks remain very popular in Belarus and their number of users continues to grow, local networks appear to be gaining an audience within the country. In April 2012, the Minsk-based IT.TUT.by reported having over 1.2 million registered users on their social networking site, I.TUT.by.²⁵ As of January 2013, there were over 1 million users registered in another popular local social network, Vseti.by, compared to 315,000 users in October 2011.²⁶

Beltelecom and the National Center for Traffic Exchange, established by the government in 2011, remain the only entities with the ability to handle connections with ISPs outside of Belarus. Beltelecom also holds a monopoly on fixed-line communications and internet services inside Belarus. In April 2012, the Center for Traffic Exchange replaced Beltelecom in providing access to the points of sharing national traffic (peering).²⁷ The Ministry of Communications and Information Technology has issued 180 licenses for secondary ISPs, though only 56 are currently active in Belarus. The Beltelecom subsidiary Belpak remains the largest ISP. While the government does not limit the amount of bandwidth that access providers can supply, all ISPs depend on the facilities of

¹⁸ “Белтелеком не планирует повышать тарифы на Интернет до конца 2012 года” [Beltelecom is not planning to raise tariffs for Internet before the end of 2012], Ukaz60.net, accessed January 27, 2013, <http://ukaz60.net/node/281>; “С 18 января byfly и ZALA подорожают на 10%” [On January 18, byfly and Zala will increase prices by 10 %], Ukaz60.net, accessed January 27, 2013, <http://ukaz60.net/node/298>.

¹⁹ Alyaksey Areshka, “Mobile phone, Internet access charges rise by 20 percent,” Belapan, January 2, 2013, http://en.belapan.com/archive/2013/01/02/en_16550102.

²⁰ Alexa, “Top Sites in Belarus,” accessed January 27, 2013, <http://www.alexa.com/topsites/countries/BY>.

²¹ “Top 10 Websites,” gemiusAudience, accessed on May 12, 2013, <http://www.audience.by>.

²² “Цифры ИТ – статистика в Беларуси” [IT figures - statistics for Belarus], IT.tut.by, accessed March 8, 2013, <http://it.tut.by/numbers/#cell>.

²³ Ibid.

²⁴ “Belarus Facebook Statistics,” SocialBakers, accessed January 27, 2013, <http://www.socialbakers.com/facebook-statistics/belarus/last-3-months#chart-intervals>.

²⁵ “Цифры ИТ – статистика в Беларуси” [IT figures - statistics for Belarus], IT.tut.by, accessed January 27, 2013, <http://it.tut.by/numbers/#cell>.

²⁶ Vseti.by, accessed on May 13, 2013, <http://vseti.by>.

²⁷ “Национальный центр обмена трафиком заменил Белтелеком в части услуг пиринга,” [National Center for Traffic Exchange replaced Beltelecom in providing peering services], TechOnliner.by, April 3, 2012, <http://tech.onliner.by/2012/04/03/nacionalnyj-centr-obmena-trafikom-zamenil-beltelekom-v-chasti-uslug-piringa>.

the state-owned Beltelecom, which allows the authorities to control access speeds for the entire country, if needed.

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

LIMITS ON CONTENT

With the 2000–2005 “color revolutions” and 2011 Arab Spring in mind, Belarus' authoritarian government has attempted to extend its control over online content. Local media rights groups have argued that the regulations adopted during the last three years—such as Decree No. 60, (“On measures for improving use of the national internet network”)—reflect an alarming trend toward greater control of the internet, noting that many of the decree's provisions remain vague and unclear.²⁹ The procedure for putting sites on an official blacklist, for example, is completely nontransparent. Additionally, the government has continued to influence online content by increasing financial support to pro-government media outlets. There were a few instances of blocking in 2012–2013, such as the temporary blocking of Change.org in August 2012; however, other sites such as Facebook, Twitter, and YouTube remain accessible.

Decree No. 60, which was enacted on February 1, 2010 and came into effect on July 1, 2010, introduced provisions by which ISPs are required to block access to restricted information, such as pornography and material inciting violence. By law, the authorities can only institute this blocking in state institutions or when requested by individual users. In practice, however, the government has engaged in ad hoc efforts to limit access to internet content deemed contrary to its interests, though Belarusian telecoms typically cite technical problems rather than admitting to blocking. The authorities have regularly blocked certain websites on specific days when there are elections, holidays important to the democratic opposition, or scheduled protests.

On June 29, 2010, the Ministry of Telecommunications and the OAC issued a regulation calling for the creation of two lists to catalog the URLs of all websites whose access should be blocked in state-run facilities and internet cafes; one list is public, while the other is accessible only to ISPs.³⁰ As of May 2013, the publicly-accessible list did not contain any URLs, while the number of URLs on the

²⁸ See “Instructions on the procedure of domain names registration in the field of hierarchical names of the national segment of the Internet network” at <http://cctld.by/eng/rules.html>.

²⁹ Volha Prudnikava, “Authorities use both legal and illegal methods to control Internet, experts say,” *Belapan*, January 11, 2012, http://en.belapan.com/archive/2012/01/11/en_522094_522095; “Belarus Again on the List of Internet Enemies (with Andrey Bastunets Comments),” *Belarusian Association of Journalists*, March 12, 2012, <http://baj.by/en/node/11431>.

³⁰ “БелГИЭ приступила к формированию “черного списка” [State Supervisory Body for Telecommunications Started Forming the “Black List”] *Electroname*, July 9, 2010, <http://www.electroname.com/story/7329>.

restricted list remains unknown.³¹ On July 10, 2012, the state news agency Belta reported that the number of blacklisted websites had doubled since October 2011 and that the restricted list included 80 websites, most of which contain extremist or pornographic content.³² According to Uladzimir Rabavolaw, the first deputy head of the presidential administration's Operational and Analytical Center (OAC), the list contained 119 websites as of February 2013.³³ Based on unofficial information, the blacklist also includes at least two of the country's most popular independent news and information websites, Charter97.org and Belaruspartisan.org, as well as the website of the Viasna Human Rights Center and the blog of the popular independent political commentator Yauhien Lipkovich.³⁴ The Prosecutor General's Office has confirmed that Charter97.org and Belaruspartisan.org are on the restricted list.³⁵ State officials claim that the sites remain privately accessible.³⁶ State bodies authorized to add sites to the blacklist include the Ministry of Internal Affairs, the Prosecutor General's Office, and the KGB.

Under amendments dating from November 2011, which stipulate the fines for violating Decree No. 60, ISPs that provide access to blacklisted websites are required to pay a small fine. In practice, ISPs seem to be inconsistent in blocking access to these sites; some have blocked access to blacklisted sites without any user requests, which is technically illegal under the decree, while others have ignored the blacklist.³⁷ ISPs block the blacklisted websites by web address or in combination with IP filtering. In December 2012, Index on Censorship conducted field research using a sample group of blacklisted sites to assess the scope of the filtering. The results indicated varying degrees of blocking. While the sites were available via internet cafes in Minsk and through Belarus' three major mobile operators, some or all were blocked in places where the state had greater control over the internet connection, such as government buildings and universities.³⁸

The authorities continue to practice occasional blocking of certain independent websites under specific circumstances. In August 2012, Change.org, a site which offers individuals and organizations the opportunity to publicize petitions and gather more supporters, could not be accessed inside Belarus. The independent website Charter97.org alleged that the authorities had blocked Change.org in order to prevent citizens from signing an online petition for the release of Anton Surapin and Syarhey Basharymaw, who were unjustly arrested and charged with allegedly

³¹ "Списки ограниченного доступа" [Lists of Restricted Access], Ministry of Telecommunications, accessed on May 12, 2013, <http://belgie.by/node/216>. For the online version, see also <http://bit.ly/14Tskal>.

³² "В Беларуси удвоилось количество запрещенных сайтов," [Number of banned websites doubled in Belarus], Ej.by, July 10, 2013, http://www.ej.by/news/politics/2012/07/10/v_belarusi_udvoilos_kolichestvo_zapreschennyh_saytov.html.

³³ "ААЦ – заблякаваным сайтам: Пішыце апеляцыі" [OAC to blocked websites: Write appeals], Viasna, February 17, 2013, <http://spring96.org/be/news/61348>.

³⁴ Zmitsier Lukashuk, "Websites restricted for state institutions since November 28," Euroradio, November 30, 2011, <http://baj.by/en/node/9118>.

³⁵ Vyacheslaw Budkevich, "Government begins blocking access to opposition websites," Belapan, April 11, 2011, http://en.belapan.com/archive/2011/04/11/en_20240411.

³⁶ Tanya Korovenkova, "Belarus: Internet under surveillance, but still relatively free," Belapan, February 23, 2013, http://en.belapan.com/archive/2013/02/23/en_607543.

³⁷ Volha Prudnikova, "Authorities use both legal and illegal methods to control internet, expert says," Belapan, June 24, 2011, http://en.belapan.com/archive/2012/01/11/en_522094_522095.

³⁸ "Belarus: Pulling the Plug," Index on Censorship, pp. 12-13, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

assisting in the illegal flight of a foreign airplane over Belarusian airspace on July 4, 2012.³⁹ While accessible from other countries, Change.org remained blocked in Belarus for two weeks.

On September 23, 2012, the day of the parliamentary elections, the authorities again used Beltelecom to block access to the websites of the civic and political For Freedom Movement (Pyx.by), Belarusian Christian Democracy party (Bchd.info), and the political news source Unity-Democracy-Freedom (UDF.by), as well as the crowdsourcing election monitoring platform Electby.org. The main criteria for the blocking were election-related activities; all of the sites on the list were publishing reports of violations from independent observation groups and ordinary citizens. IP filtering was used as the blocking mechanism. The blocking commenced at 7:30pm on September 23 and continued for about 24 hours. This type of blocking proved relatively easy to bypass by changing IP addresses and updating DNS records. Three of the four sites (Electby.org, Pyx.by, and UDF.by) utilized these tactics and were inaccessible for only short periods of time. The Bchd.info team was unable to restore access, most likely due to the limitations of its hosting, which did not permit changing the IP address. Unlike in past elections, most independent news sources, as well as the majority of the political opposition's websites, were not blocked. Social networks also remained accessible. This limited response by the authorities reflected the fact that citizens expressed little interest in these elections, and the opposition did not call for or plan public protests.

On February 25, 2013, the Belarusian authorities again blocked access to the website of the Belarusian Christian Democracy party (BChD), as reported by the press office of the unregistered opposition party. BChD Executive Secretary Dzyanis Sadowski linked the blocking to the party's campaign called "Wave of Solidarity," which is aimed at supporting political prisoners and other victims of the Lukashenka regime.⁴⁰

To date, it appears that the Belarusian government does not possess the capacity to employ sophisticated internet blocking techniques, and therefore resorts to more basic approaches like IP filtering and disabling DNS records.⁴¹ Also, it seems that the authorities do not perform regular or automated monitoring of the accessibility of banned sites, and it generally takes from 4 to 16 hours to block a new IP address. No documented instances of deep packet inspection (DPI) filtering have been recorded so far.

Since 2008, the government has employed stringent requirements for accreditation to restrict non-state journalists' access to information.⁴² The Law on Mass Media requires journalists to obtain

³⁹ Syarhey Pulsha, "Web users in Belarus unable to access popular online petition site," Belapan, August 12, 2012, http://en.belapan.com/archive/2012/08/12/en_12081454b.

⁴⁰ Syarhey Karalevich, "Authorities block access to website of Belarusian Christian Democracy," Belapan, February 25, 2103, http://en.belapan.com/archive/2013/02/25/en_17350225m.

⁴¹ "В Беларусі заблокіраван доступ к сайту Change.org" [In Belarus access to Change.org website is blocked], Providers.by, August 13, 2012, <http://providers.by/2012/08/news/v-belarusi-zablokirovan-dostup-k-change-org>.

⁴² The Law on Mass Media envisages an authorization-based procedure of accreditation. Moreover, it does not allow the possibility to appeal against a refusal of accreditation as a journalist. A journalist is forbidden to carry out professional activities, if he or she is not accredited. "Comments on Suggestions to Media Law," Belarusian Association of Journalists, January 24, 2013, <http://baj.by/en/node/19255>.

authorization before they can become accredited and it does not allow individuals to appeal the decision in cases where their accreditation is refused. Journalists, including those publishing online, are not allowed to work professionally if they are not accredited.⁴³

In January 2013, the Ministry of Foreign Affairs denied the accreditation application of Pavel Sviardlou, a Belarusian journalist known for his online reports for the Warsaw-based European Radio for Belarus.⁴⁴ The ministry cited Sviardlou's previous arrest in June 2012—when police officers grabbed him off the street and forced him into a minibus, after which he served a 15-day detention on the charge of using obscene language—as the reason for denying his application. On March 26, 2013, the ministry denied accreditation, for the third time, to Belsat, the Warsaw-based independent Belarusian-language satellite television channel and online news source, on the grounds that Belarusian journalists reporting for the channel had violated Belarusian media laws.⁴⁵ Additionally, journalists for Belsat have been continually harassed by the Belarusian authorities through warnings and administrative arrests.

Another result of state pressure is self-censorship, which has become a pervasive phenomenon for web-based media, especially state and commercial outlets. Online commentators and administrators of web portals avoid posting content that might put them at odds with the authorities. Many Belarusian websites and forums still practice pre-moderation of comments, which discourages regular users and restricts communication. Under the Administrative Offences Code, criminal code, and Decree No. 60, websites are not liable for users' comments, but in practice sites often face consequences for certain kinds of comments. Typically, users are warned in the forum rules that they are responsible for their comments. Nevertheless, many site owners have stated that they have been contacted by officials and businesspeople unhappy with comments. Moreover, readers who are offended by comments often attribute blame to the website itself, indicating that readers do not always make the distinction between the journalism content posted by the website owners and commentary posted by unaffiliated users.⁴⁶

During the parliamentary election campaign in the fall of 2012, a pro-governmental candidate threatened the editor of *Uzhorak*, a local independent print and online newspaper in the Mogilev region, for publishing an article on the newspaper's website informing citizens that he had refused to take part in a public debate with a local democratic candidate.⁴⁷ He was especially unhappy with users' comments and demanded that the article be withdrawn from the website. The editor refused to remove the online article. Moreover, it was later published in the newspaper's print issue.

On November 10, 2012, an anonymous blogger posted a critical article about the director of the local post office in Hlybokaye on Westki.info, a popular independent information resource for

⁴³ "Comments on Suggestions to Media Law," Belarusian Association of Journalists, January 24, 2013, <http://baj.by/en/node/19255>.

⁴⁴ "Belarus Media Law Offers No Defense," Belarusian Association of Journalists, February 20, 2013, <http://baj.by/en/node/19694>.

⁴⁵ "Belsat TV Denied Accreditation Again," Belarusian Association of Journalists, March 23, 2013, <http://baj.by/en/node/20242>.

⁴⁶ Volha Prudnikava, "Bynet: rudeness is an issue," Belapan, August 8, 2012, http://en.belapan.com/archive/2012/08/08/en_566422_566423.

⁴⁷ Andrei Borovko, "Волков отказался от дебатов" [Volkov refused to take part in the debates], Horki.info, August 28, 2012, <http://horki.info/news/88/2549.html>.

northwestern Belarus. Westki.info is a regional media site and blogging platform, where anyone can create a personal blog. Blogs and comments are not moderated. Even though the director's name was not mentioned in the anonymous article or the comments, she contacted the website's administrator and demanded the personal information and contact information of the blog's author, as well as those of all critical commentators, as she was planning to sue them for slander. After consultations with a lawyer, the Westki.info administrator removed the controversial post from the site, but refused to turn over any personal information about the blogger and commentators.

The government is attempting to counter the gains in quality, popularity, and trust made by independent civil society by increasing its own presence and influence online. Despite national, regional, and local state agencies having an online presence, most government websites are outdated, lack interactivity, and are not user-friendly.⁴⁸ Local state websites usually have poor designs, are not relevant, and draw few readers.⁴⁹ A special governmental program was launched in 2010 to assist regional and local state newspapers in creating and promoting their websites. To aggregate the content produced by local and regional state publications, a portal for their websites was created at Belsmi.by.

While the total amount of funding provided to pro-government online media is unknown, the authorities continue to increase support to the state-owned media as a whole, despite economic stagnation. The 2013 state budget allocated €60 million (\$77 million) in subsidies for state media, €19 million (\$24 million) more than in 2012, including €46 million (\$59 million) to TV and radio, €6 million (\$8 million) to print outlets and publishing houses, and €7.5 million (\$9.6 million) to “other mass media issues,” though it is not clear which line items include online media.⁵⁰

Media experts and website moderators see trolling—the use of inflammatory, extraneous and provocative messages—as a major issue. Since the 2010-11 protests, the number of trolls and paid commentators, and their disruptive activities, has significantly increased on independent websites, the blogs of civic activists and commentators, and popular opposition communities on social networks. Obscenities and rudeness continue to be a challenge for the Belarusian internet, often making discussions on forums difficult.⁵¹

While massive, orchestrated commentary by provocateurs usually takes place around important political and civic events, such as the “silent protests” in the summer of 2011, there are also “agent commentators” whose job is to regularly post comments on major independent websites and popular political social network communities. On May 2, 2012, an ad was published on Freelance.ru, a job search website, seeking to hire people to write negative comments about the opposition on the forum of Belaruspartisan.org, one of the most popular independent websites.

⁴⁸ “Дзяржаўныя сайты адстаюць на дзесяцігоддзе,” [State websites are a decade behind], *Tut i Ciaper*, January 21, 2013, <http://svabodaby.net/by/196/society/1693/Дзяржаўныя-сайты-адстаюць-на-дзесяцігоддзе--Люстра-дзён.htm>.

⁴⁹ “Authorities can liberalize media market “only at gun point,” expert says,” *Belapan*, January 17, 2013, http://en.belapan.com/archive/2013/01/17/en_599921_599922.

⁵⁰ “60 million goes to state-run mass media,” *Belarusian Association of Journalists*, December 19, 2012, <http://baj.by/en/node/18895>.

⁵¹ Volha Prudnikava, “Bynet: rudeness is an issue,” *Belapan*, August 8, 2012, http://en.belapan.com/archive/2012/08/08/en_566422_566423.

The ad was posted from an anonymous account with only an ICQ name as a contact.⁵² Several similar ads were posted on the same site under the names of real people, who later claimed that their accounts on social networks had been hacked and that they had nothing to do with the dubious posts, sparking anger and threats from other users.⁵³ After the independent media exposed this trolling scandal, the ads were removed.

The government's growing attempts to control the internet can be explained by the internet's growing popularity as a source of information, even while traditional print and broadcast media remained the main sources of news for most Belarusians in 2012-2013. According to an independent nationwide survey conducted in May 2012, 34.3 percent of respondents said that they use the internet as their primary source of information. In 2012, independent web-based media continued to serve larger audiences than state-supported online outlets. According to the Belarusian ranking service Akavita.by, most of the top 10 and a majority of the top 50 news and information websites are run by independent or opposition groups.⁵⁴ The daily audience of Charter97.org, the most popular opposition website, has quadrupled since November 2010 to more than 100,000 unique visitors a day.

Not only are greater numbers of Belarusians reading independent news, they also find it more credible. An independent survey conducted in December 2012 found that more Belarusians trust independent media than the state media (48.1 percent versus 38.1 percent). Trust in the state media has dropped by 14.8 percent since December 2010.⁵⁵ The government has been forced to recognize the growing importance of independent online media. On January 15, 2013, President Lukashenka surprised the public when he opened his annual press conference by addressing a question raised on the popular independent website Gazetaby.com, even though its journalists were not invited to the conference itself.⁵⁶

The government also employs direct and indirect economic pressure to limit financial support for independent media. A series of restrictive amendments to the Law on Public Associations and the criminal code were passed secretly in October 2011 and came into force a month later. Of note were provisions that made it a criminal offense for nongovernmental organizations (NGOs) to receive foreign funding. Since most independent online media outlets are run as NGOs, the amendments constitute a grave threat to Belarusian civil society, including free media.⁵⁷

⁵² "Стань лукашистом да деньги, или Тролль детектед," [Become a lukashist for money, or Troll is detected], UDF.by, May 11, 2012, http://udf.by/news/main_news/59506-stan-lukashistom-za-dengi-ili-troll-detektetd.html.

⁵³ Yahor Marcinovich, "Застабілы, як твай муж, павінны здохнуць," [Lukashists, like your husband, must die], NN.by, May 11, 2012, <http://nn.by/?c=ar&i=73256>.

⁵⁴ "Top ranker," Akavita.by, accessed on January 28, 2013, http://www.akavita.by/ru/top/All/Mass_Media_and_News/today/visitors/All/All.

⁵⁵ "Belarusians' trust to non-state media rises, unlike to state-run media," Belarusian Association of Journalists, January 8, 2013, <http://baj.by/en/node/19052>; Alyaksandr Klaskowski, "Private media gain credibility," Belapan, January 1, 2013, http://en.belapan.com/archive/2013/01/09/en_598444_598445.

⁵⁶ Kirill Bukin, "Лукашенко первым делом ответил на вопрос 'Салідарнасці'," [Lukashenko first of all answered the question of Solidarity], Gazetaby.com, January 15, 2013, http://gazetaby.com/cont/art.php?&sn_nid=52702.

⁵⁷ See: "Belarus: Open Joint NGO Letter to the Parliament of Belarus," Human Rights Watch, October 20, 2011, <http://www.hrw.org/news/2011/10/20/belarus-open-joint-ngo-letter-parliament-belarus>.

Forced to operate in semi-underground conditions and experiencing constant pressure from the authorities, independent online media and opposition websites are unable to monetize their increasing audiences and growing popularity. During the first half of 2012, Belarus' internet advertising market rose by 20 percent and totaled over \$2.7 million, up from \$2.3 million in the same period of 2011.⁵⁸ But most independent news and information websites remain at an economic disadvantage because state and private companies are afraid to advertise on them. Moreover, there is an unwritten rule advising companies connected with the state that they should not advertise in the independent media, including internet outlets. As a result, even the most popular independent or opposition websites, such as Charter97.org and NN.by, generate little or no advertising revenue. Since this ban exists only in the form of an oral recommendation, media and human rights groups have been unable to oppose it.

Since the 2006 presidential election, independent websites, blogs, internet forums, and online communities have played a significant role in educating citizens, turning out voters, monitoring the polls, and mobilizing those protesting electoral irregularities. Beginning in 2010, social networks have become an important tool for carrying out solidarity actions and organizing peaceful protests. With the rapid rise of new media, independent online sources were able to compete with state-controlled newspapers, radio, and television during the 2010 presidential and 2012 parliamentary elections.

In 2012, pro-democratic forces significantly increased and diversified their presence and activities in social networks. According to the digital marketing agency Ashwood Creative, as of December 2012, 28 of the top 30 Belarusian media communities on Facebook are run by independent media and civil society groups.⁵⁹ Despite crackdowns, hacking attacks, and the persecution of online activists, numerous political communities are openly critical of the regime on VKontakte and Facebook. Independent media, civil society organizations, the political opposition, and individual citizens use the internet and other ICTs as tools for disseminating information, raising awareness and mobilizing supporters. Online actions are often combined with offline activities, such as demonstrations, meetings, flash mobs, political performances, underground exhibits, and alternative concerts. The ongoing solidarity campaign with the country's political prisoners includes raising awareness on social networks, posting articles and banners on popular news websites, and creating online petitions and appeals to national and international institutions, as well as demonstrations and multimedia exhibitions.

Online petitioning became a popular form of civic activism in 2012. More than a dozen petitions were created and carried out by Belarusian rights groups and individuals on Change.org alone, addressing a gamut of issues, from the return of the body of Vladislav Kovalev (who was executed in 2011) to his mother,⁶⁰ to the protection of Belarusian wetlands from destruction.⁶¹ Petitions on

⁵⁸ Alyaksey Areshka, "Internet advertising market up by 20 percent in first six months of this year," *Belapan*, August 11, 2012, http://en.belapan.com/archive/2012/08/11/en_11081522b.

⁵⁹ "Рейтинг белорусских страниц Facebook за декабрь," [Rating of Belarusian pages on Facebook in December], Ashwood Creative, accessed on January 29, 2013, https://www.facebook.com/ashwoodcreative/app_152031511604374.

⁶⁰ "Petition: Give Vlad's Body Back," Change.org, accessed on January 29, 2013, <http://chn.ge/14cFyim>.

⁶¹ Anastasiya Yanushewskaya, "Over 10,000 sign online petition against peat mining in wetlands," *Belapan*, February 1, 2013, http://en.belapan.com/archive/2013/02/01/en_01021551b.

simplifying visas, boosting local border traffic, preserving green spaces, reforming the election law, and preserving historic sites were also launched by civil society.

The effective use of online media and ICT tools also helped citizens draw attention to and even solve some pressing social issues, especially at the local level. In October 2012, several leading independent news sites wrote about the construction of an entertainment complex on the territory of Kurapaty, a forest on the outskirts of Minsk containing the graves of victims of Stalinist repression.⁶² These articles generated a great deal of public discussion and outrage. An online petition to stop the construction of the brothel ‘Bulbash Hall’ in Kurapaty was posted on Change.org and signed by almost 4,500 people.⁶³ A campaign against the project was also launched via social networks. As a result, the General Prosecutor’s Office conducted an inspection, which revealed serious planning violations, and decided to halt the construction.⁶⁴ According to recent statements by state officials, a memorial will be built there instead of the entertainment center.

In September 2012, the crowdsourcing platform Electby.org was used to monitor parliamentary election violations (it was launched prior to the 2010 presidential elections). In the course of one week, voters and observers sent in 528 testimonies on a variety of violations. This past year, the monitoring was conducted in close cooperation with independent observation groups, making the mapping more accurate. Electby.org moderators were able to verify 44 percent of all messages received via different sources.⁶⁵

Since Belarusian users have regular access to most online resources under normal circumstances—blacklisted sites are blocked only in public facilities, not private offices or households—they generally have not employed proxy servers or other circumvention tools, leaving them vulnerable during politically sensitive periods when targeted disruptions occur. Circumvention tools have not been blocked by the authorities. Most often, people are reminded about blocking, hacking, trolling, and phishing only when it takes place.⁶⁶

VIOLATIONS OF USER RIGHTS

While the overall level of repression decreased over the past year due to the lack of mass social protests such as those in 2011, the repression of online users became more targeted in 2012-2013. All three criminal cases involving the media during this period were for instances of online activism. Extralegal harassment and intimidation of online users has also increased.

⁶² “Памерлыя глядзяць на ‘свята жыцця’,” [The dead look at ‘celebration of life’], Novychas.info, October 24, 2012, http://novychas.info/hramadstva/pamierlyja_hliadziaci_na_sviat.

⁶³ <http://chn.ge/1bhDs2E>, accessed on January 29, 2013.

⁶⁴ “Как сеть Интернет победила ‘Булбашь-Холл’,” [How Internet defeated ‘Bulbash Hall’], NN.by, December 4, 2012, <http://nn.by/?c=ar&i=101189&lang=ru>.

⁶⁵ “Electby,” <http://electby.org/>, accessed on May 13, 2013.

⁶⁶ Yahor KaparKin, “Праз дзірку ў абароне Skype масава выкрадалі акаўнты” [Through the bug in Skype protection accounts have been massively stolen], Generation.by, November 14, 2012, <http://generation.by/news5764.html>.

While the right to information and freedom of expression are guaranteed by the Belarusian constitution, they remain severely restricted and violated in practice. Formally, there are no laws ascribing criminal penalties or civil liability specifically for online activities, but since 2007 the government has employed a series of repressive laws—mainly defamation laws—that target traditional media to stifle critical voices online. The 2008 Law on Media identified online news outlets as “mass media.” According to this law, the Council of Ministers was supposed to further specify criteria for defining which websites belong to the category of “mass media,” as well as the procedures for their registration.⁶⁷ To date this clarification has not taken place. Therefore, at the moment, online news outlets are not obliged to obtain state registration as mass media.

In October 2011, the government introduced, and the parliament approved, an “anti-revolutionary” package of amendments to laws regulating civic organizations and political parties, as well as to the criminal code. These amendments—which apply to internet-based media outlets—further criminalize protest actions, make receiving foreign funding a criminal offense, and extend the authority of the KGB. Under the amendments, the KGB is now freed from the oversight of other state bodies and has powers previously granted only during a state of emergency, including the right to enter the homes and offices of any citizen at any time without a court order.⁶⁸

While the repression of media practitioners and civic activists decreased in 2012, the persecution became more targeted. According to the Viasna Human Rights Center, there were 233 cases of politically-motivated administrative persecution (arrests, detentions, and fines) documented in 2012, including 104 arrests for terms ranging from 1 to 15 days.⁶⁹ In 2012, the Belarusian Association of Journalists registered approximately 60 cases of detentions of journalists, independent press distributors, and members of social networks by representatives of different law-enforcement bodies. Detained media practitioners were usually released within 2-3 hours. There were, however, cases in which media workers were taken to court and sentenced to fines and terms of imprisonment (up to 15 days) under administrative law. In 2012, at least 13 journalists were officially warned by public prosecution offices for cooperating with foreign media without valid press credentials.⁷⁰

In the past year, each of the major cases of criminal prosecution against media practitioners concerned internet publications. The most prominent case concerned the outspoken journalist Andrzej Poczobut, who in the last three years has been repeatedly detained, fined, and placed under administrative arrest. In 2011, he was convicted and received a three-year suspended sentence for insulting the president of Belarus in a series of articles posted online, including on the websites of the Polish daily *Gazeta Wyborcza* and *Belaruspartisan.org*, as well as on his LiveJournal blog. In June 2012, Poczobut was detained again for slandering the president in articles written on

⁶⁷ Law of the Republic of Belarus No. 427 of July 17, 2008, “On Mass Media,” available in Russian at <http://www.mininform.gov.by/documentation>.

⁶⁸ “Belarus has adopted ‘anti-revolutionary’ amendments to the legislation,” Human Rights House, October 20, 2011, <http://humanrightshouse.org/Articles/17082.html>.

⁶⁹ “Адміністрацыйны перасьлед” [Administrative persecution], Viasna Human Rights Center, accessed on May 12, 2013, <http://spring96.org/persecution/?DateFrom=2012-01-01&DateTo=2012-12-31&ArrestFrom=1&ArrestTo=15&Page=0>.

⁷⁰ Mass Media in Belarus – 2012: A Brief Review and Analysis, Belarusian Association of Journalists, February 11, 2013, <http://baj.by/en/monitoring/85>.

the opposition websites Charter97.org and Belaruspartisan.org.⁷¹ During the politically-motivated investigation into his writings, Poczobut could not leave his city of residence. If convicted, he would have faced up to seven years in prison.⁷² On March 15, 2013, the Investigative Committee closed the case against Mr. Poczobut, having found no legitimate evidence of the alleged crime.⁷³

On July 4, 2012, as part of a publicity stunt carried out by the foreign advertising agency Studio Total, two Swedish pilots flew across the Belarusian border in a small plane and dropped hundreds of teddy bears with messages in support of solidarity and freedom of speech. On July 13, Anton Surapin, a 20-year-old journalism student who posted the first photos of the teddy bears on his website Belarusian News Photos, was arrested and spent over a month in a KGB prison for allegedly “assisting foreign citizens in illegally crossing the Belarusian border.” On August 17, Surapin was released, but the charges against him have not been lifted.⁷⁴ Amnesty International included Surapin’s case in its top 10 most absurd and unjust arrests of 2012.⁷⁵ Additionally, when Surapin’s independent media colleagues launched a solidarity campaign on his behalf that involved posting photographs of individuals holding messages of support, two individuals were arrested and fined for “unsanctioned picketing in the form of photography.”⁷⁶

On August 17, the journalist and civic activist Mikalay Petrushenka was criminally charged with defaming an Orsha public official in an article published on the Vitebsk-based Nash-dom.info website. The criminal proceedings were dropped on October 17, 2012.

In December, the prosecutor’s office issued a warning to a democratic activist from Rahachou concerning his articles published on a local independent website. The prosecutor claimed that the activist’s posts contained inaccurate information about the political and economic situation in Belarus, thus violating several articles of the criminal code regarding “insulting and discrediting the Republic of Belarus.”⁷⁷

In January 2013, three human rights defenders from Hrodna were convicted and fined for an unauthorized demonstration. The case was based on a photo posted on the website of the Viasna

⁷¹ “Official information: Poczobut accused of libel against the president,” Belarusian Association of Journalists, June 22, 2012, <http://baj.by/en/node/12746>.

⁷² “Poczobut’s case extended till December 2012,” Belarusian Association of Journalists, November 21, 2012, <http://baj.by/en/node/18464>; “Additional linguistic expertise in Poczobut’s case,” Belarusian Association of Journalists, November 29, 2012, <http://baj.by/en/node/18590>.

⁷³ “Poczobut’s case closed,” Belarusian Association of Journalists, March 15, 2013, <http://baj.by/en/node/20026>.

⁷⁴ “Freelancer Anton Surapin taken to questioning,” Belarusian Association of Journalists, July 13, 2012, <http://baj.by/en/node/1299>; “KGB brings charges over teddy bear drop,” Belarusian Association of Journalists, August 7, 2012, <http://baj.by/en/node/13098>; “Anton Surapin is free,” Belarusian Association of Journalists, August 17, 2012, <http://baj.by/en/node/13607>.

⁷⁵ “10 absurd and unjust arrests of 2012,” Amnesty International, December 26, 2012, <http://blog.amnestyusa.org/music-and-the-arts/10-absurd-and-unjust-arrests-of-2012>.

⁷⁶ “Darashkevich and Kozik fined 3 million Br each for unlawful picket,” Belarusian Association of Journalists, August 9, 2012, <http://baj.by/en/node/13383>.

⁷⁷ “Rachahou activist receives a warning over contributing to independent website,” Belarusian Association of Journalists, December 29, 2012, <http://baj.by/en/node/18996>.

Human Rights Center, which showed them holding the portrait of political prisoner Ales Bialiatski and a copy of the Universal Declaration of Human Rights.⁷⁸

In September 2012, the Belarusian government lifted a travel ban that had been placed on journalists, civic activists, and opposition politicians. Beginning in March 2012, a significant but unknown number of individuals, including practitioners working within online media, were banned from traveling abroad.⁷⁹ This violation of freedom of movement was allegedly a reaction to the extension of the European Union's visa ban list of Belarusian officials involved in the 2010-2011 repression. After removing the ban in September, the Citizenship and Migration Department explained it away as a software glitch.⁸⁰

While the authorities have long used petty charges to prosecute civic activists and independent reporters, this technique was increasingly applied against online activists in 2012-2013. Charges of "petty hooliganism" (Article 17.1 of the administrative code) were used to detain and arrest a number of online activists.⁸¹ For example, on May 7, 2013, in two separate court hearings, the blogger Dzmitry Halko and journalist Aliaksandr Yarashevich were found guilty of alleged petty hooliganism and disobeying the police (Article 23.4) and were sentenced to 10 and 12 days of arrest, respectively. Both were detained the night before near the Akrestina detention center in Minsk, where civil activists, politicians, and other journalists had gathered to meet those arrested during the April 26 Chernobyl March.⁸² For Yarashevich, this was the second arrest in a fortnight. On April 26, he and journalist Henadz Barbarych were detained for allegedly disobeying the police. On April 29, the Soviet district court of Minsk sentenced the journalists to three days of administrative detention (which they had almost served by the end of the trial) in spite of obvious contradictions and blatant discrepancies in the testimonies of policemen.⁸³

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

⁷⁸ "Hrodna: Human rights defenders get fined 4.5 million rubles for a photo on the web," Spring96.org, January 8, 2013, <http://spring96.org/en/news/60388>.

⁷⁹ For Belarusian Association of Journalists' reaction to the restriction on journalists' travel, see <http://bai.by/en/node/11459>.

⁸⁰ Mass Media in Belarus – 2012: A Brief Review and Analysis, Belarusian Association of Journalists, February 11, 2013, <http://bai.by/en/monitoring/85>.

⁸¹ "Belarus: Pulling the Plug," Index on Censorship, p. 10-11, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

⁸² "Journalists Sentenced to 10 and 12 Day Arrest," Belarusian Association of Journalists, May 7, 2013, <http://bai.by/en/node/20780>.

⁸³ "A protest of BAJ against arbitrary detentions of journalists," Belarusian Association of Journalists, May 8, 2013, <http://bai.by/en/node/20790>.

Since 2010, the Belarusian government has allocated resources for online surveillance technologies.⁸⁴ In 2012, there were reports of Western firms supplying telecommunications hardware and software that would allow the state to expand its surveillance of citizens. A report by Index on Censorship states that the Swedish telecom companies TeliaSonera and Ericsson are possible purveyors of this type of equipment, working through Turkish and Austrian firms that are part-owners of Belarusian mobile telephone companies. The report also noted that the German police had trained their Belarusian colleagues to use software that could track communications in social networks.⁸⁵

Russian surveillance technologies are also employed in Belarus. In March 2010, Belarus acquired the SORM (“system for operational-investigative activities”) surveillance system, and has reportedly also purchased other Russian surveillance software that is designed to allow for monitoring of social networks.⁸⁶

Decree No. 60 requires ISPs to maintain records of the traffic of all internet protocol (IP) addresses, including those at home and at work, for one year. As a result, the state can request information about any citizen’s use of the internet. As of 2007, internet cafes are obliged to keep a year-long history of the domain names accessed by users and inform law enforcement bodies of suspected legal violations.⁸⁷ In December 2012, the Council of Ministers abolished the requirement that the customers of internet cafes must present their passports. Instead, cybercafe employees are required to take pictures of or film visitors.⁸⁸ This regulation, “On personal identification of internet cafe users,” came into legal force on January 28, 2013.⁸⁹ Restaurants, cafes, hotels, and other entities are obliged to register users before providing them with wireless access, whether free of charge or paid.⁹⁰

On July 17, police searched the apartment of the editor of the local independent website Orsha.eu. The editor’s computer and memory cards were confiscated on suspicion that the website contained a link to another website with pornographic content. The equipment was returned five months later without any explanation.⁹¹ In August, a correspondent of another independent regional

⁸⁴ Мероприятия по реализации Национальной программы ускоренного развития услуг в сфере информационно-коммуникационных технологий на 2011–2015 годы [Measures on implementation of the National program of accelerated development of information and communication technologies for 2011-2015], <http://www.mpt.gov.by/File/Natpr/pril1.pdf>.

⁸⁵ “Belarus: Pulling the Plug,” Index on Censorship, p. 16-17, http://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.

⁸⁶ Andrei Soldatov and Irina Borogan, “Russia’s Surveillance State,” World Policy Institute, Fall 2013, <http://www.worldpolicy.org/journal/fall2013/Russia-surveillance>.

⁸⁷ “Совет Министров Республики Беларусь Положения о порядке работы компьютерных клубов и Интернет-кафе” [Council of Ministers of the Republic of Belarus. Regulations on computer clubs and internet cafe functioning], Pravo.by, April 29, 2010, <http://pravo.by/webnpa/text.asp?start=1&RN=C20700175>.

⁸⁸ Alyaksey Areshka, “Authorities scrap passport requirement for Internet cafes’ visitors,” Belapan, December 27, 2012, http://en.belapan.com/archive/2012/12/27/en_27122104b.

⁸⁹ “Passport identification in cyber cafes to become obsolete?,” Belarusian Association of Journalists, January 29, 2013, <http://baj.by/en/node/19310>.

⁹⁰ Including the user’s name, surname, type of ID, ID number, and name of the state body which issued the ID, as per Article 6 of the Regulation on computer clubs and internet café functioning, <http://pravo.by/main.aspx?guid=3871&p0=C20700175&p2={NRPA}>.

⁹¹ “Equipment given back after 5 months’ check-up,” Belarusian Association of Journalists, November 29, 2012, <http://baj.by/en/node/18627>.

website was summoned to the prosecutor's office and questioned about an article by a local opposition leader, which called for a boycott of the 2012 parliamentary elections and was published on Westki.info. The prosecutor threatened the journalist with administrative responsibility for the article, despite the fact that it was authored by another person.⁹²

Instances of extralegal intimidation and harassment for online activities continued to take place in 2012-2013. In April 2012, a girlfriend of one of the leaders of the "Revolution Through Social Networks" internet group, which organized the 2011 "silent protests," was taken from her apartment by plainclothes police officers, interrogated for eight hours, threatened with death, forced to record a video slandering her boyfriend Viachaslaw Dziyanau and herself, and was tried and fined for "hooliganism." While leaving the country after the process, she was body-searched and her laptop and other electronic devices were confiscated at the border.⁹³ On May 8, 2012, a customer was kicked out of an internet cafe in Minsk, insulted, and beaten up by the police for reading the Charter 97 website.⁹⁴

In 2012, the authorities continued to harass active users of opposition communities on social networks. On August 30, the KGB raided the apartments and detained the administrators of the "We Are Sick of Lukashenka" online community, one of the largest on VKontakte. Created on the eve of the 2010 presidential election, the group numbered 37,000 users, mainly 15 to 25 years old, by August 2012. On the same day, the apartments of the administrators of a second community were also raided. Known as "Only ShOS," which stands for "Wish He would Die," this community had 15,000 members. The young activists were interrogated for four hours, threatened, and beaten. Two were incarcerated for five to seven days for "hooliganism," while the rest were released. Simultaneously, hackers gained access to both online communities and removed their content.⁹⁵ Nevertheless, the moderators created a backup VKontakte group, which already numbers more than 4,000 users.

On February 17, 2013, two Belarusian students on their way back from Warsaw, where they participated in a meeting dedicated to the "Day of Belarusian Wikipedia," were detained in Brest. The students were questioned and their personal belongings were inspected. The students were released several hours later.⁹⁶

⁹² "Кастуся Шыталя распытвалі ў пракуратуры пра публікацыю, у якой згадваўся байкот," [Kastus Shytal interrogated by the prosecutor office about the publication mentioning boycott], Wetski.info, August 13, 2012, <http://westki.info/artykuly/13588/kastusya-shyalya-raspytvali-u-prakuratury-pra-publikacyyu-u-yakoy-zgadvausya-baykot>.

⁹³ "Лавышак: Мяне пагражалі вывезці ў лес і растраляць," [Lavyshak: "I was threatened to be taken to the forest and shot there"], Svaboda.org, May 4, 2013, <http://www.svaboda.org/content/article/24569492.html>; "The police threatened to take me to the woods and shoot", <http://udf.by/english/main-story/59240-the-police-threatened-to-take-me-to-the-woods-and-shoot-photo.html>.

⁹⁴ "Милиция избил витебчанина за просмотр сайта Хартии 97," [Police beat a Vitebsk customer k for reading the Charter 97 website], Charter97.org, accessed on February 2, 2013, <http://charter97.org/ru/news/2012/5/8/51879/pf>.

⁹⁵ Iryna Lewshyna, "Two young men linked to opposition online communities get jail terms," Belapan, August 31, 2013, http://en.belapan.com/archive/2012/08/31/571400_571404.

⁹⁶ "Затрыманых студэнтаў-вікіпедыстаў адпусьцілі" [Detained students - "wikipedists" were released], Svaboda.org, February 17, 2013, <http://www.svaboda.org/content/article/24904651.html>.

One observer suggests that the August crackdowns were related to appeals for a public boycott of the September 2012 parliamentary elections, which the government considered to be both illegal and a threat to its legitimacy. First embraced by some opposition political parties, the calls for a boycott were taken up and advocated for by some internet communities.⁹⁷ Dunja Mijatovic, the OSCE Representative on Freedom of the Media, condemned the persecution and noted that they “show continued efforts to muzzle dissenting voices and clamp down on freedom of expression online.”⁹⁸

Instances of technical attacks against the websites of independent media and civil society groups have continued to grow. Trojans are often used to spy on opposition activists and the independent media. In April, Iryna Khalip, a prominent Belarusian journalist and correspondent for the Russian newspaper *Novaya Gazeta*, received an infected file from an unknown user via Skype. The file posed as a photo of a document with a list of questions to be discussed during an urgent government meeting concerning the fate of her then imprisoned husband, former presidential candidate Andrei Sannikov. This Trojan, sent by an unknown user, was investigated by independent experts and found to have successfully infected 14 other computers, most of which belonged to Belarusian opposition politicians and civic activists.⁹⁹

A similar tactic was used against the independent trade union of the Belarusian Radio and Electronics Workers (REP). After the Skype and e-mail accounts of its leaders were hijacked with Trojan software, the hackers pretended to be REP representatives and contacted the union’s Danish partners in an attempt to obtain financial information regarding joint projects. This attack coincided with the confiscation of a laptop of a REP activist, Andrej Strizhak, by border control officers, and with verbal attacks against REP by state officials.¹⁰⁰

From July through August 2012, the website of “Platform,” an organization defending the rights of prisoners, experienced repeated distributed denial-of-service (DDoS) attacks. On August 7, 2012, the site was inaccessible for six hours. On the same day, the deputy director of the organization was detained near her house for allegedly “using bad language” in public.¹⁰¹ On August 31, 2012, unknown persons hacked the blog of the prominent opposition politician Viktor Ivashkevich on the popular news website *Belaruspartisan.org*. A text insulting Iryna Khalip was posted on the blog on behalf of Ivashkevich.¹⁰²

⁹⁷ Vadzim Smok, “Internet Activism Under Siege in Belarus,” *Belarus Digest*, September 11, 2012, <http://belarusdigest.com/story/internet-activism-under-siege-belarus-11112>.

⁹⁸ Tanya Koroventkova, “OSCE media freedom representative concerned about crackdown on online dissent in Belarus,” September 4, 2012, http://en.belapan.com/archive/2012/09/04/en_15260904H.

⁹⁹ “Хартыя выкрыла чарговы траян спецслужбаў,” [Charter unveiled another Trojan spread by intelligence], *NN.by*, April 25, 2012, <http://nn.by/?c=ar&i=72400>.

¹⁰⁰ “Скайп и почтовый ящик профсоюза РЭП взломали,” [Skype and email account of REP trade union hacked], *Praca-by.info*, August 7, 2013, http://www.praca-by.info/cont/art.php?&sn_nid=4805&sn_cat=1.

¹⁰¹ “Сайт “Плятформы” зноў спрабавалі ўзламаць,” [“Platforma” website was attacked again], *Svaboda.org*, August 7, 2012, <http://www.svaboda.org/content/article/24669047.html>.

¹⁰² Iryna Lewshyna, “Two young men linked to opposition online communities get jail terms,” *Belapan*, August 31, 2013, http://en.belapan.com/archive/2012/08/31/571400_571404.

On April 2, 2013, the website of the Mogilev branch of the Viasna Human Rights Center was hacked and a fake article, containing threats by a human rights defender against an independent journalist, was posted.¹⁰³ On April 23–26, 2013, four independent websites were hacked. On April 23, the Charter 97 website experienced a DDoS attack and ceased to function for an hour. The attacker was not identified, but Charter 97 attributed the attack to the Belarusian special services.¹⁰⁴ On the morning of April 25, Belaruspartisan.org was attacked and a threatening letter from anonymous hackers was posted on the site.¹⁰⁵ In the evening of that same day, the Viasna Human Rights Center website was hacked. Several publications posted on the site were distorted after attackers gained unauthorized access. The attack affected all three language versions of the site.¹⁰⁶ On April 26, the website of the Belarusian Association of Journalists also experienced a DDoS attack, which started half an hour after an article was published titled, “Why independent websites are being hacked.”¹⁰⁷

Belarusian criminal law prohibits these types of “technical violence.” Specifically, Article 351 of the Criminal Code, covering “computer sabotage,” stipulates that the premeditated destruction, blocking, or disabling of computer information, programs, or equipment is punishable by fines, professional sanctions, and up to five years in prison.¹⁰⁸ A special department at the Ministry of Internal Affairs is tasked with investigating such crimes. In reality, a number of the attacks on the independent websites and personal accounts of democratic activists have been linked to the authorities. The government has stated its intention to accede to the Council of Europe’s Convention on Cybercrime, but it has made no move to sign on to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.¹⁰⁹

¹⁰³ “Праваабаронцы выступілі з заявай наконт узлому сайта магілёўскай ‘Вясны’” [Human rights defenders made a statement in connection with the hacker’s attack on Mogilev “Viasna” website], Belarusian Association of Journalists, April 4, 2013, <http://baj.by/be/node/20342>.

¹⁰⁴ “Charter 97 under attack,” Charter 97, April 23, 2013, <http://charter97.org/en/news/2013/4/23/68349>.

¹⁰⁵ “Belaruspartizan website cracked,” Belarusian Association of Journalists, April 25, 2013, <http://baj.by/en/node/20617>.

¹⁰⁶ “Viasna’s website resumes work after hacker attack,” Viasna, April 26, 2013, <http://spring96.org/en/news/62869>.

¹⁰⁷ “Сайт БАЖ падвергся хакерскай атаке” [BAJ’s website experienced hacker’s attack], Gazetby.com, April 26, 2013, http://gazetaby.com/cont/art.php?sn_nid=56172.

¹⁰⁸ “«Белтелеком»: Возможно, независимые сайты блокировали другие организации” [Beltelecom: Independent websites could be blocked by other organizations], Charter 97, January 10, 2008, <http://www.charter97.org/ru/news/2008/1/10/2905>.

¹⁰⁹ Council of Europe, “Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data,” 1 January 1981, <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=108&CL=ENG>.