BELARUS

While the Belarusian government has promoted the use of the internet for economic purposes, the impact of the new medium in the political sphere remains limited. The authorities impose severe restrictions on all news outlets, and the security services have increasingly attempted to introduce various internet surveillance technologies. A presidential decree signed in February 2010 and subsequent regulations provide a legal basis for extensive censorship and monitoring of the internet. The government’s desire to suppress the free flow of information became even more evident during, and immediately following, the December 2010 presidential election. The authorities blocked international connections to the SMPT port 465 and HTTPS port 443, preventing users from securely posting content on social media sites like Facebook, and sending secure messages through Gmail. In addition, the government created fake mirror websites to divert users from accessing independent news sources, and launched distributed denial-of-service (DDoS) attacks against the opposition sites.

Recent years have seen an increase in internet use and mobile-telephone penetration in Belarus. Some 27 percent of the population uses the internet and 93 percent of the population uses mobile phones. However, state-imposed and other infrastructural restrictions significantly constrain Belarusians’ ability to fully access these technologies and related applications. Internet costs in Belarus are higher than in all neighboring countries.
Access to digital media has grown significantly since it was first made available to the public in 1993, but widespread poverty and poor infrastructure, particularly in rural and peripheral areas, remain barriers to access. According to the 2009 figures by the International Telecommunications Unions, there were 2.6 million internet users in Belarus, for a penetration rate of 27 percent, although some local sources put that number at 3.7 million as of May 2010. The majority of users are young people, with those aged 15–24 making up 37.2 percent and those aged 25–34 accounting for 28 percent. Just 3.5 percent of Belarusian users are aged 55 and over. In December 2010, more than 49 percent of users reported having broadband access, while 18.7 percent reported using dial-up and 5.6 percent used mobile-phone connections. The key divide in levels of access is not so much between rural and urban populations—since some 70 percent of Belarusians live in urban areas—as between Minsk and other parts of the country. In Minsk there are 62 computers per 100 households, compared with 40 per 100 households in the country as a whole.

The cost of broadband access via DSL and cable is generally tied to volume, reflecting the pricing structure that Beltelecom, the state-owned telecommunications monopoly, uses when selling bandwidth to downstream internet-service providers (ISPs). This makes it expensive to download large items like music or movies, but for common activities like email and web browsing, the volume surcharges do not form a barrier for most users. Though unlimited internet access service was launched by Beltelecom in 2007, it is still rather expensive and is not widely available.

Over 90 percent of users regularly access the internet at home, and 28 percent do so at work; only 4.5 percent regularly use the internet at school. Cybercafes are the least popular point of access, with just 3.66 percent using them often. There are currently 1,262 public internet-access points in Belarus, all of which are provided by Beltelecom. As of the

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8. “Цифры ИТ – статистика в Беларуси” [IT figures – statistics for Belarus]
end of 2010, the country’s four mobile phone service providers had approximately nine million subscribers combined, for the total penetration rate of 93 percent.

There is a high level of government involvement in the electronic communications sector, and there is no independent regulator, as the Ministry of Communications and Information Technology handles regulatory functions. Beltelecom maintains a monopoly on international data transfers, and the fees it charges local ISPs for bandwidth exceed by a factor of three the cost at which operators in neighboring Baltic countries can buy bandwidth; the ISPs must recoup this cost from customers, who resort to sharing connections through the creation of neighborhood-level local area networks (LANs).

The Ministry of Communications and Information Technology has issued 180 licenses for secondary internet providers. However, only 35 active secondary ISPs currently operate in Belarus, and Beltelecom’s subsidiary Belpak remains the largest ISP. There are also four mobile-phone operators offering internet access. In 2009, ISPs were allowed to provide wireless broadband access; before that, only Beltelecom provided WiFi internet access. The company had already installed by that time over 210 access points. More than 130 of them were situated in Minsk, while others were in regional centers, and some were in district centers.

Various Web 2.0 applications such as the social networking site Facebook, video-sharing site YouTube, and microblogging service Twitter are slowly gaining in popularity. However, as of the end of 2010, less than five percent of internet users accessed Facebook regularly. Significantly more popular is the Russian social networking utility VKontakte, which is the third most accessed site in Belarus. During the December 2010 elections, the government temporarily disrupted access to social-networking applications and services such as Facebook, YouTube, and Gmail, in efforts to prevent citizens from sharing videos of protests, hinder their capacity to connect and organize, and impede the political opposition from sending secure emails to their supporters.

The State Center for Information Security, under the supervision of the president and initially a unit of the special security service (KGB), is a specialized body responsible for protecting state secrets. The center also manages the administration of the country’s top-level domain (.by). For much of 2009, there were 20,000 domains in the .by zone. The price for an initial year’s registration is 130,000 Belarusian rubles (US$43), and continuation costs 95,000 rubles (US$32).

According to regulations that followed Presidential Decree No. 60 of February 1, 2010, all legal persons’ sites in the .by domain are now obliged to use Belarusian hosting

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9 “Цифры ИТ – статистика в Беларуси” [IT figures–statistics for Belarus]
10 Doroshevich, “Internet in Belarus, February 2010.”
12 “Цифры ИТ – статистика в Беларуси” [IT figures-statistics for Belarus].
services. This rule does not apply to sites belonging to physical persons. However, a physical person’s site that is hosted on a national hosting provider, including internet resources providing free hosting, is subject to compulsory registration carried out by the ISP. Moreover, government officials have announced that submission of false registration information will bring legal repercussions.

**LIMITS ON CONTENT**

Presidential Decree No. 60 of 2010 introduced for the first time mechanisms by which ISPs are required to block access to restricted information, such as pornography or material that incites violence, when it is sought by users. Enforcement of the decree is overseen by the presidential administration’s Operational and Analytical Center (OAC). The presidential decrees on the internet and the OAC gave rise to debates on filtering and freedom of speech on the internet, but they also threatened to increase costs for ISPs, which must install filtering equipment and software. In June 2010, the Ministry of Telecommunications and the OAC issued a regulation that calls for the creation of two lists cataloging URLs of all websites that should be blocked; one list is open to the public, whereas the other list is accessible only by ISPs. As of the end of the year, the publicly accessible list did not contain any URLs.

Presidential Decree No. 60 was only a prelude to suspected blocking and technical hijacking of independent and opposition websites that occurred on December 19, 2010 the date of presidential elections, and the following day. For example, the sites of the news outlets Charter97 and Belarus Partisan were temporarily inaccessible during the two day period. Internet users were also sporadically unable to access a host of international websites such as Facebook, LiveJournal, and YouTube. Deep-packet inspection, used in some countries such as China and Iran to monitor and filter unwanted content, has not been used so far. However, a capability for deep-packet inspection was included in Beltelecom’s tender call for broadband remote-access servers.

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Even before Presidential Decree No. 60, the government engaged in ad hoc efforts to limit access to certain content deemed contrary to its interests. For example, a number of opposition websites and independent media were blocked during the presidential election of September 2001. Similarly, access to a website containing cartoons about President Alyaksandr Lukashenka was blocked in August 2005. Beltelecom typically cited technical problems for the blockages. In addition, Russian gay and lesbian websites were blocked since 2005 at the order of a government commission tasked with combating pornography and violence, marking the only case of a formal decision to block particular content.

Self-censorship has become a pervasive phenomenon for both traditional and web-based media. Like their counterparts working for print outlets, television, and radio stations, online commentators and administrators of web portals avoid posting content that could put them at odds with the government. Moreover, the government uses indirect economic pressure to undercut financial support for certain sites. There is an unofficial blacklist of independent online outlets, and major advertising companies are advised not to place their ads on these sites.

In 2005 the popular Belarusian portal TUT.BY refused to put up banners advertising opposition websites. It is unknown whether this was a result of pressure from the authorities or merely an attempt by the site to protect its business. In 2009, TUT.BY tightened control over discussion forums by employing moderators to screen comments before they are posted. The portal’s owner claimed that the new policy, which applied only to news discussions, was simply aimed at blocking vulgar language and other such disruptions.

Print outlets, television, and radio continue to be the main sources of news and information for most Belarusians, though there are increasing efforts to extend mainstream news to online platforms. Traditional media still have a much stronger presence in society than new media, and the internet is viewed more as a source of entertainment or as a place to state contesting opinions. However, web-based independent media played a much more visible role and attracted larger readership in advance of the 2010 elections than previously.

While the potential role of information and communication technologies (ICTs) in election campaigning in Belarus was understood as early as 2001, it was only in 2006 that the use of the internet during elections became visible. Blogs, forums, LiveJournal online communities, and so-called flash mobs—public gatherings organized via ICTs—were prominent features of the 2006 presidential election campaign. Independent online sources managed to compete with state-controlled newspapers, radio, and television, at least for the minority who had occasional access to internet. Unfortunately, although popular, blogs do

not have a major influence on political life. There is little information on the use of mobile-
phone text messaging, or short-message service (SMS), in political agitation. Supporters of
opposition presidential candidates used SMS to mobilize people to participate in national
elections in 2006, although this method was not extensively used in 2010.

There have been some successful cases of online information and activism campaigns.
In 2007, Belarusian blogger Yevgeny Lipkovich pushed the government to resume
production of low-fat kefir in Minsk. In 2008, discussions in the blogosphere prompted
legislators to take notice of the illegal practices of Belarusian traffic police, and the courts
took action in response. There was one case in 2009 in which an online community
announced itself as a political movement, but there have been no further signs of any activity
by the group.

Because Belarusian users have access to most online resources under ordinary
circumstances, they generally do not employ proxy servers and other circumvention tools,
leaving them vulnerable during the politically sensitive periods when many ad hoc
disruptions occur. Most often, people are reminded about blocking only when it happens.
The most popular circumvention tools are proxies and TOR. The main educational proxy
server, sofia.niks.by, reportedly limits access to sites with illegal or erotic content, but
students are able to bypass the restrictions using other proxies and tools.

VIOLATIONS OF USER RIGHTS

Civil rights, including the right to access information and freedom of expression, are
guaranteed by the Belarusian constitution, although they remain severely restricted in
practice. A 2008 law identified online news outlets as “mass media,” and Article 33 requires
every such website to include the names of the publication, its founder(s), and its chief

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22 “АГП: Правацыйныя ўлёткі ніхто не зрыве” [UCP: nobody tears off provocative leaflets], Naviny.by, March 18, 2006,
23 “Блогер выиграл битву за кефир!” [Blogger has won the kefir battle], Tut.by, January 27, 2007,
http://news.tut.by/it/100534.html; “Эпическая битва Липковича за обезжиренный кефир” [Lipkovich’s Epic Battle
24 “Скандал вокруг ‘живого щита’” [The scandal around ‘human shields’], Navuny.by, October 30,2008,
http://naviny.by/popular/ic_popular_240_99/; “Гаишники, устроившие ‘живой щит’, показали лица” [Road
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25 Mikhail Doroshevich, “Belarus: Virtual Community Moves to Real World,” E-Belarus.org, October 1, 2009,
26 “ЖЖ заблокировано” [LJ is blocked],Community.livejournal.com/minsk_by, January 10, 2008,
27 “Как обойти блокировку сайта?”[How to circumvent a website blockade?], Charter 97, January 18, 2008,
28 “Байнет отдыхает: в гродненете вводится цензура” [Bynet is having a rest, Grodnonet is being censored], Blog Grodno,
November 22, 2006,
editors, as well as the full address of the editorial office and the registration number. 29 Formally, there are no laws assigning criminal penalties or civil liability specifically for online activities, but internet activities can be prosecuted under laws applicable to mass media—mainly for defamation—or under any relevant criminal law. In addition, government officials have stressed the need to hold site owners and service providers legally accountable for illegal content, and to provide them with the tools to block such content. 30

According to informal rules and practices, ISPs are obliged to give the authorities statistical data—separated by user—about site visits, traffic, and other topics. Mobile-phone companies are required to turn over similar data when asked by the government. Individuals are not required to register when they buy a mobile phone, but registration is needed to buy a SIM card and obtain a number.

Surveillance of cybercafes was stepped up in 2007. Under new regulations adopted by the cabinet in February of that year, 31 cafe owners must keep a 12-month history of the domain names accessed by users. State officials are authorized to review the log under conditions defined by legislation, and internet cafe managers must inform law enforcement bodies of suspected legal violations. Cybercafes are not allowed to use programs propagating violence, cruelty, or pornography, or to disseminate forbidden information. In July 2008, the head of the government’s high-tech crimes department reportedly warned cybercafe owners of their responsibility for messages sent by their customers. 32 Additionally, Presidential Decree No. 60 calls for mandatory identification of users at internet cafes.

In general, it is difficult to gauge the extent to which Belarusian security services monitor internet and mobile-phone communications, but the surveillance is believed to be far-reaching. Those who engage in political activities avoid using e-mail accounts on Belarusian mail services. Many activists believe that members of the unregistered youth movement Zubr and the independent electoral observers’ group Partnership have been arrested because their e-mail correspondence was intercepted. There have also been a few cases in which personal entries in the popular blog system LiveJournal were hacked, and members of the special services are known to monitor popular online forums and communities. People who are concerned about surveillance also avoid using messaging services that use open protocols, like ICQ. There are even some who suspect that the

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authorities secretly ask ISPs to change certain ADSL users’ address distribution from dynamic to static, allowing easy monitoring. Security services routinely use legal and extralegal means to collect internet and mobile-phone users’ records from ISPs, cybercafes, and mobile-phone companies in the course of their investigations. On the day of the December 2010 election, the government blocked international connections to ports 443 and 465, thereby preventing users from securely sending e-mails and posting messages on social networking sites. In addition, mobile-phone providers reportedly assisted the authorities in tracking down opposition activists.

Armed with such information, it is much easier for the regime to harass or jail a particular writer, or to hack or restrict access to a certain website, than to introduce large-scale content filtration. There have been a number of cases of arbitrary prosecution based on online journalistic activities. In 2005, a Grodno forum was “closed” by authorities because forum visitors were critically discussing the Belarusian president and his policies. In 2006, creators of satirical online cartoons on the president and politics were prosecuted under criminal law and had to flee the country. In August 2007, Andrei Klimau, a member of the opposition United Civic Party, was sentenced to two years in prison for calling for the overthrow of Lukashenka’s regime in an online article. Owners of the United Civic Party website were sued by a government official who claimed damage to his reputation because of an article on the site that accused his son of misdeeds.

Most recently, several lawsuits were brought against Charter97, a pro-opposition news site based in Minsk. In March 2010, the KGB raided the website’s office and confiscated the computer equipment. A suit against the outlet was brought up the same month, but later dismissed. However, the outlet was the subject of another lawsuit initiated on December 8, apparently based on the materials discovered during the March raid, although the prosecutors refused to reveal under which law the case would be prosecuted. During the year, the authorities also opened a criminal case against Charter97 alleging the publication’s liability for objectionable comments posted by its readers. Finally, in the wake of the election crackdown on journalists and activists, Charter97 editor Natallya Radzina was detained on December 20 by the KGB and held without official charges and without access to an attorney. She was still in detention as of December 31.

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34 After fleeing the country, they established an open democratic discussion platform at [http://www.3dway.org](http://www.3dway.org).


Online activists and web-based journalists face extralegal harassment, mostly in the form of phone calls or intimidating messages. However, until 2010, physical attacks were not common. For that reason, the death of the founder of Charter97Aleh Byabenin prompted many questions among his colleagues and fellow journalists. Byabenin was found hanged from a stairway at his summer home in September 2010. Although the authorities declared his death a suicide, most independent sources questioned the official version and suspected foul play.

Technical attacks are becoming increasingly common. For example, a number of opposition and other sites were rendered inaccessible on January 10, 2008, the day of a protest by entrepreneurs, but Beltelecom officials denied involvement.39 In April 2008, several websites run by Radio Free Europe/Radio Liberty were attacked for more than two days surrounding the 22nd anniversary of the Chernobyl nuclear disaster.40 Most recently, in the wake of the 2010 elections, many pro-opposition sites suffered DDoS attacks. In addition, Belpak was redirecting users who tried to access certain independent media sites to copies of those sites run by pro-government actors. For example, when a user requested to access www.gazetaby.com, the ISP hijacked the request and redirected the user to www.gazetaby.in.41 The mirror sites were almost identical to the original, but in some instances posted incorrect information, such as the location of an opposition gathering in efforts to mislead those planning to attend.

In light of the government’s widespread use of technical attacks during elections, it is important to note that Belarusian criminal law actually prohibits such activity. 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.42 According to Ministry of Internal Affairs data, there was a 33 percent growth in cybercrime in 2009 compared with 2008.43 The government has stated its intention to accede to the Council of Europe’s Convention on Cybercrime, but it has made no moves to accede to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.