

BELARUS

	2011	2012
INTERNET FREEDOM STATUS	Not Free	Not Free
Obstacles to Access (0-25)	19	16
Limits on Content (0-35)	23	23
Violations of User Rights (0-40)	27	30
Total (0-100)	69	69

* 0=most free, 100=least free

POPULATION: 9.5 million
INTERNET PENETRATION 2011: 40 percent
WEB 2.0 APPLICATIONS BLOCKED: No
NOTABLE POLITICAL CENSORSHIP: Yes
BLOGGERS/ONLINE USERS ARRESTED: Yes
PRESS FREEDOM STATUS: Not Free

INTRODUCTION

Belarus, often known as “Europe’s last dictatorship,” is run by the autocratic regime of President Alexander Lukashenka. There has been no separation of powers in Minsk since 1996, and Belarus regularly falls near the bottom of international rankings of media freedom. The authorities control the absolute majority of traditional mass media, including all broadcast outlets and daily newspapers, and approximately 70 percent of the economy remains in state hands. Due to this centralization, there is a high degree of government involvement in the electronic communications sector.

The BYnet, as Belarus’ internet sector is known, experienced a dramatic year in 2011. The country’s steady economic development and government’s robust investment over the past several years, as well as a relative liberalization during the 2008-10 period of dialogue with the European Union, led to steady growth in internet penetration and usage. Meanwhile, the regime’s control over traditional media pushed independent media outlets to be more creative and innovative online, where its websites have multiplied and consistently dominated those of the state in terms of quality and popularity. In 2011, web-based independent media played a much more visible role and attracted a larger audience than ever before. The expansion in internet penetration also led to the strong growth of Belarusians active on social-networking sites.

However, the country’s political crisis—which followed a flawed presidential election in December 2010—the resulting economic crisis that spanned 2011, as well as the Arab Spring events, have intensified the government’s fear of the internet and its determination to

exert greater control over it. Among the targets of an unprecedented crackdown at the end of 2010 were independent media, especially internet outlets and journalists. This repression of online activists was expanded to include bloggers after social-networking sites were used to organize a series of mass protests in summer 2011.

As a result, President Lukashenka repeatedly called for tighter regulation of the internet, blaming it for the country's unrest while praising China's internet restrictions. In August 2011, for example, Lukashenka stated that access to destructive websites must be blocked¹ and that the internet should be controlled in educational institutions to rule out its use for purposes other than education. In September 2011, Prosecutor General Ryhor Vasilevich called for an international agreement that would introduce internet censorship, suggesting that such an agreement could be drawn up at the level of the United Nations.²

During 2011, new amendments stipulating financial penalties for violating an already restrictive internet law were introduced. Independent websites and personal blogs were blacklisted and regularly blocked. Online activists were harassed, threatened, persecuted, arrested and imprisoned. Nevertheless, further legal restrictions and harsh repression have failed to halt the growth and dynamism of the Belarusian internet.

OBSTACLES TO ACCESS

Relatively strong economic growth in Belarus over the last half decade has led to a corresponding growth in internet and mobile phone usage. According to the International Telecommunications Union (ITU), Belarus had an internet penetration rate of 40 percent in 2011, up from 16 percent in 2006.³ In addition, the country's four mobile phone operators had a combined 10.7 million subscribers, for a total penetration rate of 113 percent in 2011.⁴ All four mobile operators offer internet access and approximately 4,100 of the

¹ Dzmitry Ulasaw, "Lukashenka: Students access to destructive websites should be blocked," Belapan, August 29, 2011, http://en.belapan.com/archive/2011/08/30/en_1055.

² Vyachaslav Budkevich, "Prosecutor general calls for international agreement that could introduce Internet censorship," Belapan, September 14, 2011, http://en.belapan.com/archive/2011/09/14/en_14091257.

³ International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2006 & 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>. A more recent study by the international agency "Gemius" in November 2011 suggests that there are four million internet users and a penetration rate of over 50 percent. See, Mikhail Doroshevich, "Internet in Belarus, November 2011," E-Belarus.org, January 4, 2011, <http://www.e-belarus.org/news/201201041.html>.

⁴ Alyaksey Areshka, "Number of mobile subscribers in Belarus reached 10.7 million by January 1, communications ministry says," Belapan, January 6, 2012, http://en.belapan.com/archive/2012/01/06/en_20140106.

country's 14,600 base stations are 3G capable, allowing faster internet and multimedia downloading.⁵

Internet use grew quickly in 2011 because and in spite of an economic and political crisis that followed the flawed December 2010 presidential election. An unprecedented crackdown against civil society, a series of public protests, a decline in citizens' confidence in the state media, and a currency collapse led to an increased demand for alternative sources of information, especially via the internet. At the same time, the economic crisis did not increase internet costs, prompting many to start using the internet as a key source for news, entertainment, and as a tool for social interaction.

Approximately 76 percent of users in Belarus access the internet on a daily basis.⁶ 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 the country's capital and regions. Over 38 percent of all internet users live in Minsk and the Minsk region.⁷ Another significant determinant of internet use is age: the majority of internet users in Belarus are young people and only 7 percent of users are aged 55 and above.⁸ Almost 92 percent of all users regularly access the internet at home, and 31.8 percent do so at work. Internet cafes are the least popular point of access, with just 4.3 percent of users utilizing them frequently.⁹

In November 2011, more than 62 percent of users reported having broadband access, while 8.5 percent reported using dial-up, and 11.3 percent accessed via mobile phone connections. 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 somewhat expensive to download large items like music or movies, but for common activities such as email and web browsing, the volume surcharges do not create a barrier for most users. Unlimited internet access service was launched by Beltelecom in 2007. Initially quite expensive, it has become more affordable, and prices in rubles (ranging from US\$5-\$35 per month, depending on the speed) remained unchanged in 2011, despite high inflation and several currency devaluations.

⁵ Ibid.

⁶ Ibid; “Цифры ИТ – статистика в Беларуси” [IT figures - statistics for Belarus], IT.tut.by, accessed January 21, 2012, <http://it.tut.by/numbers>.

⁷ Doroshevich, “Internet in Belarus, November 2011.”

⁸ Mikhail Doroshevich, “Internet in Belarus, November 2011,” E-Belarus.org, January 4, 2011, <http://www.e-belarus.org/news/201201041.html>.

⁹ Ibid.

The rapid increase in internet penetration has also resulted in the growth of citizens' activity on social-networking sites. Since November 2010, the number of Facebook users has increased by 2.5 times, reaching over 370,000 accounts by May 2012.¹⁰ As of October 2011, there were 315,000 users in the popular local social network Vceti.by, over 632,000 Belarusian bloggers on LiveJournal, and about 1.2 million Belarusian users of the Russian social network, Odnoklassniki.ru.¹¹ The Russian VKontakte continues to be the most popular social network service, counting 2.5 million accounts registered in Belarus, and is the third most accessed site in the country.¹² 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.

There is no independent regulator overseeing ICTs in Belarus. Rather, 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 the country's top-level domain (".by").¹³ Created in 2008, it replaced the State Center for Information Security, which was part of the Committee for State Security (KGB). Other key bodies include the State Telecommunications Inspectorate, State Control Committee, and Prosecutor General's Office.

Beltelecom and the National Center for Traffic Exchange, established by the government in 2011, remain the only entities with the right to handle connections with internet providers outside of Belarus. Plans to open up international connections to other operators, including private companies, were put on hold in January 2011 after the Ministry of Communications reported that no bids to compete for licenses were received.¹⁴ Beltelecom also holds a monopoly over fixed-line communications and internet services inside Belarus. In July 2011, the government reiterated that it has no plans to privatize Beltelecom.¹⁵ The Ministry of Communications has issued 180 licenses for secondary ISPs, though only 56 active secondary ISPs currently operate in Belarus. The Beltelecom subsidiary Belpak remains the largest ISP.

¹⁰ "Belarus Facebook Statistics," SocialBakers, accessed May 1, 2012, <http://www.socialbakers.com/facebook-statistics/belarus/last-3-months#chart-intervals>.

¹¹ Mikhail Doroshevich, "Internet in Belarus, October 2011," E-Belarus.org, <http://e-belarus.org/news/201112071.html>.

¹² Alexa, "Top Sites in Belarus," accessed January 21, 2012, <http://www.alexa.com/topsites/countries/BY>.

¹³ 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>.

¹⁴ Alyaksey Areshka, "Communications ministry's contract for wholesale broadband services attracts no bids," Belapan, January 11, 2012, http://en.belapan.com/archive/2011/01/11/en_1531.

¹⁵ Alyaksey Areshka, "There are no plans so far to reorganize Beltelecom into stock company, CEO says," Belapan, July 6, 2011, http://en.belapan.com/archive/2011/07/06/en_06071725/.

The controversial Decree No. 60, “On Measures to Improve the Use of the National Segment of the Internet,” which was enacted on February 1, 2010 and came into effect on July 1, 2010, has had a mixed impact. In terms of regulation, one requirement of the edict is that all legal entities operating in the “.by” domain must use Belarusian hosting services.¹⁶ This provision does not apply to sites belonging to individuals. However, a personal site that is hosted on a national provider, including internet resources providing free hosting, is subject to compulsory registration by the ISP. Media rights advocates interpret this aspect of the edict as a means of ensuring greater government control over the internet.¹⁷ By December 2011, there were 44,000 domains in the “.by” zone—17,000 were registered in 2011 alone. Some of this increase was due not only to the new decree but also the financial crisis, which made registering a “.by” domain four times cheaper in 2011.¹⁸

In November 2011, Article 22.12 on “The Violation of Demands on the Use of the National Segment of the Internet” was added to the Administrative Code. The new amendments, which established fines for violations of Decree No. 60, came into force on January 6, 2012. A legal entity or a sole entrepreneur may now be penalized with a modest fine for “selling goods or providing services” in Belarus with the help of websites not registered in Belarus. However, the OAC, which is in charge of enforcing the decree,¹⁹ denied that the new law effectively prohibits Belarusian businesses from advertising and selling their goods or services abroad with the help of foreign-registered websites,²⁰ despite the language in the law that suggests this.

The new regulations also include a modest fine for internet cafes that fail to keep records of users’ personal data, time spent online, and internet traffic, as well as for ISPs that fail to keep similar records.²¹ To date, the major impact of the edict has been on internet cafes, which are required to ask users to show identification before going online. This measure has proved to be unpopular with customers and, as a result, business has suffered and some cafes have closed. The new regulations have also threatened to increase costs for ISPs, who are required to install the necessary monitoring and filtering equipment. While heavily

¹⁶ Decree of the Council of Ministers No. 644 of April 29, 2010, “On Some Questions of Improving Usage of the National Segment of the Global Internet Computer Network.”

¹⁷ 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/.

¹⁸ The price for an initial year dropped from US\$43 to \$11. Mikhail Doroshevich, “45 thousand addresses registered in .by domain name zone in 2011,” *E-Belarus*, December 26, 2011, <http://www.e-belarus.org/news/201112261.html>.

¹⁹ Decree of the President of Belarus No. 60 of February 1, 2010, available in Russian at <http://www.mininform.gov.by/documentation>; “Decree on Internet Limitations Prepared in Belarus (Text of the Document),” *Charter 97*, December 14, 2009, <http://www.charter97.org/en/news/2009/12/14/24572>.

²⁰ “Доступ к оппозиционным ресурсам пока не блокируется,” [Access to opposition resources is not being blocked yet], *BelaPAN*, January 6, 2012, http://naviny.by/rubrics/computer/2012/01/06/ic_news_128_384196/.

²¹ “Fines for breaking Internet filtering regulations introduced in Belarus on January 6,” *Belarusian Association of Journalists*, January 4, 2012, <http://baj.by/en/node/9150>.

criticized by media rights activists, Decree No. 60 and its amendments have not, to date, limited the growth or the dynamism of the Belarusian internet.

LIMITS ON CONTENT

Decree No. 60 introduced for the first time official mechanisms by which ISPs are required to block access to restricted information, such as pornography and material that incites violence, although by law the authorities are authorized to institute such blocking only in state institutions or when sought by individual users. In practice, however, the government has for a number of years engaged in ad hoc efforts to limit access to internet content deemed contrary to its interests,²² though Beltelecom typically cited technical problems instead of admitting to blocking. The authorities have regularly blocked certain websites on election days, select holidays important to the democratic opposition, and during protests.

In June 2010, the Ministry of Telecommunications and the OAC issued a regulation that called for the creation of two lists cataloging the URLs of all websites that should be blocked; one list is open to the public, whereas the other list is accessible only by ISPs.²³ As of January 2012, the publicly accessible list did not contain any URLs,²⁴ while the number of URLs on the closed list remains unknown. The State Telecommunications Inspectorate claims that it has blacklisted 35 websites, most of which contain pornographic content.²⁵ But based on unofficial information leaked by an internet provider, the latter blacklist counts up to 60 websites²⁶ and includes two of the country's most popular independent news and information websites, Charter97.org and Belaruspartisan.org, the website of the Viasna Human Rights Center, and the political blog of the popular independent commentator Yauhien Lipkovich.²⁷ The Prosecutor General's Office confirmed that Charter97.org and Belaruspartisan.org are, indeed, on the restricted list.²⁸ State bodies authorized to add items to the blacklist include law enforcement agencies such as the Ministry of Internal Affairs, Prosecutor General's Office, and KGB. To date, the blocking is said to be limited to state

²² Mikhail Doroshevich, "Internet Filtering in Belarus," E-Belarus.org, March 20, 2006, <http://www.e-belarus.org/news/200603201.html>.

²³ "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>.

²⁴ "Списки ограниченного доступа" [Lists of Restricted Access], Ministry of Telecommunications, accessed on January 22, 2012, <http://belgie.by/node/216>.

²⁵ "Limited access to 35 websites," Belarusian Association of Journalists, November 10, 2011, <http://baj.by/en/node/9081>.

²⁶ "Список запрещенных в Беларуси сайтов вырос до 60" [In Belarus list of blocked sites increased up to 60], Electroname.com, January 6, 2012, <http://electroname.com/story/9851>.

²⁷ Zmitsier Lukashuk, "Websites restricted for state institutions since November 28," Euroradio, November 30, 2011, <http://baj.by/en/node/9118>.

²⁸ Vyacheslaw Budkevich, "Government begins blocking access to opposition websites," Belapan, April 11, 2011, http://en.belapan.com/archive/2011/04/11/en_20240411.

agencies, including cultural and educational institutions. However, independent sources suggest that, as of early 2012, the blocking was not being implemented and that a variety of opposition and independent sites, including those alleged to be on the blacklist, were still available at government offices and state universities.²⁹

Under the November 2011 amendments—which stipulate fines for violating Decree No. 60—ISPs that provide customers with access to blacklisted websites will be required to pay a small fine. More generally and outside of the context of state institutions, ISPs seem to be quite inconsistent in their blocking practices; some have blocked access to blacklisted sites without users' request, which is technically illegal under the decree, while others have ignored the blacklist.³⁰ In December 2011, Beltelecom selectively blocked certain websites in the Vitebsk region that did not change their domain name system (DNS) servers' settings to comply with state recommendations. Consequently, Charter97.org and several other websites were temporarily unavailable in the Vitebsk region.³¹

Furthermore, access to Charter97.org, as well as Facebook, Vkontakte and Odnoklassniki, is blocked in the luxury hotel “Europe” in Minsk, based on a decision made by the hotel's administration.³² In January 2012, the BelCel mobile phone operator acknowledged that it occasionally blocked access to opposition websites without clients' permission.³³ In order to limit access to information regarding the summer 2011 “silent protests” and prevent the organizing of new civic actions, one of the largest Vkontakte communities involved in calling for protests in Minsk with over 120,000 users was deleted from the website on July 2, 2011, under the pretext that this group was spreading spam.³⁴

Local media rights groups have argued that the regulations adopted during the last two years reflect an alarming trend towards greater control of the internet and that many provisions remain vague and unclear. For example, the procedure of including sites in the blacklist is nontransparent. According to Andrey Bastunets, deputy chairman of the Belarusian Association of Journalists, the illegal methods used by the security services are a greater

²⁹ Alena Lawrentsyeva, “Access to opposition news sites still free at universities, government buildings, suggests Belapan's survey,” January 6, 2011, http://en.belapan.com/archive/2012/01/06/en_1656.

³⁰ 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.

³¹ “Beltelecom: If you don't block Charter97, We'll block Internet,” Euroradio, December 28, 2011, <http://baj.by/en/node/9144>.

³² “Social nets are banned in five-star hotel ‘Europe,’” Nasha Niva, December 29, 2011, <http://baj.by/en/node/9146>.

³³ Maryna Nosava, “BelCel blocks access to opposition websites for clients without their permission, representative acknowledges,” Belapan, January 6, 2012, http://en.belapan.com/archive/2012/01/06/en_1407/.

³⁴ “В Беларуси заблокировали ‘Революцию через социальные сети’” [‘Revolution Through Social Networks’ is blocked in Belarus], Naviny.by, July 2, 2011, http://naviny.by/rubrics/politic/2011/07/02/ic_articles_112_174244.

threat to the internet than legal restrictions, but both are being used in tandem to further limit internet freedom.³⁵

The government is also employing direct and indirect economic pressure to undercut financial support for certain sites. A series of restrictive amendments to the Law on Public Associations and Criminal Code were passed secretly in October 2011 and came into force a month later. Of importance were provisions that made it a criminal offense for nongovernmental organizations (NGOs) to receive foreign funding. Since most online independent media outlets are run as NGOs, the new amendments constitute a grave threat to civil society, including free media, in Belarus.³⁶

Most independent news and information websites are at an economic disadvantage because state and private companies are afraid to place commercial advertisements on them. Moreover, there is an unwritten rule advising that companies connected with the state should not advertise in the independent media, including internet publications. 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 on advertising exists only in the form of an oral recommendation, media and human rights groups have been unable to effectively oppose it.

Another result of state pressure is self-censorship, which has become a pervasive phenomenon for both traditional and web-based media, especially state and commercial outlets. Like their counterparts working for print outlets and television and radio stations, online commentators and administrators of web portals avoid posting content that might put them at odds with the authorities.

The largest Belarusian portal, TUT.BY, has refused to post banners advertising certain independent and opposition websites, and has tightened control over discussion forums by employing moderators to screen comments before they are posted.³⁷ In October 2011, a live broadcast with the popular independent singer Liavon Volski on TUT.BY-TV was interrupted. The portal's editor explained the incident by saying that the performance

³⁵ 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.

³⁶ 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>.

³⁷ "Country Profiles: Belarus," OpenNet Initiative, May 9, 2007, <http://opennet.net/research/profiles/belarus>; Mikhail Doroshevich, "TUT.BY Premoderates Forums," E-Belarus.org, January 22, 2009, <http://www.e-belarus.org/news/200901221.html>.

contradicted TUT.BY's editorial policy; the portal's owner said that the program was halted after the singer began to openly mock government officials.³⁸

The governing regime is attempting to counter the advances in quality, popularity, and trust made by independent civil society by increasing its own presence and influence online. For example, a special governmental program was launched in 2010 to assist regional and local state newspapers in creating and promoting their websites. The program includes the development of a website based on the Wordpress platform, a week-long training course on content management systems, SEO and audio/video editing basics for representatives of state media, and further technical support for optimizing a website. The program is implemented under the supervision of the Ministry of Information. In order to aggregate the content produced by local and regional state publications, a portal for their websites was created at Belsmi.by.

At the same time, the number of trolls and paid commentators, and their activities, has significantly increased on independent websites, the blogs of civic activists and commentators, and popular opposition communities on social networks. In 2011, the anonymous pro-government website "Traitors of Belarus" (Predateli.com) was created, which publishes a list of alleged "traitors of the state" and provides their personal data, including emails and mobile telephone numbers. The list includes the names, biographies, and contact information of opposition political leaders, civic activists, and independent journalists.

In 2011, traditional print and broadcast media continued to have a much stronger presence in society than new media and remained the main sources of news and information for most Belarusians. The internet is still viewed as more of a source of entertainment or as a place to explore contesting opinions. Nevertheless, in the run up to and aftermath of the 2010 presidential election, web-based independent media played a much more visible role and attracted a larger audience than ever before. While the gains in readership have not been uniform, independent news and information web sources continue to serve larger audiences than they did before December 19, 2010. Following the April 11, 2011 bomb blast in a Minsk subway station, hits on independent websites skyrocketed, indicating that citizens are relying less on state media.³⁹ 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, and the readership of the leading online independent

³⁸ "Скандалам завяршыўся візыт Лявона Вольскага на TUT.by" [Liavon Volski's visit to TUT.by ended with a scandal], Svaboda.org, October 25, 2011, <http://www.svaboda.org/content/article/24371143.html>.

³⁹ Iryna Vidanava, "Scenes from the battlefield," Eurozine, July 1, 2011, <http://www.eurozine.com/articles/2011-07-01-vidanava-en.html>.

media has increased on average by 2.5 times since November 2010.⁴⁰ The daily audience of Charter97.org, the most popular opposition website, has quadrupled to more than 100,000 unique visitors a day. Independent public opinion polls also indicated that, for the first time, Belarusians began trusting independent media more than the state media in 2011.

In Belarus, elections have had a strong impact on the development of ICTs. As the authorities moved to close down and restrict independent print newspapers before the 2006 presidential election, blogs, internet forums, online communities, and news websites became more prominent during and after the campaign. With the rapid rise of new media, independent online sources were able to compete with state-controlled newspapers, radio, and television during the 2010 campaign and the protests following the election. In addition to independent news and information websites, Facebook, Vkontakte, and Twitter played a significant role in educating citizens, turning out voters, and mobilizing those protesting electoral irregularities. In 2010, a crowd-sourcing platform was used for the first time to monitor election violations.⁴¹

After the December 2010 crackdown, a citizen solidarity campaign was launched by an activist's emotional blog post that described the awful prison conditions of those detained and called her friends to help by donating cloths, money, transport, etc. Her post was republished by other bloggers and mainstream independent online media. Hundreds responded. To better coordinate the effort to help those arrested and their families, a special website was set up where people could identify what kind of assistance was needed and become a "guardian angel" to a detainee. More than US\$50,000 was collected, and over 700 parcels were prepared and delivered to prisons. The same campaign was used to mobilize support for those detained during the summer 2011 protests.⁴²

In summer 2011, social networks were also used as a major tool in organizing the "Stop Gasoline" strike, which caught the police and authorities by surprise. On June 7, 2011, hundreds of cars blocked Independence Avenue, a major thoroughfare in downtown Minsk, at rush hour in protest against increasing gasoline prices. The next day, the government backtracked and reduced prices.⁴³

⁴⁰ "Top ranker," Akavita.by, accessed on January 22, 2012, http://akavita.by/top/en/All/Mass_Media_and_News/daily/visitors/by.

⁴¹ See report on Electby.org (in English) at <http://belaruswahl2010.wordpress.com/2010/12/28/bericht-der-electby-wahlbeobachtungsplattform>.

⁴² Galina Abakunchik, "«Анёлы-ахоўнікі» вярнуліся ў Менск" ["Angels guards' return to Minsk], Svaboda.org, July 8, 2011, <http://www.svaboda.org/content/article/24259862.html>.

⁴³ "Пасля пратэсту аўтамабілістаў Лукашэнка загадаў знізіць кошты на бензін" [After the car owners' protest Lukashenka ordered to reduce the gasoline price], Nasha Niva, June 8, 2011, <http://nn.by/?c=ar&i=55457>.

The success of the “Stop Gasoline” strike sparked a series of large-scale silent protests across the country. Weekly peaceful demonstrations were organized in June-July 2011 through a “Revolution through Social Networks” campaign, launched by pro-democratic communities on Facebook and Vkontakte. The campaign brought thousands of citizens, mostly young people, to the streets in most major Belarusian cities. Fearing that online campaigns would lead to mass street demonstrations, social-networking websites were temporarily blocked on the days of the protests.⁴⁴ One of the Vkontakte communities calling for the protests in Minsk and consisting of over 120,000 users was deleted from the website on July 2, 2011.⁴⁵ The “Revolution through Social Networks” initiative was not the only example of Belarusian self-organizing online. There are at least five other anti-government communities on Vkontakte, which number between two and 20,000 people.

Internet tools have also been used to further online petitions on important political issues. In November 2011, almost 62,000 people signed an online petition against the death penalty sentence given to two Belarusians convicted of a terrorist act in the Minsk metro.⁴⁶ In November and December 2011, over 1,700 people added their names to an online petition for the release of the prominent Belarusian human rights defender, Ales’ Bialiatski, who was sentenced to 4.5 years in prison on trumped up charges of tax evasion.⁴⁷

Because Belarusian users have, until quite recently, had regular access to most online resources under ordinary circumstances, they generally have not employed proxy servers or other circumvention tools, leaving them vulnerable during politically sensitive periods when ad hoc disruptions occur. Most often, people are reminded about blocking, hacking, trolling and phishing only when it takes place.⁴⁸ The most popular circumvention tools are proxies and Tor, a software system that enables online anonymity.⁴⁹

⁴⁴ “В Беларуси заблокирован доступ к Вконтакте” [Access to Vkontakte is blocked in Belarus], Naviny.by, July 13, 2011, http://naviny.by/rubrics/computer/2011/07/13/ic_news_128_372197.

⁴⁵ “В Беларуси заблокировали ‘Революцию через социальные сети’” [‘Revolution Through Social Networks’ is blocked in Belarus], Naviny.by, July 2, 2011, http://naviny.by/rubrics/politic/2011/07/02/ic_articles_112_174244.

⁴⁶ “Innocent until proven guilty,” Care2 Petition Site, accessed on January 23, 2012, <http://www.thepetitionsite.com/1/15-days-left-to-save-lives-of-2-young-men-that-are-going-to-be-executed/>.

⁴⁷ “Sign a petition for the release of Ales’ Bialiatski,” Freeales.spring96.org, accessed on January 23, 2012, <http://freeales.spring96.org/en>.

⁴⁸ Yegor Martinovic, “Што рабіць, каб не падчапіць вірус у Інтэрнэце” [What to do in order not to catch a virus in Internet], Nasha Niva, January 15, 2012, <http://nn.by/?c=ar&i=66614>; “ЖЖ заблоковано” [LJ is blocked], Community.livejournal.com/minsk_by, January 10, 2008, http://community.livejournal.com/minsk_by/4402235.html.

⁴⁹ “Как обойти блокировку сайта?” [How to circumvent a website blockade?], Charter 97, January 18, 2008, <http://www.charter97.org/be/news/2008/1/18/3107>.

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 editors, as well as the full address of the editorial office and the registration number.⁵⁰ 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 prohibited content and to provide them with the tools to block such content.⁵¹

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 the internet use of any citizen. Since 2007, internet cafes are obliged to keep a 12-month history of the domain names accessed by users and inform law enforcement bodies of suspected legal violations.⁵² Mobile phone companies are required to turn over similar data when asked by the government. Individuals are required to present their passports and register when they buy a SIM card and obtain a mobile phone number.

Following the December 19th protests, security services raided more than a dozen editorial offices and journalists’ private apartments, including those connected to popular online news and information sites. Over 114 pieces of professional media equipment were seized.⁵³ Scores of journalists were arrested and criminal proceedings were initiated against seven members of the Belarusian Association of Journalists; six were convicted and punished with sentences ranging from probation to four years in a maximum security prison for allegedly organizing and preparing actions that disturbed the public order, or for actively participating

⁵⁰ Law of the Republic of Belarus No. 427 of July 7, 2008, “On the Facilities of Mass Information,” available in Russian at <http://www.mininform.gov.by/documentation>; “Экспертыза новага закона «Аб СМІ»” [Analysis of the New Law on mass media], Belarusian Association of Journalists, accessed on July 9, 2010, <http://baj.by/m-p-viewpub-tid-12-pid-5.html>; “International expertise of the Belarusian draft law on information, informatization and information protection,” E-Belarus.org, March 2007, <http://www.e-belarus.org/article/infolaw.html>.

⁵¹ “Пролесковский знает, как зачистить интернет” [Proleskovsky knows how to clean up the internet], Belaruspartisan.org, June 4, 2008, <http://www.belaruspartisan.org/bp-forte/?page=100&news=25145>.

⁵² “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>.

⁵³ Iryna Vidanova, “Scenes from the battlefield,” Eurozine, July 1, 2011, <http://www.eurozine.com/articles/2011-07-01-vidanova-en.html>.

in such actions, violating Article 342 of the Criminal Code. After the December 19th demonstrations, mobile phone providers reportedly assisted authorities in tracking down protesters and opposition activists.⁵⁴

Over the past year, more than 3,500 citizens were arrested. The majority of these arrests took place during the summer 2011 “silent protests” related to the country’s economic and political crisis. Of those arrested, no fewer than 95 were journalists. In 2011, more than 150 journalists were detained, 22 were tried, and 13 were sentenced for different alleged administrative infractions, including participating in unsanctioned mass protests, hooliganism, and slander.⁵⁵ As of early 2012, more than a dozen political prisoners remain behind bars, including three members of the Belarusian Association of Journalists.⁵⁶ Many of the journalists who were repressed in 2011 worked for independent websites or media outlets with an online presence.

In 2010, the authorities initiated several criminal cases against Charter97.org alleging the website’s liability for objectionable comments posted by its readers.⁵⁷ In the wake of the post-election crackdown, Charter97 editor Natallya Radzina was detained on December 20, 2010 by the KGB. She was released on January 28, 2011 and placed under house arrest, but was able to flee the country on March 31, 2011. She was granted political asylum in Lithuania, and the editorial office of Charter97.org now operates in exile.

In addition to legal and technical attacks on independent news sites, there were numerous cases of prosecution of individual media activists for their online activities in 2011. The most prominent case involved the April arrest of journalist Andrzej Poczobut. He was convicted of insulting the president of Belarus in a series of articles, including those posted on the online version of the Polish daily *Gazeta Wyborcza*, *Belaruspartisan.org*, and his LiveJournal blog; he received a three-year suspended sentence.

In June 2011, criminal proceedings were launched against the civic journalist and blogger, Yauhien Lipkovich, who was charged with defaming state symbols in his LiveJournal blog. In August 2011, two Homyel residents were jailed for five and three days, respectively, over internet postings linked to the summer protests. Another Homyel resident was fined for

⁵⁴ “Ні дня бяз допытаў” [Not a single day without interrogation], Reporter.by, January 20, 2011, <http://reporter.by/Belarus/N-dnja-bjaz-dopyta/function.mysql-connect>.

⁵⁵ “Violations of Journalists’ and Mass Media Rights in 2011: Brief Annual Review,” Mass Media Belarus E-Newsletter, Belarusian Association of Journalists, <http://old2.baj.by/index.php?module=p&type=file&func=get&tid=6&fid=pdf&pid=84>.

⁵⁶ Helle Whalberg, “A year of turmoil – but change is on its way,” International Media Support, December 20, 2011, <http://i-m-s.dk/?q=article/belarus-year-turmoil-change-way>.

⁵⁷ “Против сайта charter97.org возбуждено третье уголовное дело” [Criminal case brought against charter97.org website], Electroname, December 8, 2010, <http://www.electroname.com/story/9100>.

inviting his friends via V Kontakte to meet during a “silent protest” staged in the city. In September 2011, a young truck driver from Mazyr lost his job after being fined for online political postings.⁵⁸ In October 2011, a journalist in Mahilyow was questioned by the prosecutor’s office regarding comments made about a local judge, which were posted on Charter97.org.⁵⁹ In January 2012, a student of Belarusian State University sent an open letter to a leading Belarusian newspaper describing how he was called to the dean’s office and interrogated by unidentified KGB employees about his public sharing of opposition documentaries through an internal computer network in his dormitory.⁶⁰

In October 2011, the government introduced and the parliament approved an “anti-revolutionary” package of amendments to laws on civic organizations and political parties, as well as to the Criminal Code. The 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 been given powers previously only granted during a state of emergency, including the right to break into the homes and offices of any citizen at any time without a court order.⁶¹ Beginning in March 2012, a significant but unknown number of opposition political leaders, human rights defenders and independent journalists were banned from traveling abroad.⁶² This violation of freedom of movement was a reaction to the extension of the European Union’s visa ban list of Belarusian officials involved in the 2010-11 repression.

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. On December 19, the day of the 2010 presidential election, the government blocked international connections to ports 443 and 465, thereby preventing users from securely sending emails and posting messages on social-networking sites. In the cases of several of those convicted for political reasons after December 19, personal Skype conversations and emails were used by the prosecution as evidence during the trials. These communications were also cited in articles published in the leading state-run newspaper. It is unclear whether the electronic documents were intercepted by the government or taken from confiscated computers.

⁵⁸ Alena Hermanovich, “Young man in Homyel region loses job after being fined over political postings,” *Belapan*, September 7, 2011, http://en.belapan.com/archive/2011/09/07/en_07091042.

⁵⁹ Uladzimir Laptsevich, “Journalist in Mahilyow questioned at prosecutor’s office over ‘abusive’ online posts about local judge,” *BelaPAN*, October 14, 2011, http://en.belapan.com/archive/2011/10/14/en_1159.

⁶⁰ “Можаце збірацца сваім пакоем і глядзець хоць некалькі раз у суткі” [You can gather in your room and watch them even several times a day], *NN.by*, January 19, 2012, <http://nn.by/?c=ar&i=66886>.

⁶¹ “Belarus has adopted ‘anti-revolutionary’ amendments to the legislation,” Human Rights House, October 20, 2011, <http://humanrightshouse.org/Articles/17082.html>

⁶² For Belarusian Association of Journalists’ reaction to the restriction on journalists’ travel, see <http://baj.by/en/node/11459>.

Instances of extralegal intimidation and harassment for online activities have increased. During the course of 2011, there were reports of students being summoned by university administrators and interrogated by unidentified secret police agents about posts on their personal blogs and social networks. These students were threatened with expulsion and told that their parents would be fired from their jobs if they refused to cooperate with the authorities.

Instances of technical attacks against independent news sites and civil society have continued to grow. For example, the website of Radio Racyja, which is based in Poland and broadcasts independent news and information into Belarus, was hacked on November 26, 2011 and temporarily disabled.⁶³ At the end of December 2011, Charter97.org and the website of the opposition youth group “Young Front” (Mfront.net) experienced repeated distributed denial-of-service (DDoS) attacks. Nearly paralyzing the website, hackers deleted much of Charter97.org’s content and posted a false report about the former presidential candidate and political prisoner, Andrey Sannikaw, and his wife, the prominent independent journalist Iryna Khalip. The Young Front site did not function for several days.

A January 2012 inquiry conducted by Electroname.com, a website covering computer and electronics issues, determined that the computers of several opposition politicians, independent journalists, human rights defenders, and online activists had been infected with Trojan viruses that had stolen their passwords and other private information. Electroname.com determined that unidentified hackers had used the same viruses known to be distributed by the KGB. In the December 2011 attack on Charter97.org, for example, the hackers used RMS, a virus developed by Russia’s TeknotIT, which the KGB had attempted to use previously to infect an opposition activist’s computer in July 2011.⁶⁴

The authorities also tried to shut down Prokopovi.ch, an economic website that was created during the peak of the 2011 currency crisis. Satirically named after the former president of the National Bank of Belarus who was among those responsible for the crisis, the site was designed to facilitate illegal currency exchanges. It soon became very popular and actually influenced exchange rates. On August 30, 2011, Prokopovi.ch experienced a massive DDoS attack and was down for one day. It resumed working the following day. The Prosecutor General’s Office attempted to track down the creators and moderators of the website but did not succeed.⁶⁵

⁶³ “Radio Racyja website hacked,” Belarusian Association of Journalists, November 29, 2011, <http://old2.baj.by/m-p-viewpub-tid-1-pid-11992.html>.

⁶⁴ “Кибероружие белорусского КГБ” [Cyberweapon of the Belarusian KGB], Electroname.com, January 9, 2012, <http://electroname.com/story/9865>.

⁶⁵ “Final solution to foreign currency problem: DDoS attack on prokopovi.ch,” Charter97.org, August, 30, 2011, <http://charter97.org/en/news/2011/8/30/42085>.

Amid widespread technical attacks in the aftermath of the 2010 election and 2011 economic crisis—some of which have been traced to the authorities—it is important to note that Belarusian criminal law 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.⁶⁶ The government has stated its intention to accede to the Council of Europe’s Convention on Cybercrime, but it has made no moves to sign on to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

⁶⁶ “«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>.