



Policy Paper

Media Regulation during Election and Referendum Campaigns in Belarus

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Acknowledgments

The aim of this policy paper was to analyze the Belarusian legislation and practices regulating the media during elections and referenda ahead of the 27 February 2022 Constitutional referendum. The paper will touch upon the following issues:

- 1) legislation regulating the work of media, including laws and provisions imposing restrictions and limitations to media and journalists;
- 2) election legislation with a special focus on the role of media in election and referenda;
- 3) the role of state television in elections;
- 4) the role of a media regulator in elections;
- 5) regulation of social networks and online media,
- 6) activities of Internet bloggers and influencers.

The policy paper was consulted with the Slovak media and election expert Rast'o Kužel, Thanks to the meetings with leading Slovak experts on media regulation, disinformation, hybrid threats, and public media as well as representatives from the Slovak institutions, including the government, the parliament, media regulator, digital agencies and digital influencers, Slovakia's experience in media legislation reforms and media landscape serve as case studies for the paper and inspiration for recommendations. The recommendations included in the paper could be taken into consideration for the future reforms of the media and election legislation prior to the next free and democratic elections in Belarus.

Introduction

Belarusian mass media have been operating in challenging conditions since the second half of the 1990s when the first Belarusian president Aliaksandr Lukashenka started transforming Belarus into an authoritarian state. Since 1996 when the second referendum changing the Belarusian Constitution and strengthening the presidential power in the country took place, independent media have remained one of the few sources for alternative opinion.

For almost three decades, independent media and journalists have been targets of political and legal pressure. Many of them were either killed or died under strange circumstances, as for instance disappearance of Dzmitry Zavadski (Dmitry Zavadskiy)¹ in 2000, a cameraman working with another prominent Belarusian journalist Pavel Sharamet (Pavel Sheremet) murdered in 2016 in Kyiv; independent investigative journalist Veranika Charkasava (Veronika Cherkasova) killed in 2004; or Aleh Byabenin (Oleg Bebenin), the founder of Charter 97 who allegedly committed suicide and who was found hanged in 2010. None of the investigations of these cases led to bringing the perpetrators of these crimes to justice.

Despite many obstacles, a number of Belarusian media, including from exile, have played a crucial role in providing timely and objective information to Belarusians, which was especially important during massive political campaigns, such as elections and referenda. The 2020 presidential election took place in a changed information ecosystem, as the proliferation of social networks and the omnipresent access to the mobile Internet created by then a new segment of independent news and opinion-makers informing Belarusians about corruption, violence of the rule of law, and various repressions against the opposition and civil society.

The importance of online activists during the presidential campaign grew further when one of the most significant influencers on Belarusian YouTube, blogger Siarhei Tsikhanouski, decided to run in the presidential election. When the authorities prevented him from the registration, Siarhei's wife Sviatlana registered as a candidate instead, with Siarhei becoming the manager of her election headquarters. The authorities responded by arresting him, while Sviatlana decided to continue as a candidate (on his behalf) and attracted dozens of thousands of supporters who attended her campaign events all over the country.

Following the election day on 9 August 2020, huge crowds gathered in Minsk and other cities to protest against the manipulated outcome of the elections, with most of the Internet and most independent media being blocked until 12 August 2020. The only reliable sources of information were the pages of independent media outlets on different social networks, including Telegram channels, which were able to inform both people in Belarus as well as abroad with updates provided by professional journalists and regular citizens who were sending photos and videos taken with their smartphones.

Regular protests have unfolded in the whole country since 16 August 2020, involving various age groups, different genders, and social strata. The protests were coordinated through a number of Telegram channels, with NEXTA being the main one. At a later stage, people self-organized into local chats using Telegram as their main platform to communicate and participate in minor local and bigger city protests.

¹ In brackets here and after further names of murdered journalists – English transcription of their names from Russian.

The combination of the growing international support for Sviatlana Tsikhanouskaya and her team operating from Lithuania and the fact that the protests in Belarus were coordinated through Telegram by activists living abroad prompted the Belarusian regime to declare war to all their opponents in the media field. However, this time the oppression did not focus only on independent journalists and newsrooms, but primarily on online activists.

The regime has targeted individuals subscribed to independent Telegram channels, imposing physical violence as well as lengthy prison sentences to discourage them from reading independent news. In addition, the regime created a list of ‘extremist channels’, which included both websites of independent media, but also their pages or channels in social networks.

The authorities stepped up persecution of online activists and initiated criminal actions against many of them, including those living abroad. The culmination of such cases was the forced landing of the plane flying from Athens to Vilnius to detain the former co-editor of the NEXTA Telegram channel, Raman Pratasevich, together with his partner, Sofia Sapega, on 23 May 2020. A number of cases resulted in lengthy sentences for almost a dozen bloggers and online activists, including Siarhei Tsikhanouski, who was sentenced to 18 years.

1. Regulation of mass media during election campaigns in Belarus

The main law which stipulates the regulation of mass media in Belarus is the Law on Media which was last amended in 2021. Additional legal documents, such as the Criminal Code, the Code of Administrative Offences, and the Election Code, all contain provisions regulating the work of media. According to the author of this paper, most of these provisions are restrictive.

In terms of media regulation during elections, the Belarusian legal system remains one of the most restrictive in Europe. The 2019 early parliamentary elections were the last polls in Belarus to be observed by OSCE/ODIHR. In their final report, the ODIHR stressed many legal limitations for the unobstructed work of journalists and media organizations. For example, given the fact that insult and defamation remain criminal offenses, a number of journalists have experienced intimidation and harassment linked with these offenses prior to 2020.²

Furthermore, the Criminal Code and the Code of Administrative Offences provide additional sanctions such as fines or even stricter measures for the dissemination of prohibited information. The scope of the prohibited information was further enlarged in 2021 with the introduction of amendments to the Law on [Countering Extremism](#) and the adoption of the [Law against Nazism Rehabilitation](#).³

During the 2020 elections, the Central Election Commission (CEC) established a Media Supervisory Board (MSB),⁴ as during previous elections.⁵ It aimed to elaborate recommendations for the CEC on media-related complaints and applications submitted by both candidates and citizens.⁶ However, only one out of eight members of MSB recommended by the Ministry of Information and journalists' associations, was representing an independent media organization – the Belarusian Association of Journalists (BAJ).⁷ This was reminiscent of the situation during the 2019 elections.⁸ As a result, MSB lacked impartiality, and its activities, transparency, and objectivity were in question.

In the run-up to the 2020 election, the authorities did not allow [the media to conduct online opinion polls](#) about the political preferences of voters as they equaled them with the 'opinion polls about a socio-political situation' which as of 2012 can only be legally conducted in Belarus with a special accreditation license. This requirement [became an integral part](#) of the new 2021 Law on Media. As independent sociology no longer exists in Belarus, the population faces severe challenges in acquiring information about the political preferences of voters prior to the upcoming referendum.

The majority of international media outlets were stripped of their accreditation in Belarus in 2020, and the amended Law on Media aims [to minimize 'the foreign influence'](#) in the field. Thus, from now on, a media outlet cannot be established by a foreign entity, foreign citizens and persons without

2 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 19.
<https://www.osce.org/files/f/documents/6/4/447583.pdf>

3 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 19.
<https://www.osce.org/files/f/documents/6/4/447583.pdf>

4 Постановление Центральной комиссии Республики Беларусь по выборам и проведению республиканских референдумов, 4 June 2020, <https://www.rec.gov.by/files/2020/post87.pdf>

5 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 21.
<https://www.osce.org/files/f/documents/6/4/447583.pdf>

6 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 21.
<https://www.osce.org/files/f/documents/6/4/447583.pdf>

7 Постановление Центральной комиссии Республики Беларусь по выборам и проведению республиканских референдумов, 4 June 2020, <https://www.rec.gov.by/files/2020/post87.pdf>

8 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 21.
<https://www.osce.org/files/f/documents/6/4/447583.pdf>

citizenship, and legal entities with foreign participation.⁹ In the condition of total repression against the Belarusian mass media and independent information channels in social media, most journalists have little choice where to work legally now, except for state or Russian media. Alternatively, they can work abroad in the exile media, which continue to function despite attempts by the regime to minimize their potential impact.

On 27 December 2021, the authorities [proposed](#) a long-awaited new Constitution, which will be the subject of the referendum scheduled for 27 February 2022. The Belarusian democratic forces responded with [a number of information campaigns](#), calling on Belarusians to participate in the referendum but making their ballots invalid as a sign of a protest vote against the regime.

Simultaneously with the preparation for the referendum, the regime has continued to impose repressions against representatives of media and civil society (both of which are important in the context of any democratic elections due to the important role they play). The role of mass media during elections and referenda include:

- 1) to inform the society about the questions raised in the referendum and in this way to provide information to voters that enables them to participate in the public discussion and to make a well-informed choice at the ballot box;
- 2) to provide an equal opportunity for both supporters and opponents (including the representatives of the political parties, movements, and civil society) of the question(s) raised in the referendum, to speak about these issues, i.e., all those who are ‘for’ or ‘against’ it;
- 3) to enable journalists to carry out their activities freely, which includes also conducting public opinion polls and communicating with authorities and citizens.

None of the above-mentioned conditions are currently provided, and so the Belarusians lack access to objective information based on which they would be able to make informed choices. As such, the current situation runs contrary to the Organization for Security and Cooperation in Europe (OSCE) and other international standards for democratic elections (including those by the Venice Commission of the Council of Europe).

⁹ <http://mininform.gov.by/activities/voprosy-i-otvety-po-zakonu-o-smi/>

2. Legal restrictions for media outlets and journalists

After new amendments to the [Law on Countering Extremism](#) and the adoption of a new [Law against Nazism Rehabilitation](#) in May 2021, the opportunity for Belarusians to express their views became even more limited. Together with the new [Law on Media](#) and [Law on Mass Events](#), the space for freedom and the rule of law shrank further, which the OSCE noted in [its special analysis](#) of the new Law.

In practice, such amendments further restrict and limit the legal space for Belarusian independent media and civil society. Following the manipulated election in 2020, the upcoming referendum appears to be designed by the regime as a tool to “legitimize” Lukashenka’s continuous presence as the leader of Belarus. After the January 2022 protests in Kazakhstan, the Belarusian regime appears to be even more determined to eliminate any independent or alternative sources of information to ensure the outcome it expects from the referendum.

Most of the changes introduced by the new Law on Media regulate online media. Thus, journalists will be forbidden to carry on live streams, including in the text form, from mass events.¹⁰ Not only the Ministry of Information but also prosecutor’s offices are now able to block websites without a court decision. Users of Internet sources will now have to identify themselves online.¹¹ Copies of the websites blocked previously will be subject to blockage again.¹²

In terms of the Law Countering Extremism, subscribers of the online channels who are claimed as ‘extremist’ by the authorities will now be subject to criminal charges according to Article 361-1 of the Criminal Code as participants of the extremist formation.¹³ Liliya Ananich, the former Minister of Information, became the new head of the Republican Commission, assessing if the materials were extremist.¹⁴ Many Telegram users have already been charged for extremism, and more cases are currently being considered.¹⁵ Moreover, individuals who have been previously recognized as members of the allegedly ‘extremist’ organizations cannot become founders of mass media within five years since the moment of this recognition.¹⁶ Such restrictions impose additional sanctions on a large group of journalists and editors in Belarus, narrowing down the pool even more.

As of 31 January 2022, [more than 1,000 individuals are recognized](#) as political prisoners, many of them civil, political activists, and media professionals. A potentially similar number of individuals remain in jail for political reasons but officially are not political prisoners for a number of reasons. Oftentimes, families of detained stand against such status for their friends and family members as they believe that without public attention, they can avoid lengthy prison sentences.

According to the [Human Rights Organization Viasna](#), whose [team](#) remains in jail, as many as 103 individuals were accused of defamation or insult of Belarusian authorities by 26 March 2021. There has been a number of other cases concerning the limitation of freedom of expression (where Article 130 of the Belarusian Criminal Code was widely applied), especially in the case of ‘stirring the social hatred’ when individuals have been accused of negative statements towards representatives of the law enforcement agencies and have been detained for this reason.

10 <https://www.dw.com/ru/vojna-so-smi-zhurnalistam-v-belarusi-zapretjat-strimy-i-blicoprosy/a-57180672>

11 <http://mininform.gov.by/activities/voprosy-i-otvety-po-zakonu-o-smi/>

12 <https://www.belta.by/president/view/lukashenko-utverdil-novatsii-v-zakony-o-smi-i-massovyh-meroprijatijah-chto-menjaetsja-i-kogda-442677-2021/>

13 <https://mediazona.by/article/2021/10/13/575>

14 <https://mediazona.by/article/2021/10/13/575>

15 <https://mediazona.by/article/2021/12/03/waterlily>

16 <https://baj.by/en/analytics/mass-media-belarus-e-newsletter-no-4-66-2021-restriction-print-media-activities>

Also, the authorities have [started to apply the same](#) Article 130 of the Belarusian Criminal Code against those people whose perception of Belarusian history, especially the period covering World War II and anti-Soviet resistance, differs from the official narratives, which at large coincide with the Soviet one. At the moment, leaders of the Polish minority in Belarus, Andželika Borys, Andrzej Poczobut, a famous journalist writing for Gazeta Wyborcza, as well as famous Belarusian artist Ales Pushkin, are imprisoned for such charges and are awaiting their verdicts.

As of the end of January 2022, more than [a dozen large Belarusian and international media sources were named 'extremist'](#) and blocked on the Belarusian territory. In addition, around 300 information channels operating in social media were also enlisted as 'extremist.' In practice, this means that any repost of the information from one of these channels, ['liking' it](#) or resharing it in personal communication, might lead to harsh charges and even arrest, as in the case of a married couple who [spent 111 days in prison for such messaging](#) and consequently had to leave the country for security reasons.

Repressions also concern print media, which mainly operate in the regions.¹⁷ Such papers often remain the only source of alternative information for the elderly population for whom online and social media can be challenging to access.

In the light of narrowing down the Belarusian media landscape rapidly, the dissolution of the leading independent journalistic organization – the Belarusian Association of Journalists – [at the end of August 2021](#) put the remaining functioning independent media outlets under additional threats. From now on, there is practically no legally functioning organization that could assist or protect Belarusian journalists facing oppression on the Belarusian territory.

The vast majority of the newsrooms continue to work either underground or have relocated their staff abroad. The remaining ones keep encountering permanent threats and repressive measures. As of the end of 31 January 2022, as many as [32 representatives](#) of media remain in prison. Throughout 2021, 113 journalists and media professionals were detained, and 29 administrative arrests were served.¹⁸ It should be mentioned that this figure does not include influencers, bloggers, and online activists, some of whom received lengthy prison sentences throughout 2021.

17 <https://baj.by/en/analytics/mass-media-belarus-e-newsletter-no-4-66-2021-restriction-print-media-activities>

18 <https://baj.by/en/analytics/figures-year-repression-media-and-journalists-belarus-2021>

3. State Media in Belarus

The largest state-owned media holdings in Belarus are Belarusian TV and Radio Company, Second National Channel, Capital City Television, publishing house Belarus Today, publishing house *Zviazda* and Belarusian Telegraph Agency.¹⁹

The Belarusian state media have held a monopoly on television for many years.²⁰ As of the beginning of 2022, the oldest Belarusian audio-visual media holding, Belarusian TV and Radio Company, consists of seven national channels, five radio channels, five regional TV and radio companies, and sports online-radio.²¹ The Second National Channel incorporates just one channel and was established by the President's Decree in 2002.²² The Capital City Television (Stolichnoye Televideniye) is also a national channel broadcasting from 2000.²³ The Belarusian Telegraph Agency is the main official news agency in Belarus.²⁴ Belarus Today is an official print media outlet of the presidential administration.²⁵ *Zviazda* publishing house incorporates since 2012 not only the newspaper itself but also a number of journals focused on Belarusian literature and culture, the only holding among the above mentioned with Belarusian as the only language.²⁶

The managing positions of the main state holding in Belarus are held by individuals loyal to Aliaksandr Lukashenka and his closest circle, and their appointment is the prerogative of Lukashenka himself. For example, the Belarusian TV and Radio Company director Ivan Ejsmanti is the husband of Lukashenka's press secretary Natallia Ejsmant. Such appointments ensure additional loyalty of the main outlets personally to Aliaksandr Lukashenka.

Since the end of the 1990s, when Aliaksandr Lukashenka consolidated his power with the help of two constitutional referenda, Belarusian state media became his main information channels and propaganda tools, especially during the election and referenda campaigns. According to the ODIHR Election Observation Mission report on the 2019 Parliamentary Elections,²⁷ state media demonstrated bias against the coverage of independent candidates during the campaign. In 2020, when the presidential election campaign was taking place in a new digital reality, dominated by online and social media,²⁸ the role of traditional media became secondary.

After post-election protests in August 2020, many employees of the state media left their positions and protested against the violence. Soon they were substituted by helpers from Russia, after the head of Russia Today Margarita Simonyan met with Aliaksandr Lukashenka (as a part of Russia's delegation on 9 September 2020).²⁹ Since then, the narratives utilized by the Belarusian state media have become almost identical to those originating from the pro-Kremlin media in Russia.³⁰

19 <https://president.gov.by/ru/belarus/society/mass-media>

20 The only independent TV channel broadcasting in Belarusian for Belarusian audience is BelSat operating from Warsaw since 2007.

21 <https://president.gov.by/ru/belarus/society/mass-media/btrk>

22 <https://president.gov.by/ru/belarus/society/mass-media/vtoroj-nacionalnyj-telekanal>

23 <https://president.gov.by/ru/belarus/society/mass-media/stolichnoe-televidenie>

24 <https://president.gov.by/ru/belarus/society/mass-media/belta>

25 <https://president.gov.by/ru/belarus/society/mass-media/belarus-segodnja>

26 <https://president.gov.by/ru/belarus/society/mass-media/zvjazda>

27 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 22.

<https://www.osce.org/files/f/documents/6/4/447583.pdf>

28 MEMO 98, EAST Research Center and Linking Media, International Election Assessment, Republic of Belarus – Presidential Elections of 9 August 2020, https://memo98.sk/uploads/content_galleries/source/memo/belarus-2020/campaign-report/m98_by_statement_final.pdf

29 <https://meduza.io/feature/2020/09/11/eto-ochen-dorogogo-stoit>

30 <https://www.dw.com/ru/propaganda-v-belarusi-upodobljaetsja-rossijskoj/a-58735304>

Belarusian state media journalists have started to attack not only collective West and Belarusian oppositional politicians but also independent media and bloggers, using the most notorious notions. Grigoriy Azaryonak³¹ attacked TUT.by media portal, and blogger Anton Matolka ³² attacked the founder of NEXTA Stsiapan Putsila.³³ Hate speech used by state media journalists in their pieces criticizing the opponents of the regime go unpunished, which clearly shows the absence of the rule of law principles and an independent judiciary in the country.

31 <https://www.currenttime.tv/a/soldat-informatsionnoi-voiny/31590274.html> and <https://ms.detector.media/manipulyatsii/post/27171/2021-04-27-vo-vtorom-pokolenyy-kto-takoy-grygoryy-azarenok-odyn-yz-zhestochayshykh-propagandystov-belarusy/>

32 <https://www.youtube.com/watch?v=wLq0Mb-Kno4>

33 <https://www.youtube.com/watch?v=6I9VGoa2h0A>

4. Online media, social networks, and Internet activists

In Belarus, the control over the Internet is performed by the Ministry of Information and Operational Analytical Centre affiliated with the president's administration (officially and unofficially with the Belarusian State Secret Service KGB). Internet control in the country has been criticized multiple times by the OSCE Representative on the Freedom of the Media, who called it “excessive and disproportionate.”³⁴

The excessive control over the Internet in Belarus reached its climax in 2020 when the country experienced a total Internet blackout for several days, starting from the night of 9 August – after the Election Day voting processes finished – and until 12 August 2020. In addition, mobile phones and landline phones also experienced short-term interruptions of services. During the protest's weekends starting from 16 August 2020, mobile Internet was restricted outside of houses at specific locations for certain times.³⁵

As stated in the OSCE Rapporteur's Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus, mobile Internet service providers had to respond to the “requests from authorized state bodies.” In addition, access to some 70 websites was restricted inside Belarus with both harmful societal and economic consequences.³⁶ In February 2021, Access Now, Agora, Article 19, Human Constanta, International Media Support and Internet Protection Society submitted information on the systematic Internet blockage and access limited to a large number of Internet websites in Belarus³⁷ to Anaïs Marin, U.N. Special Rapporteur on the situation of human rights in Belarus.³⁸

[Belarusian Law on Media](#) does not provide a separate attitude towards independent bloggers and equates Internet sources disseminating news information to traditional mass media, which oblige them to register according to the procedures set up by the Ministry of Information. Belarusian legislation also stipulates severe restrictions on the Internet sources and their owners, which became even harsher in a new edition of the Law on Media adopted in 2021. This approach was denounced in the OSCE [analysis of the new Law on Media](#).

New amendments to the [Law on Countering Extremism](#) and adoption of a new [Law against Nazism Rehabilitation](#) in May 2021 mentioned above introduce further restrictions to the activities of the Internet sources and independent online bloggers who can be now brought to the court for simply sharing Belarusian historical symbols such as white-red-white flag used during the World War II. In 2021 seven out of ten most popular Telegram channels³⁹, as well as 13 large mass media sources together with their websites and social media channels, were named ‘extremist’.⁴⁰ In addition to that,

34 OSCE Rapporteur's Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus, November 2020, p. 29. <https://www.osce.org/files/f/documents/2/b/469539.pdf>

35 OSCE Rapporteur's Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus, November 2020, p. 29. <https://www.osce.org/files/f/documents/2/b/469539.pdf>

36 OSCE Rapporteur's Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus, November 2020, p. 29. <https://www.osce.org/files/f/documents/2/b/469539.pdf>

37 UN Special Rapporteur on the Human Rights Situation in Belarus. Call for Inputs Pursuant to UN Human Rights Council Resolution 44/19 <https://www.accessnow.org/cms/assets/uploads/2021/02/Access-Now-UNSP-Belarus.pdf>

38 Human rights groups to U.N. Special Rapporteur on Belarus: it's time to stop internet shutdowns, website blocking, anti-extremism laws <https://baj.by/en/content/human-rights-groups-un-special-rapporteur-belarus-its-time-stop-internet-shutdowns-website>

39 <https://www.svaboda.org/a/31592650.html>

40 <https://baj.by/en/analytics/figures-year-repression-media-and-journalists-belarus-2021>

more than 300 local independent Telegram channels and Telegram chats were also named ‘extremist.’⁴¹ This was also criticized by the leading human rights organizations in their appeal to the U.N. Special Rapporteur in February 2021.⁴²

Belarusian authorities unfolded a real fight with Belarusian independent bloggers before 2020,⁴³ but in 2020, when bloggers took a new big role during the presidential election campaign, the scale of repressions against them reached an unprecedented level. This coincided with the rapid growth of popularity of social especially in the light of a limited number of large independent media. As a result of this fight, at least 12 political bloggers are now serving long prison terms, 113 years in total, as of the end of January 2022.⁴⁴

For example, Siarhei Tsikhanouski, the founder of the popular Country for Living YouTube Channel, submitted his bid to run in the 2020 presidential election. He was detained just before the start of the candidates’ registration. And when his wife, now world-known leader of the democratic opposition, Sviatlana Tsikhanouskaya, registered instead, Siarhei was incarcerated again for alleged violence against the Belarusian police in May 2020.⁴⁵

Gradually, Siarhei Tsikhanouski’s case incorporated more and more actors, including the founder of RB Golovnogo Mozga channel Ihar Losik and blogger [MozgON](#) Uladzimir Tsyhanovich who were detained in June 2020. They were all charged with the organization of mass riots and stirring up social hatred together with a few other accusations. In December 2021, all of them received severe verdicts, with the most severe of 18 years of imprisonment for Siarhei Tsikhanouski, 15 years for Ihar Losik, 15 years for Uladzimir Tsyhanovich.⁴⁶

Aliaksandr Kabanau and Siarhei Piatrukhin, popular bloggers, covering political and social issues from Brest, were sentenced to three years of imprisonment and massive fines in April 2021.⁴⁷ Another well-known blogger and activist, Eduard Palchys, was detained in September 2020 and also charged with the organization of mass riots and stirring up social hatred together with a few other accusations as ‘Tsikhanouski’s group.’ Palchys was sentenced to 13 years of imprisonment.⁴⁸

The most infamous story connected with the Belarusian online activist and attracted massive global attention is the detention of the former co-editor of the NEXTA telegram channel and recent editor of *RB Golovnogo Mozga* channel Raman Pratasevich on 23 May 2021. The founder of NEXTA Stsiapan Putsila, also faces severe criminal charges back in Belarus. Raman was detained together with his partner, the Russian citizen Sofia Sapega, who was also charged for online activities – alleged running of Telegram channel The Black Book of Belarus which published personal data of the members of law enforcement agencies in Belarus involved in repressions and tortures.⁴⁹

41 <http://mininform.gov.by/documents/respublikanskiy-spisok-ekstremistskikh-materialov/>

42 Human rights groups to U.N. Special Rapporteur on Belarus: it’s time to stop internet shutdowns, website blocking, anti-extremism laws <https://baj.by/en/content/human-rights-groups-un-special-rapporteur-belarus-its-time-stop-internet-shutdowns-website>

43 2019 ODIHR Final Report - Belarus Early Parliamentary Elections, p. 19. <https://www.osce.org/files/f/documents/6/4/447583.pdf>

44 <https://www.svaboda.org/a/31619728.html>

45 <https://belsat.eu/news/u-goradni-zatrymali-syargeya-tsihanouskaga/>

46 <https://www.svaboda.org/a/31619728.html>

47 <https://belsat.eu/news/14-04-2021-berastsejskih-blogerau-pyatruhina-i-kabanava-pakarali-kaloniyaj-i-shtrafami/>

48 <https://www.svaboda.org/a/31619728.html>

49 <https://www.svaboda.org/a/31599359.html>

Both Pratasevich and Sapega were used by the Belarusian propaganda, which tries to portray Belarusian independent bloggers as ‘terrorists’ and ‘extremists.’ Pratasevich gave an interview to a number of Belarusian state channels where the audience noticed traces of tortures on blogger’s wrists.⁵⁰ During the interviews, Pratasevich denounced the Belarusian opposition and praised Aliaksandr Lukashenka. Afterward, Pratasevich appeared at the briefing of the Belarusian Ministry of Foreign Affairs, where he rejected the idea that he had been tortured.⁵¹ Later, he started a new Twitter channel where he promised to provide some alternative, independent views and announced his new project, whose last post is dated 9 September 2021.⁵² Pratasevich’s Twitter account was reactivated on 31 December 2021 when the blogger has started to share his views again. On 23 January 2022, Pratasevich shared a video from the Belarusian state television announcing that he is starting to cooperate with the Center for System Rights’ Defence.⁵³

The case of Pratasevich demonstrates that in addition to a legal fight with independent online activists, social and online media, and bloggers, Belarusian authorities undertook a different approach toward those who claim to be loyal to them. They try to include them in public and media activities and also organize them into some structures and unions. Thus, in April 2021, Stanislau Yaskevich claimed that it would be possible to establish the Union of Belarusian bloggers to ensure ‘blogger-patriots’ are united. Pro-government Internet activists also publicly met with politicians who changed their political views and became pro-government, like Yury Voskresensky, the former member of the team of Viktor Babaryka (the former presidential candidate prosecuted on bribery and tax evasion charges and sentenced to 14 years in prison).

In July 2021, the Union of Belarusian bloggers announced the creation of a blogging school.⁵⁴ However, the materials of the channel as well as its members do not seem to be as popular as the channels of Belarusian independent influencers.⁵⁵ However, the recent activities of Raman Pratasevich might reveal correction of this strategy by the Belarusian regime, whereby they would integrate him into their propaganda, something they have not done before with influencers of Roman’s popularity caliber.

50 <https://belsat.eu/news/04-06-2021-reaktsyya-gramadstva-na-syuzhet-dzyarzhtelebachannya-interv-yu-pad-prymusam-i-katavannyami/>

51 <https://www.racyja.com/palityka/bloger-raman-pratasevich-udzelnichae/>

52 https://t.me/s/sprava_by

53 https://twitter.com/protas_by/status/1485304091832209412?ext=HHwWiMC-kfeM7pwpAAAA

54 <https://www.youtube.com/watch?v=l6zRa12wmkA>

55 <https://isans.org/columns/kak-instagram-vytesnyaet-yabatek-so-svoej-ploshhadki.html>

Recommendations

For the state institutions in Belarus:

1. To review and amend the media legislation restricting the work of journalists in such a way that would enable journalists to work in such conditions that their rights and freedoms would not be limited.
2. To establish a different principle of operation of the state television and radio company that would be public and impartial, accountable to the people of Belarus and not to the authorities.
3. To stop persecuting journalists and media for their professional activities and release all media professionals who are in jail for political reasons.
4. To cancel the list of ‘extremist’ mass media and social media sources as they limit the freedom of expression principle guaranteed by the Belarusian Constitution.
5. To guarantee unstoppable access of Belarus’s inhabitants to the Internet and traditional media sources.
6. To guarantee unobstructed access to independent media online sources which can be blocked without a prior decision of the court based on the full-scale investigation and trial where the representatives of independent media would have the right to defend themselves in the court.
7. To amend the election legislation in order to provide additional guarantees and freedoms for mass media, journalists, online activists, and bloggers to access different stages of the electoral process.
8. To ensure that the Media Supervisory Board established by the Central Election Commission during election and referendum campaigns consists of the representatives of state bodies, media field, and independent experts in equal proportions so that they operate on the principle of impartiality.
9. To ensure that the Media Supervisory Board publishes the results of their work on a regular basis and operates on the basis of transparency and accountability to the public.
10. To provide Belarusian online activists and bloggers with a different legal status, thus enabling them to work in a free manner on the Internet platforms and social media whilst abiding by the Belarusian legislation and enjoying the freedom of expression guaranteed by the Belarusian Constitution.
11. To allow mass media to publish public opinion polls except for the silence day when any campaigning might be forbidden.

For the representatives of the media community:

1. To provide participants of the electoral process with objective, impartial and timely information about all stages of the election or referendum process.
2. To cover with the special focus the work of the Central Election Commission and lower-level commissions as well as the Media Supervisory Board.

3. To report timely to the public and international community on the violations of the election and referendum procedures.
4. To provide the platform for a meaningful discussion on the electoral process to its participants.
5. To ensure unimpeded access for election contestants to media to communicate their views, but also ensure their ability to complain about the political process.

For the representatives of civil society and the international community:

1. To support the work of media and journalists throughout the election or referendum campaign with legal and expert advice and assist them when necessary.
2. To monitor whether the state bodies ensure an unobstructed work of mass media, journalists, bloggers and to report to the public and international organizations on any violations in that area.
3. To provide assistance and legal advice to the election bodies to ensure that they adhere to national legislation, international obligations, and best-practice standards in terms of their attitude to the representatives of the media community.



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