

# Joint Stakeholder Submission: Belarus in the 50th Session of the UPR Working Group

Submitted by the Belarusian Association of Journalists (main submitting organization) and Free Press Unlimited

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The **Belarusian Association of Journalists (BAJ)** is the largest non-governmental, non-profit association of Belarusian media representatives. Since 1995, BAJ has been promoting freedom of expression and protecting rights of media workers in Belarus. It systematically monitors violations in this sphere, serving as a unique source of information on the country's media landscape. Since 2021, BAJ has operated in exile.

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**Free Press Unlimited (FPU)** is an international press freedom organization that collaborates with over 300 local media partners in more than 50 countries. With these partners, FPU works on its mission to make independent news and information available to everyone.

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# Introduction

1. This statement is submitted jointly by the Belarusian Association of Journalists (BAJ) and Free Press Unlimited for the 4<sup>th</sup> cycle of the Universal Periodic Review of Belarus.
2. Belarus has not accepted any UPR recommendations without modification, and has only accepted a number of recommendations related to press and media freedom as 'implemented.' As such, Belarus has considered the recommendations made to already have been adequately implemented in national policy and legislation at the time of acceptance. However, none of the accepted recommendations were successfully implemented. The state of freedom of expression and opinion in Belarus has taken a significant turn for the worse since the last UPR review, for which stakeholders last had opportunity to submit input to in April of 2020.
3. As of 2024, Belarus scores amongst the very bottom countries on Reporting without Borders' press freedom index,<sup>1</sup> positioned 167th out of 180 countries. Since the ruthless suppression of peaceful protests following the controversial re-election of Aliaksandr Lukashenka in 2020, extreme measures have been put in place by the regime in order to curb dissent towards state policy. Legislative measures have systematized major constrictions on media freedom and have gravely impacted the safety and viability of journalists. Although article 33 of the Belarussian constitution enshrines the freedom of opinion and expression, anti-extremist laws have been widely applied to curb any critical voices, whether online or in mass media. In the aftermath of the 2020 elections, almost all non-state backed media outlets have had their media status withdrawn, and have been raided, searched, targeted by criminal prosecutions, and banned.
4. Journalists face significant threats including censorship and the threat of violence, arrest, and imprisonment. These threats are not contained within Belarussian borders; journalists also face transnational repression, are commonly surveilled, sentenced in absentia. The regime also targets their families through intimidation and searching. The over-designation the 'extremist label' being applied without adequate grounds on various media outlets, non-governmental organizations, and civil society groups has resulted into close to a halt of all independent media and civil society actors in the country. For individuals, being associated with any 'extremist activity' can result in an administrative or criminal offence resulting in imprisonment Belarussian prisons, which are known to violate international human rights standards in regard to ill treatment and torture. Belarus has noted many recommendations related to human rights of detainees and political prisoners in the 3rd UPR cycle. It has accepted as implemented a small number of recommendations related to treating detainees in line with human rights law, to investigate allegations of torture, and improve health care for prisoners. However, it has not taken any steps to alleviate these issues.<sup>2</sup>
5. The following analysis will be based on the yearly monitoring reports of the Belarussian Association of Journalists<sup>3</sup> and the Special Rapporteur's reports. In 2024, the report of the Special Rapporteur on the situation of human rights described repression of the freedom of expression as a "long-term, systemic issue" in Belarus. The UNSR has also noted declining levels of engagement with international human rights bodies and mechanisms since 2020.

Belarus notes in its UPR report that it does not accept any country-specific recommendations made under the United Nations Human Rights Council.

## Journalists during assemblies

6. Multiple state policies and laws in Belarus seriously encroach on the enjoyment of the freedom of peaceful assembly, without exception for journalists. This is best illustrated by the 2020 election protests. Reports document the violent dispersal of these demonstrations, during which police targeted journalists, confiscated their equipment and destroyed materials. Journalists were frequently treated like "participants" rather than observers and faced administrative arrests up to 15 days or heavy fines for violations of The Law on Mass Events (Article 24.23 of the Code of Administrative Offences, known as Article 23.34 before 2021).

7. The Criminal Code furthermore jeopardizes any person engaged in protests and peaceful assembly, primarily through application of Article 342 of the Criminal Code, which criminalizes "organizing or participating in group actions that grossly violate public order." This provision is also used to bring charges against journalists for covering the demonstrations and to impose long prison sentences on them. For instance, journalists Katsiaryna Bakhvalava and Darya Chultsova were detained for streaming a rally for Belsat TV channel in November 2020. They were charged with 'coordinating the actions of the protesters' and later sentenced to two years of imprisonment.<sup>4</sup>

8. Following the 2020 protests, new laws were enacted to increase penalties for participating in assemblies. Article 369-3 of the Criminal Code was amended in 2021 to increase the maximum punishment for public calls for organizing an illegal assembly, gathering, or mass event from 3 to 5 years imprisonment. The maximum fines under the Code of Administrative Offences were increased by 3-4 times. In 2021 there were also further amendments to the Law "On Mass Events in the Republic of Belarus", which includes a ban on real-time coverage of mass events violating public order, including by journalists.

### **9. We thus do not consider the following recommendations to have been implemented:**

- (accepted as implemented) 138.141 Protect the freedoms of expression, assembly and association (Albania);
- (accepted as implemented) 138.142 Fulfil its obligations under international human rights law with regard to freedom of peaceful assembly and association, and freedom of opinion and expression (Argentina);
- (accepted as implemented) 138.143 Refrain from intimidation, harassment, arbitrary arrest of and the disproportionate use of force against people exercising their right to freedom of expression and peaceful assembly (Belgium);
- (accepted as implemented) 138.144 Guarantee full respect for freedom of opinion and expression, including online, and for freedom of assembly and association, and harmonize national legislation in line with international standards in this area (Ecuador);
- (accepted as implemented) 138.151 Fulfil its obligations under the international human rights treaties regarding freedom of expression, freedom of the media, free and fair

elections, peaceful assembly, and protection against reprisals, ill-treatment or torture (Romania);

- (accepted as implemented)138.160 Ensure the safety of all journalists and the freedom of peaceful assembly in line with international standards (Estonia);
- (accepted as currently being implemented)138.162 Abide by the obligation under international law to respect the rights of journalists, human rights defenders and other individuals to exercise their freedom of expression, peaceful assembly and association (Finland);
- (partially accepted in respect of respect for the right of peaceful assembly) 138.176 Respect the right of peaceful assembly, and release all individuals arbitrarily detained for participation in peaceful protests (Canada).

## Facilitating a conducive environment for journalism

### Anti-extremism laws

10. Belarus' anti-extremist laws are far reaching and instrumentalized to intimidate and incarcerate journalists, and to dissolve and stop operations of independent media organizations and publications. Independent journalism as a whole is seen as an extremist activity, according to a 2023 UNHCHR report.<sup>5</sup>
11. The authorities maintain a list of individuals and organizations involved in 'terrorist' or 'extremist' activities, including dozens of journalists and media outlets. As of April 7, 2025, 38 media outlets have been labelled as an 'extremist organization' or 'extremist formation'. These include all the major independent media platforms, such as TUT.BY, the most popular news website in the country, as well as some Belarusian editorial offices of foreign media (Belsat TV channel, Deutsche Welle Belarus). The 'extremist' label is usually imposed by law-enforcement agencies – the KGB and the Ministry of Internal Affairs – without any judicial oversight.
12. The Belarusian Association of Journalists is also designated as an 'extremist formation'. In 2021, its office and the homes of several staff members were subjected to two rounds of searches. BAJ was denied access to its headquarters, its website was blocked, and its assets were frozen. In August 2021, the organization was forcibly liquidated by a decision of the Supreme Court. Later, in 2023, the authorities formally labelled BAJ as an 'extremist formation'. This is a common course of events for similar organizations.
13. Anyone involved with such 'extremist formation', or who have collaborated with it or financed it in any way, can be jailed for participating in extremist formation or facilitation of extremist activities. This has been applied widely to employees and contributors of independent media outlets. For instance, videographer Yauhen Hlushkou and photographer Ales Sabaleuski were imprisoned, allegedly for cooperating with the YouTube channel 6TV Belarus and the website Mahilou.Media, both of which were designated as 'extremist formations' by the KGB.<sup>6</sup> Similarly, Darya Losik was sentenced to two years in prison for giving an interview to Belsat TV about the conditions of her imprisoned husband.<sup>7</sup>

14. Since 2020, existing laws have been increasingly applied to encompass almost any media-related activity under the 'extremist' label. The list of activities that can be recognized as 'extremist' was furthermore broadened through legislative amendments in 2021. For example, insulting a public official is now considered as an extremist act under Belarussian law. The broad and far-reaching laws and their widespread enforcement resulted in a threefold increase of court decisions on 'extremism' within the year of 2021. In practice, the real reasons behind such prosecutions are often expressions critical of the government, condemnations of Russia's aggression against Ukraine, or even historical publications that contradict the official narrative.
15. Extremism laws are not limited to criminal charges — they also encompass administrative offences. 'Distributing extremist materials' can result in fines or administrative arrest up to 15 days under the Article 19.11 of the Code of Administrative Offences. As of February, 2025, the list of extremist materials by the Ministry of Information included almost 7 thousand positions, including media web-sites, Telegram and Youtube channels and so on.<sup>8</sup> Throughout the evaluated period, it has become common for citizens to be prosecuted for distributing 'extremist' media production for reposting publications, even if reposted before being designated as 'extremist', or even for subscribing to 'extremist' social media channels. In 2024 alone, between 2,600 and 5,500 convictions were made for disseminating extremist materials.<sup>9</sup>
16. **We thus do not consider the following recommendations to have been implemented:**  
 138.141 (see p.3), 138.142 (see p.3), 138.143 (see p.3), 138.44 (see p.3), 138.151 (see p.3-4), 138.160 (see p.4), 138.162 (see p.4), 138.176 (see p.4)

### Detention and Criminal Prosecution

17. Political imprisonment is one of the most impactful issues affecting the enjoyment of human rights in Belarus, including the right to freedom of expression. The UNSP describes arbitrary detention as a 'chronic issue', exacerbated by the 2020 protests.<sup>10</sup>
18. According to the Reporters without Borders, in the reviewed period (2021-2024), Belarus has consistently scored within the 5 'largest prisons for journalists' in the world – countries that detain the most journalists.<sup>11</sup> Since 2021, there have been more than 230 cases of journalists being detained, dozens were given long prison sentences for their work. For example, in 2023, TUT.BY media-workers – editor-in-chief Maryna Zolatava and CEO Ludmila Chekina – were given jail terms of 12 years.<sup>12</sup> As of April 7, 2025, not less than 40 journalists remain imprisoned, with the longest sentence reaching 15 years.
19. Conditions in Belarussian prisons are notorious for violating human rights standards of ill treatment and torture. Sentences are harsh and extensive, with reports documenting systematic torture, beatings, denial of medical care, solitary confinement and incommunicado detention. There is a widespread practice, especially with regard to civil society activists, including journalists, of arbitrary deprivation of phone calls and correspondence, repeated placement in punitive cells, and transfer to cell-type premises for up to six months. This can be illustrated by the cases of journalists Dzianis Ivashyn<sup>13</sup> and Andrzej Poczobut<sup>14</sup> who both were subjected to all kinds of such treatment. Furthermore, article 411 of the Criminal Code is commonly used to arbitrarily increase the prison sentence for disobeying the demands of

prison administration, like in case of journalist Ihar Karnei, who had ten months added to his sentence.<sup>15</sup>

20. The impact of conditions in prisons, seen in the context of widespread arbitrary arrests, cannot be overstated. For example, in 2023, Ihar Losik, a former employee of Radio Free Europe / Radio Liberty, had been on hunger strike and had cut his hands and neck while detained, and has been prohibited from meeting lawyers, relatives, and receiving correspondence since.<sup>16</sup> Blogger Mikalay Klimovich sentenced on charges of insulting the President for sharing caricature of Aliaksandr Lukashenka on social media died in prison that same year due to a serious heart condition that was known to the court at the time of sentencing.<sup>17</sup>

21. **We thus do not consider the following recommendations to have been implemented:** 138.141 (see p.3), 138.142 (see p.3), 138.143 (see p.3), 138.44 (see p.3), 138.151 (see p.3-4), 138.160 (see p.4), 138.162 (see p.4), 138.176 (see p.4).

## Safety of journalists, intimidation, and harassment

22. Journalists are subjected to violence while performing their professional duties, as well as during arrest and detention. During 2020, 62 such cases were recorded.

23. Under expansive repressive policies, authorities are known to search and seize the property of journalists and media outlets. Searches are frequently accompanied by detentions, but can also occur independently. Since 2021, there have been more than 300 searches of journalists' property and media offices, often accompanied by the confiscation of technical equipment.

24. Journalists in exile face significant threats. As mentioned prior, journalists in exile can be sentenced in absentia. Criminal prosecution of journalists both inside and outside Belarus is on the rise as of 2024. Relatives of exiled media workers have been subjected to harassment and pressure, through searches, for example. The Belarusian authorities also use Interpol in attempts to track down and extradite journalists, sometimes also using charges of economic crimes – as in the case of Andrei Hniet, who was detained in Serbia and spent a year in custody and under house arrest.<sup>18</sup>

25. Cases of violence against journalists are furthermore not investigated, nor are claims of violence in jails. There are no protections against state-reprisals or recourse through the judiciary.

26. **We thus do not consider the following recommendations to have been implemented:** 138.141 (see p.3), 138.142 (see p.3), 138.143 (see p.3), 138.44 (see p.3), 138.151 (see p.3-4), 138.160 (see p.4), 138.162 (see p.4), 138.176 (see p.4).

## Access to the Internet, interference, and censorship

27. According to Freedom house, internet freedom in Belarus has decreased yearly in the period under review from 38/100 points in 2020<sup>19</sup> to 22/100 in 2024.<sup>20</sup> This demonstrates that although

internet freedom was restricted before 2020, opaque and arbitrary restrictions have reached new heights since. Belarusian authorities severely restrict internet access by blocking virtually all independent media websites, as well as some foreign news organizations that cover Belarus. The Law “On Mass Media” permits the government to block websites in case of threats to national security or any extremist activity without court decision. By the amendments of 2021 the grounds for website blocking have been expanded, granting this authority not only to the Ministry of Information but also to prosecutors. Since April 2024, the Operational and Analytical Center under the President has begun revoking the domain names of independent media using the national .by domain extension, if they are included in the list of extremist materials.<sup>21</sup>

28. The authorities responded to the 2020 protests by shutting down internet access, and Aliaksandr Lukashenka has threatened another shutdown if there are protests during the upcoming 2025 elections. In 2021, the Operational and Analytical Center under the President has been granted the authority to cut off internet access without judicial oversight.
29. In 2021 and 2023, amendments were made to the Law “On Mass Media”, introducing restrictions to the establishment and registration of Belarusian and foreign mass media. The Ministry of Information can cancel accreditations of journalists, including for foreign correspondents, and ban distribution of media. The Law “On Mass Media” provides the legal basis for blocking foreign and local news websites and powers to cancel a media outlet’s registration if its founder is involved in ‘extremist’ activities.<sup>22</sup> Restrictions furthermore include a ban on founding a media outlet for a period of 3 to 5 years for individuals who were members of an ‘extremist’ organization or owned a blocked web resource. As such, the Ministry is broadly sanctioned to interfere with and censor information and messages to be distributed to the public.
30. Criminal liability for defamation-related offences remains in force, including for: insult of the President of the Republic of Belarus (Article 368), insult of a public official (Article 369), insult of a judge (Article 391), insult of a subordinate by a superior or of a superior by a subordinate (Article 444), slander (Article 188), slander against the President (Article 367), and discrediting the Republic of Belarus (Article 369-1). Some limited improvements in legislation took place during this period: in 2021, general insult (without a specific target) was decriminalized, while liability for insulting the president and certain officials was retained. However, the overall situation has not changed significantly – defamation-related offences continue to be used as tools of censorship and persecution of journalists for voicing criticism of the authorities.
31. While suppressing alternative viewpoints, the state actively promotes its own media in an effort to control national discourse. Due to the absence of independent media, citizens become increasingly reliant on state-run outlets, which serve the narratives of the government, spread propaganda and disinformation and promote hate speech against political opponents.
32. **We thus do not consider the following recommendations to have been implemented:**  
138.141 (see p.3), 138.142 (see p.3), 138.143 (see p.3), 138.44 (see p.3), 138.151 (see p.3-4), 138.160 (see p.4), 138.162 (see p.4), 138.176 (see p.4) as well as:

- (accepted as implemented) 138.144 Guarantee full respect for freedom of opinion and expression, including online, and for freedom of assembly and association, and harmonize national legislation in line with international standards in this area (Ecuador);
- (accepted as implemented) 138.172 Take the necessary action to ensure freedom of expression, and in particular to ensure media independence and unfettered access to the Internet (Norway);
- (accepted as implemented) 138.175 Guarantee freedom of expression and media freedom by ensuring the safety of journalists and other media workers and refraining from interference and censorship (Sweden);

## Conclusion

33. Belarus has failed to implement the UPR recommendations it accepted in 2021 related to press and media freedom, the right to freedom of expression, peaceful assembly, and the protection of journalists. The situation has significantly deteriorated since the last UPR review, with legislative and policy measures systematically restricting independent journalism and curbing dissent. The widespread application of anti-extremist laws, transnational repression of exiled journalists, and targeted persecution of media workers and their families illustrate an alarming disregard for fundamental human rights.
34. The continued imprisonment, intimidation, and harassment of journalists, alongside the suppression of independent media outlets, have effectively eliminated free and independent reporting within Belarus. Furthermore, restrictions on internet access, censorship, and the monopolization of information by state-controlled media have exacerbated the erosion of press freedom and free expression in the country.
35. The government's refusal to engage with international human rights mechanisms, including its rejection or misrepresentation of UPR recommendations, further underscores its lack of commitment to upholding international human rights standards. Despite accepting certain recommendations as 'implemented,' Belarus has taken no tangible steps to address the violations outlined in this report. Instead, it has intensified its crackdown on independent voices, using legal and extrajudicial measures to silence critics.

## Recommendations

36. The Belarusian Association of Journalists and Free Press Unlimited urge member states to address the following recommendations to Belarus:
- a. Release all journalists and media workers held for working in the media sector and exercising their right to freedom of expression.
  - b. Facilitate a pluriform and independent media environment by ceasing intimidation and harassment of journalists both nationally and transnationally by ceasing searches, confiscation of property, and arbitrary detentions.



- c. Lift the 'extremist' label placed on independent media organizations and NGO's.
- d. Cease the over-application of the extremist label to silence critical voices and ensure transparency in the designation process, and guarantee that such designations comply with the principles of due process, including the establishment of an appeals process to challenge decisions related to these labels.
- e. Reform the legal system to align with international standards on press freedom, freedom of assembly, as well as the right to be free from torture and ill-treatment. This should include, among other things, abolishing the Ministry of Information's authority to shut down media outlets, repealing the accreditation requirement for journalists and lifting bans on real-time coverage of mass events.
- f. Lift restrictions on internet access and digital censorship, including the abolition of extrajudicial website blocking, internet shutdowns, and the forced seizure of domain names by decision of the Operational and Analytical Center under the President.
- g. Amend the Criminal Code in regard to the following:
  - Decriminalizing defamation (Articles 188, 367, 368, 369, 369-1, 391, 444);
  - Decriminalizing participation in peaceful mass events (Article 342);
  - Amend Article 411 to ensure prison sentences cannot be arbitrarily increased.
- h. Amend the Code of Administrative Offences to ensure that fines and administrative arrests cannot be placed on those exercising their right to freedom of expression and assembly.
- i. Investigate and prosecute all instances of violence and harassment, including those occurring in detention facilities and journalists in exile.
- j. Re-engage with the United Nations human rights system, taking steps to end arbitrary detention and guarantee the rights to freedom of expression, peaceful assembly, and association, while ensuring accountability for grave human rights violations.
- k. Allow human rights organizations and watchdogs to monitor press freedom in Belarus.

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<sup>1</sup> <https://rsf.org/en/index?year=2024>

<sup>2</sup> <https://docs.un.org/en/A/79/201>, p. 17.

<sup>3</sup> <https://baj.media/en/aglyady-manitoringi/monitoring-report-2021/>; <https://baj.media/en/aglyady-manitoringi/mass-media-in-belarus-in-2022/>; <https://baj.media/en/aglyady-manitoringi/mass-media-in-belarus-in-2023/>

<sup>4</sup> <https://spring96.org/en/news/102006>

<sup>5</sup> <https://www.ohchr.org/en/documents/country-reports/ahrc5268-belarus-run-2020-presidential-election-and-its-aftermath-report>

<sup>6</sup> <https://baj.media/en/freelance-videographer-yauhen-hlushkou-custody-over-participating-extremist-formation/>

<sup>7</sup> <https://prisoners.spring96.org/en/person/daria-losik>

<sup>8</sup> <https://humanconstant.org/en/results-of-the-fight-against-extremism-in-belarus-in-2024/>

<sup>9</sup> [https://humanconstant.org/en/results-of-the-fight-against-extremism-in-belarus-in-2024/#Extremism\\_in\\_numbers](https://humanconstant.org/en/results-of-the-fight-against-extremism-in-belarus-in-2024/#Extremism_in_numbers)

<sup>10</sup> <https://docs.un.org/en/A/79/201>, p.53.

<sup>11</sup> <https://rsf.org/sites/default/files/medias/file/2024/12/RSF%20Round-up%202024%20EN.pdf>

<sup>12</sup> <https://baj.media/en/two-tutby-media-workers-sentenced-12-years-prison-three-more-wanted/>

<sup>13</sup> <https://baj.media/en/belarusian-journalist-dzianis-ivashyn-denied-phone-calls-for-four-months/>

<sup>14</sup> <https://prisoners.spring96.org/en/person/andrei-paczobut>

<sup>15</sup> <https://baj.media/en/journalist-ihar-karnei-sentenced-to-eight-more-months-in-prison/>

<sup>16</sup> <https://baj.media/en/journalist-ihar-losik-attempts-suicide-jail/>

<sup>17</sup> <https://spring96.org/en/news/111635>

<sup>18</sup> <https://baj.media/en/andrei-hniot-holds-press-conference-upon-departure-from-serbia/>

<sup>19</sup> <https://freedomhouse.org/country/belarus/freedom-net/2020>

<sup>20</sup> <https://freedomhouse.org/country/belarus/freedom-net/2024>

<sup>21</sup> <https://baj.media/en/the-decision-of-the-executive-analytical-center-was-a-setback-but-not-a-tragedy-media-managers-and-experts-comment-on-the-new-order-allowing-to-seize-domain-names/>

<sup>22</sup> <https://cpj.org/2023/07/new-belarusian-media-law-allows-for-bans-on-foreign-media/>