



Committee to Protect Journalists

**CPJ Submission to the United Nations Universal Periodic Review of
the Republic of Belarus**

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Human Rights Council

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Committee to Protect Journalists

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Brief description of CPJ:

1. The Committee to Protect Journalists is an independent, nonprofit organization that promotes press freedom worldwide. We defend the right of journalists to report the news without fear of reprisal.
2. CPJ is made up of about 40 experts around the world, with headquarters in New York City. When press freedom violations occur, CPJ mobilizes a network of correspondents who report and take action on behalf of those targeted.
3. CPJ reports on violations in repressive countries, conflict zones, and established democracies alike. A board of prominent journalists from around the world helps guide CPJ's activities.
4. CPJ's work is based on its research, which provides a global snapshot of obstructions to a free press worldwide. CPJ's research staff document hundreds of attacks on the press each year.

Summary

This submission was prepared for the Universal Periodic Review (UPR) of Belarus in May 2020. In it, CPJ assesses the press freedom environment in the country.

CPJ acknowledges Belarus's stated commitment to improving press freedom, as demonstrated by the country's acceptance of four out of the 10 recommendations concerning press freedom made by several countries in the previous UPR cycle.

Press freedom in Belarus, however, has significantly deteriorated since 2015. Today, few independent journalists or media outlets are able to operate in the country. Since 2015, Belarus has amended its media law several times to tighten its grip over journalists' work, both on and offline.

The government routinely censors online news and information. Belarus regularly blocks websites, including news and VPN/proxy websites. The government continues to intimidate and threaten local and international journalists through fines and threats, as well as police raids of news outlets.

In this document, CPJ draws attention to the laws and amendments passed by the Belarusian government since 2015 that restrict journalists' capacity to operate freely, as well as ongoing violations and attacks against journalists and news outlets.

In the final section, CPJ makes a number of recommendations to Belarus to address the press freedom concerns raised in this submission.

Legal Framework

Belarus has ratified international treaties that guarantee press freedom and it is a right enshrined in the country's constitution.

1. The Universal Declaration of Human Rights is the most important document on the fundamental rights of individuals that Belarus had signed. Article 19 stresses states' obligation to guarantee the right to freedom of expression, including the right to freedom of opinion without interference, in media, regardless of borders. Article 19 also recognizes the right to freedom of information as set forth in the Universal Declaration of Human Rights.

2. Articles 33 of the Belarusian constitution states: “Everyone is guaranteed freedom of thoughts and beliefs and their free expression. No monopolization of the mass media by the State, public associations or individual citizens and no censorship shall be permitted.”

Main submission:

1. The following submission is drawn from research conducted by the Committee to Protect Journalists. All CPJ publications on Belarus can be found at [this link](#).
2. Out of the **10 recommendations** concerning press freedom made by other member states during its second UPR in 2015, Belarus accepted **four** and noted **six**. Most recommendations called for amending the country’s media law to bring it in line with international press freedom standards, improving media plurality, and providing an enabling environment for independent media to operate.
3. CPJ would like to raise ongoing and grave concerns pertaining to the following accepted and noted [recommendations](#) from the 2nd UPR Cycle of 2015 (22nd session): paragraph 127.79 (Slovenia); paragraph 129.57 (Netherlands); paragraph 129.56 (Sweden); paragraph 129.58 (Norway); paragraph 129.59 (Poland); paragraph 129.60 (Senegal); paragraph 129.64 (Estonia); and paragraph 129.69 (Romania).
4. The concerns include restrictive media legislation, excessive control of online content, and an ongoing crackdown on independent media outlets and journalists, as detailed below.
5. Since its second UPR in May 2015, Belarus has passed legislation and amendments that restrict rather than protect press and media freedom. In [legislative moves](#) to censor digital media, the government in 2018 approved a bill on "fake news" and adopted amendments to the Law on Mass Media that tightened control over news websites and social media, enabling the state to block online content at will.
6. The government exercises a high level of scrutiny over the internet. It has the authority to oversee internet service providers, set standards for information security, conduct digital surveillance of citizens, and manage Belarus' top-level domains, according to Freedom House's 2018 [Freedom on the Net](#) report.
7. Belarus ranks among the top ten most censored countries in the world, according to [CPJ research](#) released in September 2019. Authorities in Belarus exercise almost absolute control over the media; the [few independent journalists](#) and [bloggers](#) working in the country face harassment, fines, and detentions.
8. The state systematically targets influential media outlets and individuals, often in very public ways, [arresting](#) journalists, [raiding](#) newsrooms, and initiating [criminal probes](#) for reporting. Such oppression of the media sector has forced outlets and reporters into exile, working from neighboring countries to report on events in Belarus.

Recommendations for the Belarusian Government

9. Respect Article 33 of the Belarusian Constitution of 2014, which guarantees free expression.
10. Take appropriate legislative steps to ensure that Belarus's media regulations, laws, and state practices are brought in line with international human rights standards and Article 19 of the International Covenant on Civil and Political Rights.
11. Unblock all websites that have been censored for allegedly spreading false news or reporting critically on the authorities, including opposition websites.
12. Start a dialogue with relevant stakeholders, journalists' unions, and civil society to promote an open and free press environment where journalists may report on a full spectrum of political, social, and economic issues without fear of retribution.

Annex 1: Relevant recommendations from 2nd Cycle (2015) – 22nd Session

1. 127.79 Improve the overall situation of media freedom (Accepted - Slovenia);
2. 129.57 Bring its law on mass media in line with international standards on press freedom and ensure that civil society and human rights defenders can peacefully and without fear of arbitrary arrest exercise their right to freedom of expression, assembly and association, in conformity with the International Covenant on Civil and Political Rights (Noted - Netherlands);
3. 129.56 Amend its legislation to guarantee that freedom of expression on the Internet cannot be limited by the arbitrary decision of authorities (Noted - Sweden);
4. 129.58 Amend the law on mass media to ensure it does not unduly restrict freedom of expression, in line with recommendations made by the OSCE Representative on Freedom of the Media (Noted - Norway);
5. 129.59 Bring the legislative framework in line with the recommendations made by the OSCE Representative on Freedom of the Media in order to ensure that it does not restrict freedom of expression and pluralism of media (Noted - Poland);
6. 129.60 Better guarantee freedom of the press and freedom of expression, as well as the right to plural information (Accepted - Senegal);
7. 129.64 Amend the law on public association and mass gathering as well as media legislation to comply with international standards, including by decriminalizing defamation (Noted - Estonia);
8. 129.69 Fully guarantee freedom of expression and refrain from arbitrary arrest of journalists (Accepted - Romania)