

BELARUS

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA)

2026 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Special 301 Recommendation: IIPA recommends that Belarus remain on the Watch List in 2026.¹

Executive Summary: After years of working to improve its laws on intellectual property (IP) protection and enforcement, Belarus took a significant step back in 2022 with the passage of Law No. 241-3 legalizing piracy against foreign states “committing unfriendly actions.” This law, now extended through 2026, is a flagrant violation of Belarus’s international treaty obligations and a direct affront to the American copyright industries. Making matters worse, the Government of Belarus is blatantly and financially benefiting from this government-sponsored copyright infringement. IIPA urges Belarus to rescind this law and to comply with its international obligations, including with respect to copyright and related rights.

PRIORITY ACTIONS REQUESTED IN 2026

Legal Reforms

- Repeal Law No. 241-3, which legalizes unlicensed use of many copyrighted works.
- Repeal Law No. 243-3, which imposes a requirement that certain rights of performers and phonogram producers, including exclusive rights, be collectively managed by a state-owned collective management organization (CMO).

LEGAL REFORMS

- **Repeal Law No. 241-3, which legalizes unlicensed use of many copyrighted works**

Upon the passage in 2022 of Law No. 241-3, Belarus legalized the unauthorized use of copyrighted works of all kinds, including computer programs, broadcasts of a broadcasting organization, audiovisual works, and musical works. At the time, the Government of Belarus stated that the temporary law was set to expire on December 31, 2024. However, the law was officially extended in 2024 and is presently set to expire December 31, 2026. The law allows the importation of goods with copyrighted content, referred to as “parallel imports,” into the territory of the Republic of Belarus and allows the circulation of those goods without rights holder consent if (i) the rights holder or CMO is from a country that was included in a government list of foreign states “committing unfriendly actions” and (ii) if such goods were included in the lists of goods that are essential for the domestic market as approved by state bodies authorized by the Council of Ministers. When such goods are designated as essential for the domestic market, they are removed from the customs register; thus, the Government of Belarus ceases border enforcement against those infringing goods. Because of this law, theatrical piracy has become a consistent issue with cinemas in Belarus openly screening unlicensed titles without repercussions.

The law further directed Belarus’s National Center of Intellectual Property (NCIP) to collect royalties on this unlicensed use of copyrighted works on behalf of the individuals and entities from “unfriendly” states, with a right for NCIP to apply a 20% admin fee and to retain this remuneration for three years on behalf of the rights holder or CMO. If the rights holder or CMO does not request the royalties during this period, the monies will be transferred to Belarus’s

¹ For more details on Belarus’s Special 301 history, see previous years’ reports at <https://www.iipa.org/reports/reports-by-country/>. For the history of Belarus’s Special 301 placement, see <https://www.iipa.org/files/uploads/2026/01/Appendix-C-FINAL-2026.pdf>.

general budget within three months. The Government of Belarus is blatantly and financially benefiting from government-sponsored copyright infringement.

Belarus is a member of several international IP treaties, including the Berne Convention and the WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty (collectively, the WIPO Internet Treaties). Each of these treaties requires Belarus to provide for the protection of the works under attack in Law No. 241-3, and the enforcement of the rights required by these treaties. Moreover, the law violates the obligation to grant national treatment to works protected under the Berne Convention. IIPA urges Belarus to repeal this law and to comply with its international obligations, including with respect to copyright and related rights.

- **Repeal Law No. 243-3, which imposed a requirement that certain rights of performers and phonogram producers, including exclusive rights, be collectively managed by a state-owned collective management organization (CMO).**

Law No. 243-3, adopted in January 2023, introduced further problematic amendments to the Belarusian Copyright Law, making certain performers' and phonogram producers' rights subject to compulsory collective management by a state-owned CMO. The new CMO accreditation rules introduced by the same law require that only one CMO, which must be state-owned, is allowed to operate as such. This framework severely undermines the ability of rights holders to exercise their rights and ultimately to monetize the use of their content.