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MASS MEDIA IN BELARUS

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Π The persecution of journalists continued within the period under review. It included bringing media workers to criminal and administrative liability, restriction of access to the content of independent media, detentions, and searches. Belarus ranked 153rd out of 180 countries in the Press Freedom Index 2022, published by Reporters without Borders on the World Press Freedom Day.¹ This is the worst result among the countries in Europe.



The Belarusian Association of Journalists was awarded with the UNESCO/Guillermo Cano World Prize for Contribution to Press Freedom in Montevideo on May 3, 2022. The award was received by BAJ Chairperson Andrei Bastunets, who noted in his speech as follows: 'The BAJ regards this award as a sign of support for the entire independent journalistic community of Belarus. And we hope that thus we will be able to draw attention to the ongoing deterioration of the situation with media freedom

¹ <https://rsf.org/en/index>



in the country, that we will have an impact on the change of this situation for the better, as well as on the fate of those journalists who are kept behind bars in Belarus nowadays.²

Apart from the UNESCO prize, on the same day, the BAJ was awarded the Difference Day Honorary Title for Freedom of Expression, presented by two universities in Brussels (ULB and VUB), and the Freedom of the Press 2022 award of the Swedish section of Reporters Without Borders (RSF)³.

Criminal prosecution of journalists

As of the end of July 2022, 29 Belarusian journalists were kept behind bars. 8 of them were serving their sentences, having been convicted in criminal cases. Others were kept in custody in connection with criminal investigation.

The Minsk Regional Court began a closed session to consider the so-called 'BelaPAN case on June 6, 2022. The list of defendants in the case includes Dzmitry Navazhylau, Iryna Leushyna, Andrei

² <https://baj.by/ru/content/sostoyalas-ceremoniya-vrucheniya-bazh-vsemirnoy-premii-yunesko-gilermo-kano-za-vklad-v>

³ <https://baj.by/be/content/belarskaya-asacyyacyya-zhurnalistau-stala-laureatam-difference-day-honorary-title-u-bruseli>
<https://baj.by/ru/content/bazh-nagrazhden-premiey-svoboda-pressy-2022-ot-shvedskoy-organizacii-reportery-bez-granic>

Aliaksandrau, and Iryna Zlobina. However, the litigation was suspended for the term of no less than 2 months on June 29, 2022⁴.

Andrei Kuzniechyk, a 'Radio Liberty' journalist, was sentenced to 6 years of imprisonment in a strict regime colony under part 1 of Article 361-1 of the Belarus Criminal Code (creating an extremist formation or taking part in it) on June 8, 2022. The trial was held behind closed doors. Therefore, the specific circumstances of the case are unknown⁵.



As it became known during the period of review, Siarhei Satsuk, the Chief editor of 'Yezhednevnik' (ej.by) online media outlet, was charged under two more articles of the Belarus Criminal Code – Article 130 (inciting racial, national, religious, or other social enmity or discord) and Article 426 (abuse of power or official authority) – in addition to the initial charge of accepting a bribe. The committed actions, which are associated with the new charges, remain unknown⁶.

On June 15, 2022, Aksana Kolb, the 'Novy Chas' newspaper's Editor-in-chief, was sentenced to 2.5 years of restriction of freedom with a referral to an open correctional institution, being found guilty under part 1 of Article 342 of the Belarus Criminal Code (arrangement and preparation of actions that grossly violate public order or active participation in them). She fled Belarus later⁷.

⁴ <https://t.me/pozirkonline>

⁵ <https://baj.by/be/content/frylansera-svabody-andreya-kuznechyka-asudzili-na-shesc-gadou-turmy>

⁶ <https://baj.by/be/content/znyavolenamu-redaktaru-syargeyu-sacuku-vystavili-abvinavachanni-pa-novyh-artykulah>

⁷ <https://baj.by/ru/content/oksane-kolb-dali-25-goda-himii-i-osvobodili-v-zale-suda>



The Homiel Regional Court began a trial of Iryna Slaunikava, a Deputy Chairperson of BAJ and a journalist of the Polish Television (TVP) on June 23, 2022. The trial with a break lasted until August 3, 2022. Consequently, the media worker was sentenced to five years of imprisonment under Article 342 (arrangement of group actions that grossly violate public order or active participation in them) and Article 361 (creation of an extremist formation or leadership of such a formation or a unit in its structure) of the Criminal Code⁸.

A criminal case against a former journalist of Belarusian State TV Kseniya Lutschina was sent to court on July 7, 2022. The media worker has been in custody since December 2020.

She is accused of conspiracy to seize state power in the unconstitutional way (Article 357 of the Belarus Criminal

⁸ <https://baj.by/be/content/iryne-slaunikavay-pryznachyli-5-gadou-znyavolennyya>



Code), as, allegedly, she ‘led a group of information support and counteraction to state media’ in the Coordinating Council of the Belarusian opposition. Also, she tried to create a public Belarusian interactive television, allegedly, in order ‘to conceal and distort real facts, escalate protest activity, and stimulate a split in the Belarusian society, forming a negative public opinion about the activities of state bodies.’ Lutskina faces a sentence of eight to twelve years in prison⁹.

The second court verdict was handed down to a journalist Katsiaryna Andreyeva during a closed session of Homiel Regional Court on July 13, 2022.

She was found guilty of ‘treason against the state’ (part 1 of Article 356 of the Criminal Code) and sentenced to eight years in prison. In February 2021, she had already been sentenced to two years in prison. The new charges were brought against her five months before the end of her initial prison term¹⁰.

A number of new criminal cases were filed against journalists in May – July 2022.

Yury Hantsarevich, a correspondent of ‘Intex-press’ periodical (Baranavichy, Brest region), was detained on May 5, 2022. A criminal case was filed against him under Article 361-4 of the Criminal Code (assistance to extremist activity) afterwards. It related to the transfer of photos of Russian military equipment to the ‘Zerkalo’ and ‘Radio Liberty’ publications. On July 14, 2022, he was sentenced to 2 years and 6 months of imprisonment¹¹.

⁹ <https://baj.by/ru/content/v-sud-nappravili-delo-eks-zhurnalistki-bt-ksenii-luckinoy-po-obvineniyu-v-zagovore-s-celyu>

¹⁰ <https://baj.by/ru/content/otbyvayushchey-nakazanie-zhurnalistke-katerine-andreevoy-vynesli-eshche-odin-prigovor-za>

¹¹ <https://www.intex-press.by/2022/07/14/vynesen-prigovor-zhurnalistu-intex-press/>



Kanstantsin Zalatykh, Director of 'Belarusy i Rynak' newspaper, was detained by KGB officers on the morning of May 18, 2022. He was charged under part 2 of Article 130 of the Criminal Code of Belarus (inciting hatred or discord, combined with violence or committed by an official), which provides for punishment from 3 to 10 years of imprisonment. Kanstantsin Zalatykh is currently kept in custody¹².

A criminal police search was carried out at the house of journalist Ales Lyubianchuk in the village of Kryvichi, Iyue district, Hrodna region on May 26, 2022. Consequently, he was detained as part of a criminal investigation and taken to a temporary detention center in Minsk. It is known that charges have been brought against the journalist, but the criminal article that Lyubianchuk is charged with is not known for certain, since the lawyer is under a non-disclosure agreement. Previously, Lyubianchuk collaborated with the 'Belsat' TV channel¹³.

On June 17, 2022, criminal cases were filed against Yury Gladchuk, the ABW.by Editor-in-chief and Yulia Mudrevskaya, the ABW.by special projects editor under Article 342 of the Belarus Criminal Code (arrangement and preparation of actions grossly violating public order or active participation in them). Both of them are kept in custody¹⁴.

Vitali Andras, Director of 'Dev By Media', and his wife Alena Andras, who worked as an accountant of 'Dev By Media' enterprise, were detained on June 23, 2022. Pro-governmental Telegram channels reported that a criminal case had been filed against Vitali Andras, allegedly, for 'inciting people to a coup d'état' and reposting

¹² <https://mediazona.by/news/2022/05/18/bir>

¹³ <https://mediazona.by/news/2022/05/26/lub>

¹⁴ <https://reform.news/317779-na-zhurnalistov-abw-by-zaveli-ugolovnye-dela>

messages from the NEXTA Telegram Channel. The spouses were released after the search and spending some time in detention¹⁵.



The Main Directorate for Combating Organized Crime and Corruption of the Ministry of Interior of the Republic of Belarus (GUBOPiK) filed a new criminal case against Stsiapan Putsila and a group of other people under Article 290-5 of the Criminal Code (arrangement of activities of a terrorist organization and taking part in the activities of such an organization), in addition to ten existing criminal charges. The latest charges were related to the arrangement and management of the 'Nexta' Telegram channel activities. (The latter has been recognized as a terrorist organization by the Supreme Court of Belarus.) The sanction of this article provides for a punishment of up to 15 years in prison¹⁶.

Obstruction of journalistic and media activities

The Belarusian Association of Journalists registered 15 cases of detention of media workers and 15 searches within the period of May – July 2022. Five journalists were subjected to administrative arrest for the terms of 10 to 15 days. Thus, a freelance photographer

¹⁵ <https://baj.by/be/content/protiv-direktora-devby-vozbudili-ugolovnoe-delo>

¹⁶ <https://baj.by/be/content/na-scyapana-pucilu-i-yana-rudzika-zavedzenaya-kryminalnaya-sprava-za-terarystychnuyu>

Siarhei Lysenka was detained and brought to administrative responsibility in Homiel on June 27, 2022. He was present in the park, where a festive event for Ukrainian children was held¹⁷.



Public access to the Website of 'ARCHE' Belarusian independent magazine was disabled from Belarus in July 2022¹⁸.

The Village Belarus Website was included into the register of banned online resources in the Russian Federation and blocked for public access from Russia on May 15, 2022. Its editorial office had received a letter from Roskomnadzor with a demand to delete a text "What is wrong with the official Russian version of the shelling of the railway station in Kramatorsk, where 50 people were killed," but refused to do so¹⁹.

Also, a court order was issued in Russia to ban the dissemination of information about the losses of the Russian army during the

¹⁷ <https://baj.by/be/analytics/represii-suprac-zhurnalistau-u-2022-godze-tablica-spis-znyavolenyh>

¹⁸ <https://baj.by/be/content/mininfarm-zablyakavau-sayt-belaruskaga-nezalezhnaga-chasopisu-arche>

¹⁹ <https://www.the-village.me/village/city/news-city/292203-blokirovka>

war in Ukraine, published on the Website of ‘Belarusy i Rynak’ newspaper. Surprisingly, the disputed publication had been deleted from the Web-resource before the court verdict was announced²⁰.

Application of anti-extremist legislation

The content of some independent mass media was recognized as ‘extremist materials’ within the period under review. Particularly, it concerned their pages on social media and included the media with the previously blocked websites. The policy affected the websites and pages on social media of ‘Mediazone. Belarus’, ‘Media-Palessie’, ‘Most’, the Telegram-channels of ‘Brestskaya gazeta’, ‘Hrodna. Life’ as well as the ‘ByProsvet’ samizdat channel. The HARBACEVIČ Telegram channel, established by a ‘Nasha Niva’ journalist Artsiom Harbatsevich, and the ‘Zhizn-Malina’ popular YouTube channel, which publishes interviews with the civil society representatives, were also recognized as extremist within the period of May – July 2022.

The Ministry of Interior of Belarus took a decision to include two independent media – KYKY.ORG and ‘Euroradio’ – in the List of organizations, groupings, individual entrepreneurs and citizens involved in extremist activities, in the form of ‘extremist formations’.

The ‘Chestnaya Gazeta’ (‘Honest Newspaper’) informal print publication as well as the related pages on social media and the Telegram bot were included into the list, too. The print copies

²⁰ <https://baj.by/ru/content/v-rossii-zapretili-dostup-k-saytu-gazety-belorusy-i-rynok>



of 'Chestnaya Gazeta' were seized from the independent press distributor Aleh Haurylau from Salihorsk (Minsk region) at the end of 2021. Following the examination of the newspaper texts, he was charged under four articles of the Belarus Criminal Code: Article 361 (calls

for actions aimed at causing harm to the national security of the Republic of Belarus), Article 341 (desecration of buildings and damage to property), Article 130 (incitement of hatred or discord), and Article 367 (slander against the President of Belarus).

Ihar Losik, a blogger and 'Radio Liberty' employee has been included by the KGB in the List of organizations and individuals involved in terrorist activities. He was sentenced to 15 years in a high security penal colony earlier.

On June 14, 2022, the Supreme Court of Belarus recognized the 'TUT BY MEDIA' Ltd. as an 'extremist organization.' Ihar Lutski, ex-Minister of Information of Belarus noted in this regard as follows: 'There was a direct encroachment on the sovereignty and independence of our country. The funding of these non-state media was carried out from abroad. And it was coordinated from abroad, too. The current decision on TUT.BY is a vivid example of this activity. It has been labeled as extremist!'²¹

²¹ <https://baj.by/be/content/eks-glava-mininforma-prokomentiroval-priznanie-tutby-ekstremistskoy-organizaciy>

Developments in the state media sector

The ‘Globecast’ company took a decision to disconnect ‘Belarus-24’ TV channel from satellite broadcasting to a number of countries in the European and Pacific region in June 2022. This decision caused outrage from the Ministry of Information of Belarus²².

The same reaction was caused by Telegram’s decision to completely remove the odious pro-governmental channels ‘Zheltые Slivy’ (‘Yellow Plums’ / ‘Yellow Leaks’) and ‘Vashi Slivy’ (‘Your Plums’ / ‘Your Leaks’), which published ‘repentant’ videos with detainees and insults against opponents of the authorities in Belarus²³.

The Union of European Football Associations (UEFA) has excluded the Belarusian State TV and Radio Company from the list of official broadcasters of the League of Nations. Consequently, the matches of the national football team can no longer be watched on TV in Belarus. (They used to be broadcast by the ‘Belarus 5’ TV channel in the past.)²⁴

²² <https://baj.by/be/content/mininform-razbushevalsya-chem-vozmushcheno-vedomstvo>

²³ <https://baj.by/be/content/telegram-calkam-vydaliu-prauladnyya-kanaly-zhoutyya-zlivy-i-vashy-zlivy>

²⁴ <https://baj.by/be/content/uefa-isklyuchil-bt-iz-spiska-veshchateley-ligi-naciy>



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