

MASS MEDIA

in Belarus

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“It was the greatest surprise to learn last year that the authorities had taken a decision to get back two non-state newspapers to their state-owned press distribution systems. On the one hand, we feel happy for our colleagues, but on the other hand we understand that the independent newspapers became a subject of trading, held by the Belarusian state authorities and the EU structures.”

Siarhei Vazniak, Editor-in-chief, “Tovarisch” weekly

“To my mind, the adoption of a new law “On Mass Media” was the most important event for journalists last year. It is the law we will have to comply with in the years to come. Unfortunately, it appears to be even more rigid than the present one.”

Andrei Bastunets, Deputy Chairman, BAJ

“The Belarusian Internet has remained free so far. In my opinion, it is the main event of the year of 2008. Also, the “BELSAT” TV channel is working as before. It is another important event indeed.”

Ales Antsipenka, a media expert

After the Web-site of [Belarusian Association of Journalists](#)

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1. MASS MEDIA FIELD IN BELARUS – RESULTS 2008

The year of 2008 appeared to be highly complicated and controversial for the Belarusian journalism. Despite some positive changes at the end of the year, the main problems in the media field, including economic discrimination of independent periodicals, non-compliance of media-related legal norms with the democratic standards as well as restriction of access to information, weren't solved in 2008.

The beginning of 2008 was especially worrying.

Alaksandr Zdvizhkov, the “Zhoda” newspaper's Deputy Editor-in-Chief was sentenced to three years of imprisonment for “stirring up religious strife” (part 2, article 130 of Belarus' Criminal Code) on January 18, 2008.

The newspaper had been closed down by court upon a claim, submitted by the Ministry of Information of Belarus, for re-printing some “Danish caricatures” of Mohammed the Prophet in 2006.

On February 22, 2008, the Supreme Court of Belarus considered the penalized journalist's appeal and reduced the term of his imprisonment to three months. A. Zdvizhkov was released from custody on the same day.

The “Nasha Niva” newspaper correspondents Andrei Liankievich and Siamion Piechanko were detained during a peaceful rally, held by the Belarusian democratic opposition on March 25, 2008. A. Liankievich was beaten black and blue by the riot police at the moment of detention. A crew from the Lithuanian TV and Radio Company (LTR) was detained with the use of force in Miensk on the same day. The Lithuanian journalists were kept at Miensk City Center Police Department for nearly two hours. A video cassette with recordings was seized from them. Their professional video camera was badly broken at the moment of detention.



The KGB officers held searches in 13 journalists' private apartments and 4 offices, authorized by Miensk Public Prosecutor's Office, on March 27-28, 2008. During the searches, the KGB representatives were seizing technical equipment, documents and even cash. The intrusions were officially reasoned with a criminal case, filed in 2005. The action was started

upon a fact of libel in relation to the President of Belarus, carried out by means of distributing satirical flash-animation on the Web.

However, the suspects on the case have been well-known since long ago. All of them live abroad.

Another version was articulated by the Belarus' Ministry of Foreign Affairs. The Ministry officials stated that the KGB had held a special operation against the people, who cooperated with foreign media outlets without official journalist accreditations in Belarus.

Legal investigation within the criminal case that reasoned the searches at the journalists' apartments was suspended further on. The KGB started returning the seized personal belongings to the journalists since August 2008.

However, at the same time, KGB initiated cases on recognizing some publications to be extremist materials and destroying some books, non-registered newspapers and video records of films and concerts. The actions were grounded by legal norms from the Belarus' Law "On Counteraction to Extremism", adopted in 2007. Several trials on the matter were held in September 2008. Consequently, a video recording of "Solidarity with Belarus" concert in Warsaw, held in 2006, a famous Polish documentary "Lekcja Bialoruskiego" ("A Lesson of Belarusian") that won several international cinema festivals, an issue of "Svaboda" non-registered newspaper etc. were declared "extremist materials". However, these decisions got cancelled by the courts of appeal for procedural reasons later on. Also, Kastychnitski City District Court of Hrodna left without consideration some other similar claims, filed by the KGB Department for Hrodna region on admitting some articles in the **"Glos znad Niemna na uchodzstwie"** non-registered newspaper of the Belarusian Poles' community, the **"Violations of Human Rights Violations in Belarus in 2004"** review and some other publications to be extremist materials some time later.

These court verdicts caused positive response on the part of Belarusian and international community.

However, the KGB Department for Brest region "discovered" calls to extremist activity and propaganda of such activity in No.7-8 of "ARCHE. The Beginning" magazine (the only Belarusian periodical editions, invited to the "Eurozine" network of European intellectual magazines) and addressed to court with a request to authorize destruction of the whole print-run of "ARCHE". It is unknown, what materials of 1,100-paged jubilee issue of "ARCHE" were considered by the KGB to be extremist. It is the first case in history, when the KGB is making attempts to regard an officially registered periodical edition as an extremist material.

The return of "Narodnaya Vola" and "Nasha Niva" newspapers to the "Belposhta" and "Belsayuzdruk" state-owned



press distribution systems was among the most positive events in the media field at the end of 2008. Also, "Narodnaya Vola" achieved an opportunity of getting printed in Belarus (the newspaper had to get printed in Smolensk (Russia) for several years as none Belarusian printing houses agreed to sign contracts with the newspaper editorial.)

However, noting this undoubtedly positive fact, it should be stated at the same time that more than a dozen of other independent periodical editions (mainly in the regions) still have not been included into the "Belposhta" subscription catalogue. Also, they cannot be found at the "Belsayuzdruk" state monopolist's news-stalls. The dramatic situation with the media outlets has remained the same since the end of 2005. Several newspapers still have to get printed abroad ("Tovarisch", "Vitsiebskiy Kuryer"). Also, at the very end of 2009, the "Plutos-Market" printing house cancelled one-sidedly a printing contract with the "Borisovskiye Novosti" newspaper editorial. Simultaneously, the newspaper publisher was deprived of a license for retail sale, used for editorial distribution. ("Borisovskiye Novosti" has been excluded from the state-owned press distribution networks since long ago.)

At the same time, the state-owned media outlets were getting administrative support and preferences from the state (e.g., the compulsory subscription campaign). Also, they received direct support from the state budget as before. According to the State Budget 2009, finally approved on November 13, 2008, 193 211 376.0 thousand Br (approximately USD 90 million, according to the official currency exchange rate on that date) would be directed to meet the goal. 74 million USD were allocated for the same purposes in 2007; more than 60 million USD were envisaged for the state-owned media support in 2006; less than 30 million USD were directed to meet the goal in 2004. Thus, the state funding of state-owned and state-supported media outlets has increased three times within the recent five years.



The broadened broadcasting of "BELSAT" satellite TV channel and the discussion of further development of Internet in the country were among the most significant events in the year of 2008.

"BELSAT" celebrated the first year of broadcasting on December 10, 2008. The Belarusian state authorities were raising serious difficulties to the channel activity. (The "BELSAT" TV programs are created by Belarusian journalists for the Belarusian audience and broadcast from the territory of Poland.)

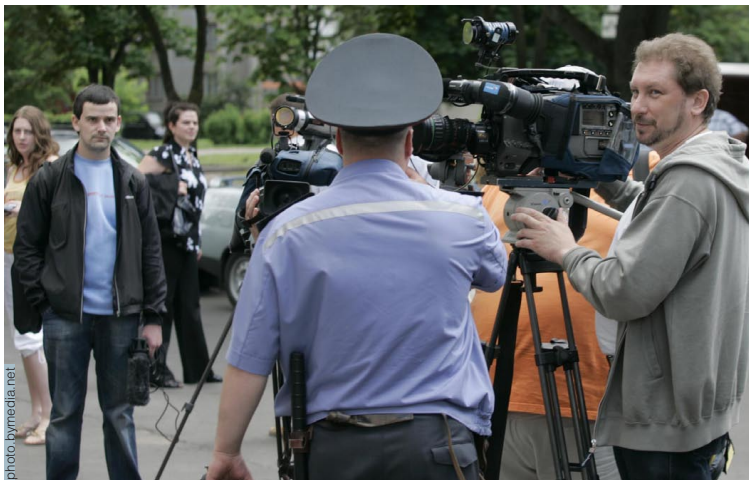
The KGB searches on March 27-28, 2008 affected numerous media workers, cooperating with "BELSAT". The Belarusian local authorities were holding broad campaigns on dismantling satellite dishes. In their opinion, the illegally installed dishes were spoiling the outlook of facades.

Nevertheless, the “BELSAT” channel management dared submit a packet for opening its representation in Belarus to the Belarus’ Ministry of Foreign Affairs on December 20, 2008. The Foreign Office representative stated that the decision on the matter would be taken at the level of the Belarus’ Council of Ministers within a two months’ course, as specified by the law.

A lot was said at different levels of state authorities about the necessity of reinforcing control over the Internet. An inter-departmental group on studying the international experience of Web-regulation was created in 2008. The necessity of special legal regulation of activity on the Web was grounded by a desire to suppress distribution of terrorism, child pornography etc. in the Internet. Initially, it was suggested that the legal base for regulating activity on the Web would be stipulated in the Belarus’ law “On Information, Informatization and Information Defense”. However, finally, the legal base was included into a new media law.

The Belarus’ Law “On Mass Media” was rapidly adopted by both chambers of the Parliament in the summer 2008 and signed by the President on July 17, despite numerous protests of international structures and negative expert remarks. The law will come into force in February 2009.

Apart from setting the principles and rules of regulation of on-line media activity (the elaboration of procedural matters has been delegated to the government), the law provides for re-registration of all media outlets in Belarus. Also, it simplifies



the procedure of closing down media outlets by the executive authorities and reduces the level of legal protection of journalists and media in the county.

Some other legal acts that exerted direct or indirect influence on the situation with the media development in Belarus were adopted in the year of 2008.

Thus, amendments to the Belarus’ Law “On the State Service in Belarus” were adopted on July 15, 2008. In particular, the law was supplemented with article 22-1 that obliged all state servants to submit all their planned publications and speeches, connected with their official duties, for approval to the heads of corresponding state institutions and organizations.

The Belarus’ Law “On Information, Informatization and Information Defense” was adopted on November 10, 2008. Although the law is not related directly to the media, it restricts the Belarusian citizens’ right to get and disseminate information. Also, it creates grounds for restricting and controlling data distribution in information networks.

The President’s ordinance No. 70 of February 8, 2008 restricted access to the journalist trade. According to the legal act, all applicants to “Journalism” and “International

Journalism" university departments (as well as to departments of Law) have to pass professional and psychological interviews in order to be permitted to take entrance exams.

Evaluating situation in the media field in 2008, the Belarusian Association of Journalists has noted some positive change at the end of the year (the KGB returned the journalists' private belongings, seized during the ungrounded searches; the courts suspended cases on declaring publications and recordings extremist materials; two independent periodical editions were returned to the state monopolists' press distribution systems). However, the positive steps, mentioned above, led to restoration of initial situation before the gross interference of state bodies in the journalists' and media activities. The general situation in the Belarusian media field remains to be poor. No system changes to the better have taken place.

The state authorities continue economic discrimination of independent media outlets. Also, the state officials make use of the current legislation (in particular, the Belarus' Law "On Counteraction to Extremism") in their fight with the non-censored information in the country.

The adoption of a new law "On Mass Media" has worsened the legal base of media activity. However, everything will depend on the practice of its implementation.

It will be possible to assess the readiness of the state authorities to improve situation in the media field with the following indicators:

- the return of all independent media to the state-owned press distribution networks as well as to the printing houses on the territory of Belarus;
- the declarative media re-registration procedure;
- the voluntary registration of on-line editions;
- the official permission to open the "BELSAT" TV Channel representation in Belarus;
- non-restricted official accreditation of foreign media correspondents in Belarus.

2. STATISTICS

1307 printed periodical editions (673 newspapers, 586 magazines, 42 newsletters, and 6 catalogues) as well as 9 news agencies had official registration certificates in the Republic of Belarus on January 1, 2009.

The number of registered state-owned printed periodical editions totals 409 publications, including 221 newspapers. A large number of non-state media outlets deals with entertainment and advertising. According to the BAJ estimates, less than 30 non-state social and political periodicals have survived in the country.

The majority of printed periodical editions are published in Russian (572) and in Russian and other languages (357). Only 71 periodicals are published in the Belarusian language. 299 more publications appear in Belarusian and other languages. 8 periodicals are published in other languages (i.e., English, English and other languages, Polish, Polish and other languages, Ukrainian).

The Ministry of Information of Belarus cancelled 26 registration certificates of the printed media in December 2008.

Situation in the electronic media market remains practically unchanged. 227 radio and TV programs (including 69 TV and 227 radio broadcasting media outlets) had the official registration in Belarus on January 1, 2009. 137 radio broadcasting media outlets and 28 TV broadcasting media organizations are owned by the state. 113 state TV and radio programs got founded by local Executive Committees and 60 TV and radio broadcasting media outlets got founded by Local Councils.

3. SITUATION WITH THE MEDIA IN BELARUS IN 2008 – RATING LISTS OF INTERNATIONAL ORGANIZATIONS

The Reporters without Borders Press Freedom Index

Belarus is holding the 154th position out of 173 countries of the world.

Freedom House – Freedom of the Press 2008 Survey

Belarus is holding the 188th position out of 195 counties of the world.

Freedom House - “Nations in Transit 2008”

Independence of mass media in Belarus was evaluated with 6.75 points (1 point indicates the best level of development, while 7 points indicate the poorest level of development).