

MASS MEDIA

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There exists a certain probability that the Web-content will be tracked more actively than before, in order to stop dissemination of negative rumors or people's self-organization attempts...

*Pauliuk Bykouski,
media expert*

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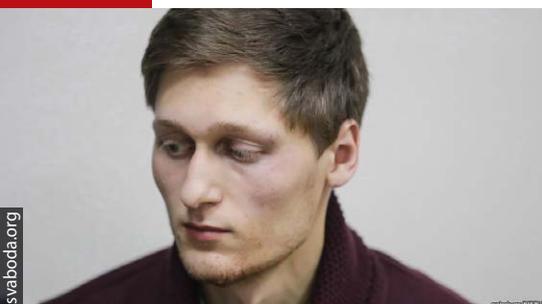
The Ministry of Information will continue to require that all stakeholders in the information field comply with the legislation. The legal norms will be applied to restrict access to the Web-resources, which contradict the national interests in their activity...

*Liliya Ananich,
Minister of Information
of Belarus*



Situation in Mass Media Field in January–March 2016 (review)

The beginning of 2016 was characterized by the resumption of the administrative prosecution of Belarusian journalists for their cooperation with foreign mass media. (It should be reminded that the prosecution trend had been suspended for some time in August 2016. The positive policy change followed public promises to examine the situation, given by the President Aliaksandr Lukashenka.) Two journalists from Homiel were fined seven times for their professional activity in January–March 2016. Moreover, they were fined three times more at the beginning of April 2016.



A journalist of the largest Belarusian Web-portal TUT.BY Pavel Dabravolski was detained and beaten by police officers for implementing his professional duties during a trial session in Minsk. Moreover, the media worker was prosecuted on administrative charges at the same court later on. The incident had the broadest public response among all media-related events in the country at the beginning of the year.



The suspension of criminal proceedings in relation to a journalist and a military expert Aliaksandr Alesin captured less public attention at the same time. (The media worker had been accused of launching cooperation with foreign special services. However, none of legislative investigation procedures had been implemented with the journalist for more than a year.)

The restriction of freedom of expression on the Internet can be mentioned among other events and trends in the Belarusian mass media field within the period under review. The reinforcing state control over the Internet field can be explained by the increasing role of the global Web in informing the public in Belarus.



Main Events in Mass Media Field in January–March 2016

The resumption of prosecution of journalists for their cooperation with foreign media

The prosecution of Belarusian journalists for cooperation with foreign media without the accreditation of the Ministry of Foreign Affairs resumed at the beginning of 2016.

There were registered seven cases of bringing journalists to administrative responsibility and imposing fines on them in January–March 2016. All the cases took place in Homiel region. A freelance journalist Kastantsin Zhukouski was fined six times for the total sum of 46.2 million Belarusian rubles (around EUR 2,000) at that. Another local journalist Larysa Shchyrakova was fined there, too. The reporters were charged for the presentation of their video footage in the programs of 'Belsat' TV channel.

Three more court rulings on bringing the journalists to administrative responsibility have been issued since recently. (Two more cases in relation to L. Shchyrakova have been closed for procedural reasons.)

It should be underscored that the journalists were prosecuted for the mere fact of presentation of their video footage in the foreign media. The authorities were not concerned in the content of the journalistic materials at that. Consequently, **Kanstantsin Zhukouski sewed his mouth shut in protest.**

Journalists are prosecuted on the grounds of police reports, referring to the arbitrarily interpreted part 2, article 22.9 of Belarus Code of Administrative Offences. The legal norm provides





for administrative liability for the unlawful production and / or distribution of mass media products. The prosecution practice started in May 2014. Freelance journalists were fined 10 times on these charges in 2014 and 28 times within the period of 8 months since January till August 2015.

The situation seemed to improve after A. Lukashenka's interview to independent journalists with **promises to examine the problem** on August 4, 2015. None of new cases on part 2, article 22.9 of Belarus Code of Administrative Offenses were filed since the end of August till the end of December 2015. However, the practice was resumed in Homiel region in 2016.

The detention and beating of journalist Pavel Dabravolski



Pavel Dabravolski, a journalist of TUT.BY Web-portal **was detained and beaten by police officers** in the premises of Frunzenski District Court of Minsk on January 25, 2016.

The journalist reported on a controversial trial from the court room. He recorded the police detaining two civil activists with 'No to Political Prosecution!' banner in their hands. Finally, he was detained and beaten hard together with the activists in the adjacent court premises. A police report on administrative offense was drawn up against the journalist on the same day. Consequently, the reporter was put on trial and fined 9,450,000 Belarusian rubles (around EUR 420) for 'the petty disorderly conduct' (article 17.1 of Belarus Code of



Administrative Offenses) and ‘the refusal to obey the lawful demands of officers in charge’ (article 23.4 of Belarus Code of Administrative Offenses).

The incident caused a strong reaction of the Belarusian journalistic community. Consequently, more than 200 journalists signed **collective appeals** to the Ministry of Information, the Ministry of Internal Affairs, the General Prosecutor’s Office, and the Supreme Court of Belarus.



The Belarusian Association of Journalists and Pavel Dabravolski addressed to the Investigative Committee of Belarus with a request to initiate criminal proceedings against the attackers. The attack on the independent reporter **was condemned by the OSCE Representative on the Freedom of the Media**.

At the same time, **the Ministry of Internal Affairs and the Ministry of Information of Belarus put all blame on the journalist** for the incident.

The court ruling to bring P. Dabravolski to administrative responsibility **was left in force**, despite the unfinished examination of the case by the Investigative Committee of Belarus.

Criminal cases

A criminal case against a journalist and a famous military observer Aliaksandr Alesin **was suspended**, as reported on January 25, 2016.

Most probably, the case was suspended due to the exclusion of article 356.1 “The launch of cooperation with a foreign special service, security body, or intelligence agency” from the Criminal Code of Belarus by the corresponding Law of Belarus, adopted on January 5, 2016. It is expected that the case against the reporter will be completely closed as soon as the amendments to the Criminal Code of Belarus come into force.



svaboda.org

It is worth reminding that the Belarusian special services detained the military expert and 'The Belarusians and Market' weekly's columnist Aliaksandr Alesin on November 24, 2014. It became known about his detention at the end of December only. However, neither the reasons for the detention, nor the journalist's location were made public at that time. Later on, it appeared that the reporter was kept in custody in the KGB pre-trial jail.

Initially, the journalist was accused of treason (article 356 of the Criminal Code of Belarus) and launching cooperation with a special security service or an intelligence agency of a foreign state (article 356-1 of the Criminal Code of Belarus). Subsequently, he was cleared of the charge of treason.

A. Alesin was released from custody on his own recognizance on December 10, 2014. None of investigative actions were conducted with the journalist for more than a year.

At the beginning of March 2016, the Investigative Committee of Belarus confirmed the fact of conducting criminal investigative actions, concerning a range of publications on the Web-site www.1863x.com, to [the BelaPAN News Agency](#).

Reportedly, the legal investigation was conducted within two criminal cases, which had been filed for the incitement of racial, national, or religious hatred (part 1, article 130 of the Criminal Code of Belarus) and distribution of porno materials (part 2, article 343 of the Criminal Code of Belarus).

The Web-site owner Jhon Silver was the first to tell about the criminal proceedings. According to him, he was detained by the special services and taken to a psychiatric hospital in May 2015. He fled Belarus in the autumn of 2015. At the beginning of 2016, there appeared reports in the media that the blogger had been detained



on the territory of Russia and that the possibility of his extradition to Belarus was discussed. According to the BelaPAN News Agency, the Ministry of Internal Affairs of Belarus declared him wanted for breaking his recognizance not to leave the place of his residence.

The Web-site www.1863x.com was created by an anonymous blogger, nicknamed Jhon Silver, around 1.5 years ago. "It presents political texts with frequent critical remarks in relation to the Belarusian and Russian official authorities. The Web-site founder runs the online resource completely anonymously. The Internet is the only means of communication the person uses for keeping in touch with the authors and giving interviews," the BelaPAN News Agency reports.

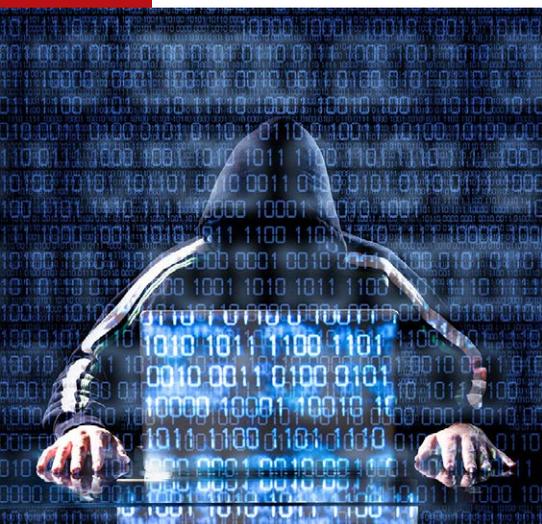
Restrictions on freedom of activity on the Internet

The public access to the BelaPAN News Agency's Web-site **was blocked** subject to a severe hacker attack in the afternoon of February 15, 2016.

"It happened on the day, when important events took place in the public life of the country, including a manifestation of individual entrepreneurs in October Square in Minsk and the EU Council meeting in Brussels, where a decision to lift sanctions from the majority of Belarusian officials was discussed," the BelaPAN News Agency reports.

It wasn't the first **hacker attack** on the News Agency's Web-sites during important public events.

Thus, www.naviny.by and www.belapan.by Web-sites suffered DDoS attacks on October 3, 2015. Most probably, they were connected with a





publication about the forced gathering of people for participation in 'The Prayer for Belarus' event with Aliaksandr Lukashenka. The report led to a broad public response in the country. The access to both blocked Web-sites was resumed on October 6, 2015.

On December 19, 2014, there appeared problems with access to a number of news Web-sites, including belapan.com, belapan.by, naviny.by, belaruspartisan.org, udf.by, 21.by, gazetaby.com, zautra.by, and charter97.org. The 'Beltelecom' National Unitary Enterprise delivered a public statement about a DDoS attack on its data center equipment. However, the elimination of technical problems didn't lead to restoration of access to the blocked Web-resources. The access to the above-mentioned Web-sites was resumed on December 22, 2014 only.

The Ministry of Information of Belarus issued official written warnings to the popular news Web-resources EJ.BY and NN.BY on March 2, 2016. According to the Minister of Information of Belarus Liliya Ananich, the warnings were issued to the indicated online media 'for publication of false information and posting the information that may harm the public interests'.

Moreover, there was restricted access to five informational Web-resources for distributing information about drugs.

The Ministry of Information restricted access to 46 Web-resources since the moment it gained the controlling functions over the national Web field on January 1, 2015 till March 1, 2016. According to the corresponding ministerial report, the access to certain Web-sites was restricted for their dissemination of information about drugs as well as for "the use of taboo and vulgar vocabulary, the distribution of porn propagating postings, the improper advertising of medicaments, the



distribution of information that may harm the public interests, the advertising of alcoholic drinks, and the dissemination of extremist materials.” The Ministry renewed access to four Web-resources from the ‘ban list’ later on.

The Ministry of Information of Belarus was entitled with the right to issue official warnings to the owners of informational Web-resources and take decisions on restricting access to Web-sites, regardless of the presence of official warnings, following the introduction of amendments to the Belarus law ‘On Mass Media’, which came into force on January 1, 2015.

Rating Lists, Indexes, Statistics



According to the results of a sociological survey, presented by the **Informational-Analytical Center at the Administration of the President of Belarus**, 64% of the adult population of Belarus makes use of the Internet, the **BelTA State News Agency** reports.

87.5% of respondents enter the global Web practically every day. 85.5% of respondents spend more than an hour a day online.



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