

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting February 4 – 17, 2013

In the reporting period several stories of Belarusian and foreign journalists saw positive continuation. The Australian journalist Amos Roberts received a notification that the customs examination of his equipment had been terminated and he could take it back. Iryna Khalip, who is under suspended sentence, was granted a permit to leave Belarus for a short period to meet her husband Andrei Sannikau and also to visit the editorial office of *Novaya Gazeta* where she works. A bad piece of news is another refusal to re-register the magazine *Arche. The Beginning*, whose activities have been suspended since October, 2012.

On February 4 the Ministry of Information announced that the magazine *Arche* was denied re-registration. In December 2012 the editorial office of the magazine received the first refusal from the Ministry to register the company "Gaisak", under the pretext that the would-be editor-in-chief (now acting chief editor of *Arche*) **Ales Pashkevich** did not have proper qualifications (five years' experience in an appropriate administrative position). The second attempt was to re-register the outlet with the editor **Valery Bulhakau** who was previously the chief editor of *Arche*. This time the Ministry of Information rejected the application on the grounds that the procedure of applying had not been observed; although the procedure was the same as the first time.

In the document dated **February 1** the Deputy Minister of Information **Liliya Ananich** wrote that the application to obtain state registration of a mass medium has to be signed by the founder of the mass medium, and no other ways are provided by law (referring to the Regulation of the Ministry of Information No 14, dated 06.10.2008).

The editorial office of the *Arche. The Beginning* remarks that the application to re-register the magazine for the company "Gaisak" was filed by **Ales Pashkevich**, currently performing the duties of the editor-in-chief, who is also one of the two founders of the mentioned company "Gaisak". Moreover, he had a warrant from the company director authorizing him to submit the documents.

Article 12 of the Law on Mass Media stipulates that "at state registration of the mass medium, the founder (founders) or a person authorized by the founder (founders) shall submit an application according to the form established by the republic body of state administration in the sphere of mass information".

On February 5 the public association "Belarusian Association of Journalists" announced the beginning of the yearly creative **contest** of journalistic works **Volnaye Slova (Free Word)**. Only BAJ members can take part in the contest, one author is allowed to submit maximum of three texts which were published in 2012. The deadline for submitting articles is April 15. More information is on the webpage baj.by.

On February 7 it became known that the **Australian journalist Amos Roberts** received an e-mail from the Australian Embassy in Moscow in which he was informed that he **could pick up the equipment**, seized from him **on September 21, 2012**. "As discussed, the Australian Embassy in Moscow received advise that the Belarus authorities have completed their Customs formalities at the Minsk International Airport with respect to Mr. Roberts's electronic equipment. The Embassy of Belarus have advised that the equipment can be now collected from the National Airport of Minsk by yourself or your legal attorney. The date and time of collection of the equipment from the National Airport of Minsk can be

arranged with the officer in charge for storage." Nothing was said about whether any information had been deleted or even whether the customs office had found anything to justify the search and seizure.

We remind that Amos Roberts, Australian SBS TV journalist, was searched at the customs office of Minsk-2 airport on September 21 and his professional equipment was seized. He had worked for a week with the official accreditation of the Belarusian Ministry of Foreign Affairs. In particular, the journalist made a report about the teddy bear landing.

On February 5 another court hearing in the Maskouski district court in Brest was held in the case of **BAJ member Milana Kharytonava**. *We remind that Milana Kharytonava filed a lawsuit against a journalist of Brestkij Vestnik **Uladzimir Minevich**: she was offended by an **anonymous comment** on a website in her regard and filed a complaint to law enforcement agencies who then found the offender. Now she demands **excuses and compensation of moral damages** and court expenses.*

Milana Kharytonava motioned **to assign a linguistic examination** of the comments. She wanted the examination to be held by an independent expert; the defendant motioned for the expert to be from the philology department of the Brest State University. **On February 7** the judge **Tatsiana Isayeva** ruled that the examination would be made by an employee of the Brest State University. The lawyer of Kharytonava filed an objection against the expert, but it was overruled.

"We hoped the expert would be an independent person from Minsk with the appropriate qualifications and the license of the Ministry of Justice, in such case the examination would not have raised questions. But the judge decided to hand over the task to an employee of the BrSU, a candidate of philological sciences Volha Perakhod, who hasn't got the appropriate license. Besides, the defendant Minevich graduated from this very educational establishment," says Milana Kharytonava.

The journalist said that the examination would be held in regard to two statements from the comments by Minevich, although she insisted on examining a bigger number of comments that she deemed offensive.

On February 11 BAJ's magazine **Abajur** was sent back from prison in Mahilou; it was intended for the BAJ member **Yauhen Vaskovich**. The first issue of the magazine in 2013 was sent back with a mark "not allowed" ("не положено"). The envelope was open; there was nothing but the magazine, so the administration must have forbidden the issue after reading the contents. Some prisoner's friends also complain that their letters do not reach the addressee. In October last year Vaskovich's grandmother received a letter in which he asked not to write about him too much in the media.

Also a similar problem occurred with Novy Chas newspaper which does not reach the prisoner Mikalay Statkevich, ex-candidate for presidency, who is serving a term in the same colony No 4 in Mahilou. We remind 20-year old Yauhen Vaskovich, who contributed to Bobruyskij Courier, was sentenced to 7 years in a high-security prison for an arson attempt at Babruysk KGB premises.

On February 12 in Orsha the correspondent of the newspaper *Tovarisch* **Mikalay Petrushenka** was pressed to **leave the court room** at the trial of Yury Dudkin, the former head of the association of property owners “Yunost – Orsha”.

The lawyer of Y.Dudkin demanded information on registration of the newspaper and questioned the lawfulness of the correspondent’s presence at the trial. The prosecutor supported the idea. The defendant wanted the correspondent to be forced out from the courtroom under the pretext that he represented a political newspaper, but the trial had nothing to do with politics. However, the **chairperson of court Ihar Paliakou** overruled their plea holding that the trial was open and could be attended by anyone.

We remind that at the end of 2012 a libel lawsuit was filed against Mikalay Petrushenka: the correspondent was accused of libeling official representatives in a publication concerning Yury Dudkin. The latter was several times awarded for professional achievements, whereas later it turned out that the association covered a pornography studio. The journalist raised the issue of “the authorities’ responsibility who many years shaped an image of the foremost leader [out of Y.Dudkin]”. A linguistic examination showed that the lines did not express either insult or libel against the officials, and the case was closed”.

On February 13 the journalist **Iryna Khalip** was called to the criminal and executive inspection of the Partizanski district’s police department, where she is registered. The head of the inspection **Natalia Koleda** told her that a positive decision was in the end taken on her application, and the **journalist could go visit her husband** (ex-prisoner Andrei Sannikau, now in exile) and *Novaya Gazeta* editorial office till 3 April.

“Of course, a meeting in Europe is much better than a meeting in the Navapolatsk colony, but nothing is changed regarding my status. I still remain under arrest and I will face a new trial in July, which would decide what to do with me. It is just that for the time of the two trips allowed police will not visit me in the evenings. Apart from that everything remains the same – registration at a police department every Monday, the curfew as of 10 p.m., police visits at night with inspections,” said Iryna Khalip.

Ales Bialiatski has been **deprived of visits** of relatives for a half a year - the information was confirmed by Babruysk colony administration **on February 13**. *We remind that in 2012 Ales Bialiatski was deprived of one short-term visit (out of three) and one long-term meeting (out of two possible) with relatives.* So, the next possible meeting with the political prisoner might happen in August. Human rights defenders link the pressure on political prisoners, which has recently toughened, to the authorities' desire to refresh negotiations between Belarus and the EU.