

## THE BELARUSIAN ASSOCIATION OF JOURNALISTS

### Mass Media Week in Belarus

*Info-posting October 21 – November 3, 2013*

**In the reporting period, the focus was again shifted onto detentions of journalists when performing their professional duties. Hardly had BAJ leaders held a personal meeting with the head of the Minsk police when a dozen of journalists were briefly detained again.**

**On October 22** the Krychau district court upheld the lawsuit of the building and construction company *Cherykau PMK-280* the independent law-circulation newspaper ***Volny Horad***, in particular against the editor **Siarhei Niarouny**, the founder **Uladzimir Kudravets** and a journalist **Mikalay Herdzyi**. They were found guilty of discrediting the company's administration and undermining its business reputation. Judge **Antanina Kachanava** ruled that the newspaper had to publish a retraction and pay legal expenses of one million hundred thousand rubles (approx. 100 euro). The defendants disagree with the decision and lodged two appeals to the Mahilou district court **on November 1**.

*We remind that the lawsuit dealt with the article "We'll wait with the retraction", according to which two employees of the company, who acted as witnesses in a previous lawsuit between the company and the newspaper, did not have employment contracts, in violation of the current legislation. The article said that the fact of missing contracts had been revealed by the workers themselves when they were giving testimonies during the hearing.*

**On October 24** a fresh lawsuit against the newspaper *Volny Horad* was **dropped**. In the lawsuit, started on October 15, two employees of the *Cherykau PMK-280* demanded that **Siarhei Niarouny** (editor) and **Uladzimir Kudrautsau** (founder) had to pay 16 million rubles (around 1750 USD) of moral damage compensation, and acknowledge an article in the newspaper untrue and publish a retraction. The article under consideration, authored by Mikalay Herdzyi and titled "We'll wait with the retraction", said that the two employees did not have contracts for work in the company. The decision to drop the suit was announced by the lawyer on October 24; the plaintiffs did not appear in court. According to the lawyer, they decided to drop the suit voluntarily because "the grounds for the suit have disappeared".

**On October 23** the chairperson of BAJ **Zhanna Litvina** and the deputy chair **Andrei Bastunets** held a talk with the **head of the police** department of the Minsk City Executive Committee **Aliaksandr Barsukou**. The topic of the meeting was the detention of journalists **on October 19** at the railway station in Minsk. The head of the police was familiarized with the monitoring data, registering at least 35 incidents of detention of journalists. Four cases ended with administrative arrests.

In his turn, Aliaksandr Barsukou expressed his opinion that relations between the police and journalists were satisfactory, although each side could have claims against the other one.

BAJ leaders suggested discussing the issues in details at a special meeting between the police and journalists. However, the head of the police declined the suggestion, as he was ready to answer any questions at press conferences for journalists and during business hours.

**On October 24** at 7am police officers appeared with a **search warrant** at the flat of **Babruysk blogger Aleh Zhalnou**. Two policemen entered the flat when the blogger's wife was leaving; search witnesses and one more person who did not introduce were accompanying the officers.

A police major Yauhen Serashtanau filed a complaint that in 2012 – 2013 somebody, supposedly the blogger Aleh Zhalnou, posted online audio and video materials which harm the major's honor, dignity and business reputation. The major asked to start a criminal case.

*We remind that that on September 4 an incident occurred between the blogger and the traffic police. Instead of investigating a report of illegal parking, policemen started to clarify why the blogger had*

*called them and in the end detained him brutally. They started an administrative case under article 23.4 – disobeying the demands of the police. On October 23 the judge sent the case for improvement.*

**On October 25** at the railway station in Minsk, plain-clothed people with walkie-talkies recorded video of all passengers of the evening train to Vilnius. On October 26 – 27 the **Third Belarusian Human Rights Forum** was held in Vilnius with more than 150 participants from Belarus, representing around 20 CSOs, including BAJ.

**On October 29** several journalists were **detained** in Minsk during the **Mourning Marathon**: people lay flowers and lit candles in Kalvaryja Cemetary, after which policemen arrived and asked the people to proceed to the police department. Journalists were detained together with participants of the action, in all more than 20 people. Among the detainees there were journalists **Natallia Valakida, Siarhei Krauchuk, Natallia Benitsevich, Dzianis Nosau and Aliaksandr Korsakau**. They were taken to the Frunzenski district police department, then searched, questioned and set free in an hour and a half. The policemen explained that they had received a call from the supervisors of the cemetery. The head of the Kalvaryja Cemetary **Siarhei Krasnou** confirmed that he had called the police. “These people organized the action of commemorating the victims of the political repressions without coordinating it with the administration of the cemetery. I am not against, but all mass events are to be held with a written information note,” he said.

**On October 29** two journalists were briefly **detained** when holding an opinion poll near the Pershamaiskaya metro station. **Aliaksandr Barazenska and Maryja Artsybashava** were taken to the Lenin district police department, then to the prosecutor’s office of the Lenin district, then back to the police district. The journalists were questioned and warned that they would have to appear to the prosecutor’s office for a talk after they receive the summons.

As reported **on October 30**, the journalist of the **Australian channel SBS Amos Roberts** received back his professional equipment and a **teddy bear** that had been seized from him by the Minsk airport customs office in September 2012. The stuff was taken by a BAJ representative under a power of attorney and sent to Australia by post.

*We remind that Amos Roberts, Australian SBS TV journalist was searched at the customs of Minsk-2 airport on September 21. He had worked for a week and was going to leave the country, but unexpectedly the customs officers decided to confiscate his equipment. The customs officers took away all notes and equipment. The journalist did not sign any procedural document offered to him at first by customs officials (they were in Russian). Among the confiscated things are HD video camera Panasonic HPX-170, HD video camera Go-Pro Hero, a photo camera Canon G12, a laptop Macbook, an Apple DVD-drive, digital information carriers, an iPhone, several documents from the archive of SBS and a teddy bear with a parachute. He left Belarus the next day. A week later he filed a complaint to the General Prosecutor’s Office, asking to hold an investigation into unlawful confiscation of the equipment and to bring those guilty to account. Copies of the complaint were sent to the Ministers of Foreign Affairs, of Home Affairs, and to the Chairperson of the State Customs’ Committee.*

*In February 2013 the journalist received a notification from the Australian Embassy to Moscow saying that “the Belarus authorities have completed their Customs formalities at the Minsk International Airport with respect to Mr Roberts’s electronic equipment” and he could pick it up by himself or with a legal representative.*

**On November 1 Yan Lialevich**, a photographer of the Hrodna city website *Tvoj Styl*, was **denied entry** to the celebration of 95 years of **Komsomol**. The event was held in the youth center Hrodna. The photographer was stopped at the entry by security guards. The photographer introduced himself and explained his tasks. Then **Yury Aliaxey**, the director general of Hrodnablkinavideaprakat (owner of the

youth center) (and he is also the member of the Council of the Republic, the upper chamber of Parliament), claimed that the event was a closed one.

**On November 1** the Babruysk district court (Judge Natallia Charapukha) completed the administrative trial of the blogger **Aleh Zhalnou** and punished him with a **fine** of 20 basic units. He was found guilty of violating Article 23.4 of the Administrative Code (disobedience to lawful order or request of an official in the performance of official duties). The blogger is going to appeal against the court's decision.