

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting December 24, 2012 – January 13, 2013

Within the reporting period journalists again faced with detentions, warnings, failures to get into state distribution networks, etc. BAJ kept on correspondence with state agencies about Belarus press Photo albums confiscated by customs office, and about the equipment of the Australian journalist Amos Roberts, which was also confiscated by customs office in early autumn. One of the burning issues was transforming several state mass media into one media holding.

On December 24 in the morning civil activists and **journalists were detained** in Smaliavichy district (Minsk region). BAJ member and civil activist of the “Tell the truth!” campaign **Siarhei Vazniak**, journalist and civil activist **Mikalay Petrushenka**, TV reporter **Lola Buryieva**, cameraperson **Viachaslau Piashko** and the car driver were going to cover a meeting of the local deputy **Yahor Lebiadok** with local residents. The journalists’ IDs were checked right at the entrance to the culture house where the meeting was scheduled for 11 am. They were taken to the local police department, under the pretext of verifying their identities. The sub-colonel Andrei Martysiuk had a prophylactic talk and took explanations from three of five detainees; protocols were drawn up and they were set free.

At around 2pm Lola Buryieva was set free; information carriers were confiscated from her for additional check-up. She insisted on giving her the protocol of confiscation and wrote there her remarks. At first the policemen did not want to give the protocol to her and threatened “to jail” her. At the moment when the detainees were in the police department, the duty officer denied that any detained journalists were there in a phone talk with Andrei Bastunets, deputy chairperson of BAJ.

On December 27 BAJ prepared **official petitions** to the deputy in Smaliavichy **Yahor Lebiadok** and to the Minister of Home Affairs. BAJ asked the deputy to file a deputy’s request to the head of the police department demanding to check up the fact of creating **obstacles to professional journalistic activities**. The Minister of Home Affairs **Ihar Shunevich** was asked to appoint a check-up on this fact and punish those guilty, and also explain the law on mass media to employees of law enforcement agencies.

On December 26 Anton Surapin, a freelance journalist, informed BAJ that he did not know how his criminal case was going on. Four months before (on August 17) he was set free from the KGB detention center under recognizance not to leave his place of residence. He was not summoned for examinations any more. Surapin thinks that some clarity will appear after a trial over the border guard who had missed the teddy bear landing. Now Anton Surapin studies in the fourth year of the Journalism Institute of the Belarusian State University.

We remind that on September 13 BAJ referred a petition with signatures of the organization activists demanding to dismiss charges against the journalist. The KGB has not yet responded to

this petition, this way violating all legal norms of Belarus. On July 4 a single-engine aircraft with Swedish pilots from Studio Total PR company entered the airspace of Belarus. It spent nearly an hour and a half over Belarus and dropped around 800 teddy bears with pro-democracy placards over the town of Ivianets and on the outskirts of Minsk. From the beginning Belarusian border guards and military firmly denied any possible invasion. Anton Surapin first published photos of the teddy bears on the website Belarusian News Photos. On July 13 he was detained by the KGB; on July 23 official charges were announced – assistance to illegal border crossing (part 3 of art. 371 of the Criminal Code).

On December 29 it became known that arrest of Anton Surapin topped the list of ten most absurd arrests of the year prepared by Amnesty International.

On December 28 Dzianis Dashkevich, a pro-democratic activist from the town of **Rahachou**, received an official **warning** about inadmissibility of violation of the legislation of the Republic of Belarus. The two-hour “conversation” was carried out by prosecutor Sviatlana Chuyeshava. Dzianis Dashkevich was warned that in case the independent website **vrogacheve.ru** published inaccurate information about the political and economic situation in the country, or discredited the authorities, he could face criminal charges under Article 369-1 ("discrediting the Republic of Belarus"), Art. 188, Par. 2 ("libel") and Art. 189, Par. 2 ("insult") of the Criminal Code.

On January 3 the editorial office of the magazine **Arche.The Beginning** submitted documents for registration to the Ministry of Information. It was the second attempt to renew the **license** of the magazine.

We remind that on December 12 the Ministry of Information refused to re-register the periodical. The reason was that the proposed editor-in-chief (now performing the functions of the editor-in-chief) Ales Pashkevich did not have necessary qualifications: a five-year work experience in administrative positions of the appropriate profile (requirement of the Appendix to the Regulation of the Ministry of Labor of Belarus dated 31.08.2000, No120).

On January 4 the international organization **Index on Censorship** published a policy paper **“Belarus: Pulling the plug”** on digital challenges to **freedom of expression** in Belarus. The document evaluates most up-to-date data, legal and technical background, and gives recommendations to Belarusian authorities on how to ensure freedom of expression online.

“This report explores the main challenges to digital free speech in Belarus, concentrating in particular on the ways the state authorities restrict freedom of expression online.

Firstly, it is done by applying a repressive legal framework, including draconian laws such as criminal libel, legal prosecution and the misapplication of the administrative code. Secondly, free speech is restricted by the use of new techniques, such as online surveillance, website blocking and filtering, and cyber-attacks against independent websites and content manipulation.” The organization comes to a conclusion that the Belarusian regime can control almost all actions of Belarusian citizens online.

On January 5 the court of Leninski district in **Hrodna** **fined** local human rights defenders **Victor Sazonau, Raman Yurguel, and Uladzimir Hilmanovich** to **15 base amounts** each. The case concerned the picket held in Hrodna on December 10, 2012: the activists staged a **solidarity**

action on the international day of human rights by **taking a photo** in the street with **Ales Bialiatski's** portrait and the Universal Declaration on Human Rights, which was later **published on the website** of the HRC Viasna. On December 18 the local police made up a protocol on an unsanctioned picket based upon the media fact only. On December 19 the activists were familiarized with the protocols. The court hearing of the administrative case over all three participants (judge Vital Liatsko) lasted two hours and a half, according to *Viasna* report. They were found guilty of violating article 23.34 (unsanctioned mass event) and fined to 15 base amounts each (which is about 140 euro). The activists said there were no witnesses, the prosecution based on the protocols and make-beliefs of policemen. They called it a political process and intended to appeal the sentence.

On January 10 it became known that the **Australian journalist Amos Roberts** received a reply from Belarusian authorities, dated by the middle of October. The replies from the Belarusian State Customs Committee and Minsk prosecutor's office concern the journalist's **equipment, seized in Minsk-2 airport** in September 2012. The replies show that there have been no significant changes in the state of affairs.

The State Customs Committee informs that the *"information carriers and equipment, found during the search, were temporarily seized... and sent for customs expertise (examination) with the aim to find if they contain any information banned for exportation."* The Committee is going to give back the equipment to the journalist or to "another authorized person" upon finishing the check-up, in case such information is not found. The Committee does not inform how long it will take to hold such an examination, who will do it and on what pieces of the equipment.

The reply from the prosecutor's office shows that there has not been any prosecutor's check-up. The senior assistant of the prosecutor in Minsk region Mikhail Rasolka informed that the complaint would be considered by the customs agencies.

On December 10 BAJ filed an **official inquiry** to the chairperson of the State Customs Committee, asking to provide the legal document which regulates the list of information banned for taking abroad.

On January 10 the Prime Minister Mikhail Miasnikovich and the head of the President's Administration Andrei Kabiakou signed the directive "On some issues on reorganizing several editorial offices of mass media".

According to the document, editorial offices of the **state-run periodicals** *Respublika* and *Belaruskaya niva* are to be reorganized by joining them with the establishment of the Presidential Administration "Editorial office of **Sovetskaya Belorussia**".

The Ministry of Information has been ordered to put forward the draft of an appropriate ruling to the Government within 15 days.

The Ministry of Education has been ordered to make a decision till January 20 on reorganizing the "Editorial office *Znamia Yunosti*" by joining it with *Sovetskaya Belorussia*.

Besides, the Ministry of Information has been ordered to initiate a discussion on transferring functions of the open joint stock company "*Narodnaya Gazeta*" to the editorial office of *Sovetskaya Belorussia* and liquidation of the company (the discussion is to take place at an

extraordinary meeting of the shareholders). A controlling task over fulfilling the directive is imposed on the president's Administration.

On January 11 BAJ received an answer to the request about the fate of 41 **Belarus Press Photo** albums that had been **confiscated** on November 12 last year on the border with Lithuania. The reply says that Ashmiany customs office suspected "**extremism**" in the albums and passed them on to the department of ideological work of Hrodna Region Executive Committee for examination. Ideologists did not find any extremism, but found only "noncompliance with state standards" and concluded that the albums were unlawful print products. Meanwhile, "if there are no calls for extremism in the informational products... **they are to be returned to the agency which had seized them,**" wrote the deputy head of the customs office Uladzimir Danilevich.

However, he adds that the albums have not been returned to them yet, so they sent a reminding letter to the ideologists. "As soon as the albums get back to the customs office in Ashmiany, the owners will be informed about it in a written form."

On January 10 it became known that the independent website **vrogacheve.ru** changed the image of the **coat of arms** of town Rahachou for another symbol, so as **to avoid persecution** from the local authorities.

We remind that in mid-December the activist and now editor of the website Dzianis Dashkevich received a letter from the local administration which said that the website could not use the symbol of the coat of arms of the town without official permit of the district executive committee. The letter, signed by Vasil Karalchuk, warned that the editor of the website would be held liable unless the image was removed.

On January 11 it became known that the state monopolist **Belposhta** dismissed a **collective petition** of more than 300 **Slonim** district residents to get the newspaper *Hazeta Slonimskaya* back into the postal subscription catalogues. The official reply of the director's general deputy Alena Skrypchyk says that "since Belposhta is not obliged by law to include a print mass medium into its catalogue, it is up to the company to choose the press that should be included into the catalogue for further distribution, and it is made according to the legislation." "Based on the aforementioned, distribution of the print newspaper *Hazeta Slonimskaya* is to be carried out by the editorial office itself," concludes the official.

*We remind that the newspaper *Hazeta Slonimskaya* alongside with several other non-state socio-political periodicals has been excluded from the catalogues of Belposhta and from kiosks of Belsayuzdruk since 2006. These two enterprises are state monopolists in press distribution.*

On January 11 Maskouski district court in Brest held the preliminary hearing of the case of **the journalist and BAJ member Milana Kharytonava**. She filed a lawsuit against a journalist of *Brestkij Vestnik* **Uladzimir Minevich**. We remind that Milana Kharytonava was offended by an **anonymous comment** on a website in her regard and filed a complaint to law enforcement agencies, who easily found the offender. Now she demands **excuses and compensation of moral damages** and court expenses. On December 20 Uladzimir Minevich did not appear in court because of some urgent business. This time he offered amicable agreement: he would refute the comments made on the website, and she would withdraw the claim for material

compensation. Milana rejected: "I expected for these excuses to be made before the hearing, but now I've spent so much money and effort, so I am not going to give up without moral compensation." The next hearing is scheduled for February 5. Milana Kharytonava made a motion that other journalists were able to attend the court hearing, but the judge Tatsiana Isayeva, saying that the room was small, allowed only Milaha's husband Ales Liauchuk to be present there. Journalists noticed that another room of a bigger size was empty at the time.