

# MASS MEDIA

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# IN BELARUS

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*The alleged infringement of freedom of mass media in our country is a cliché from the rhetoric of the past. It doesn't have any sense in the era of the Internet. And you will never blame us for the lack of development and access to the Web.*

**Aliaksandr Lukashenka,**  
*President of Belarus*

”

*No changes have occurred in the regulatory system based on the licensing and registration of media outlets by State-appointed bodies and the Government itself... Many journalists continue to work without accreditation, as the system is designed to forbid and criminalize any journalistic activity by denying accreditation.*

**Miklos Haraszti,**  
*Special Rapporteur on the situation  
of human rights in Belarus*



# Situation in Mass Media Field in May–July 2017 (review)

As soon as **mass protest actions of 'The Hot Spring - 2017'** came to an end, the number of detained journalists reduced.

In particular, there were registered 5 cases of detention of the kind within the period under review. One of them ended with an administrative arrest for 10 days, and fines were imposed on media workers in two other cases. **(95 cases of detention of journalists had been registered during the peak period of civil protest actions in March 2017.)**

Despite the end of the wave of mass protest actions by May 2017, the prosecution of journalists for cooperation with foreign media without accreditations continued. (The repressions resumed after one-year break in March 2017.) Courts imposed 14 fines on journalists for the mere fact of appearance of their materials in foreign mass media on the grounds of the alleged violation of article 22.9 part 2 of Belarus Code on Administrative Offenses ('violation of regulations on production and distribution of mass media products') in May – June 2017. The prosecuted media workers were mainly freelance journalists, cooperating with the 'Belsat' TV channel (Poland).



There was continued legal investigation within a criminal case in relation to three Belarusian authors, cooperating with a range of Russian news resources – Yury Paulaviets, Dzmitry Alimkin, and Siarhei Shyptenka. They are preliminary accused of inciting ethnic hatred (article 130 of Criminal Code of Belarus).

The list of positive events in the reporting period includes the return of nine non-state social-political periodical editions to the state monopolist press distribution system by subscription and through a network of news-stalls. All of them had been ousted from the 'Sayuzdruk' kiosks and the 'Belposhta' subscription catalogues 11 years before. **(See more information in the previous analytical E-newsletter)**



# Main events in mass media field in May–July 2017

## Cases of detention of journalists

Three journalists were detained during the coverage of protest actions in Brest and Homiel on May 1, 2017. One of them, Dzmitry Harbunou from Brest was sentenced to 10 days of arrest on administrative charges for the alleged ‘disobedience to police officers’.



A freelance journalist from Homiel Kastus Zhukouski was detained twice within the period. For the first time, he was detained in the town of Buda-Kashaliova on May 10, 2017. For the second time, he was detained in Homiel. In the first case, his car was blocked by the police for two hours. In the second case, he was detained next to his car by the road police officers. Consequently, the journalist was fined for cooperation with foreign mass media without accreditation as well as for disobedience to the police. Moreover, the media worker was deprived of his driver’s license for 1 year.

All in all, **the Belarusian Association of Journalists registered 100 cases of detention of media workers** by different law-enforcement authorities within the period of January–July 2017.

## Fines for cooperation with foreign media

There was continued prosecution of Belarusian freelance journalists for their cooperation with foreign media without accreditation



within the period under consideration. The journalists were fined on the base of police reports with the application of the vaguely interpreted legal norm from article 22.9 part 2 of the Belarusian Code on Administrative Offenses for **the alleged ‘violation of regulations on production and distribution of mass media products’**.

Journalists and bloggers were fined 14 times in May–July 2017 and 27 times in January–July 2017.



Since the beginning of 2017, freelance journalists from Homiel Larysa Shchyrakova and Kastus Zhukouski were fined 4 and 5 times respectively for the total sum of EUR 3700. **The sum is comparable with the approximate annual salary in Belarus.**

A civil activist Yuliya Malyshava was brought to administrative responsibility for streaming a video-report in defense of animals in the ‘Odnoklassniki’ social media.

A journalist from Mahilou Uladzimir Laptsevich was fined for a publication in the ‘Niva’ newspaper (Poland), despite the obvious fact that he had neither produced, nor distributed production of this media outlet (either the newspaper’s print-run or a part of the print-run, according to the Belarus Law ‘On Mass Media’) **that is required for bringing a person to legal responsibility on the base of article 22.9 of Belarus Code on Administrative Offenses.**

## **Criminal prosecution for the alleged ‘incitement of ethnic hatred’**

The Belarusian authors of several Russian news resources – Yury Paulaviets, Dzmitry Alimkin, and Siarhei Shyptenka – have been kept in custody since December 2016. All of them have been preliminary accused of committing ‘intentional acts ... by a group of individuals aimed at incitement of national and other social hostility’ (article 130, part 3 of Criminal Code of Belarus) that provides for a penalty of imprisonment for a term of 5 to 12 years. The criminal cases were filed on the base of appeals, sent by the Ministry of Information of Belarus to the Legal Investigative Committee of Belarus. The Ministerial officials found signs of extremism in the authors’ **publications.**



'Reporters without borders' (RSF) noted that "the posts of these three bloggers are controversial but that does not justify their imprisonment... According to international standards, their provisional detention is neither necessary nor proportionate."

## Rating lists, indexes, statistics

### Freedom House: Positive trends noticed in the field of press freedom in Belarus



According to Freedom House, Belarus has left the list of countries with the worst situation with freedom of speech. Although the country is still treated as a non-free state, it has collected 9 negative points less in comparison with the previous year (83 points vs. 91 points last year out of 100 possible, where '0' shows the best situation and '100' shows the worst situation).

Freedom House noted that journalists were able to cover the Parliamentary election – 2016 with considerably less obstacles that before. However, they also pointed to the fact that the governmental authorities continued to apply the existing legal base for their pressure on the critical journalism, prosecuting journalists on the alleged charges of defamation, incitement of hatred, extremism, and illegal production of media content.





## Rating List of Openness of Belarusian Authorities

The **Belarusian Association of Journalists** inquired colleagues about the degree of difficulty in getting information from the main governmental agencies and organizations.

50 authors of leading state and non-state periodical editions took part in the survey, including 'Sovietskaya Byelorussia', 'Zvezda', 'Nasha Niva', 'Komsomolskaya Pravda in Belarus', TUT.BY, BelaPAN etc. On the one hand, the best feedback remarks were given to the Ministry of Extreme Situations, the court system of Belarus, the Ministry of Sports and Tourism, as well as the Ministry of Forestry. On the other hand, the journalists treated the Operative and Analytical Centre at the Presidential Office, the Ministry of Information, and the KGB as the least open governmental agencies for media workers.



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