

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

March 2 – 15, 2014

Most discussed issues of the period were written warnings to several independent mass media for minor faults and an internal document of the Ministry of Home Affairs which prevented people from taking pictures of administrative buildings.

On March 2, the Ministry of Information issued warnings under art. 22 of the Law on Mass Media to socio-political weekly *Borisovskiye Novosti* and newspaper *Reklamnyj Borjomi* for cutting the name the *Republic of Belarus* to abbreviation RB in the publication data. Both the outlets belong to the private unitary enterprise *Bukas Media Center*. The warnings were signed by the Information Minister Liliya Ananich. A little earlier, similar warnings were issued to regional newspapers *Intexpress* (Baranavichy) and *Hazeta Slonimskaya*.

On March 2 in Hlybokaye (Vitebsk region), an independent journalist and BAJ member **Zmitser Lupach** was not allowed to enter the local executive committee because he had a professional photo camera with him. The security officer said entrance professional cameras was forbidden, referring to a directive if the chairperson of the executive committee. The journalist filed an official complaint to the committee.

As became known **on March 3**, the Investigative Committee had initiated a **criminal case under art. 367, part 1** of the Criminal Code (**libel against the head of state**) against **Mikhail Lukashevich**, a 63-year old resident of **Brest**. The case started on December 29, 2014 “for a political blog” which the man had run for 10 years on a fence and his own garage in Yesenin street in Brest. The Investigative Committee had found crime constituents in the notices written on the walls. The man refuses to cooperate with the investigation, for which he had once been detained. His house was searched, brushes and paint were seized. Lukashevich refuses to talk to journalists, but addressed for help to human rights defenders.

On March 4, an independent journalist **Viktar Parfionenka** from Hrodna filed a personal **complaint to the Minsk City Court**. The journalist plans to go through all instances to prove that the **Ministry of Foreign Affairs** refuses to accredit him without any grounds. We remind that Viktar Parfionenka had applied for accreditation as a journalist of the *Belarusian Radio Racyja* seven times.

On March 4, human right defender and BAJ member **Nasta Loyka** received a **reply to her complaint** she had filed upon the incident that occurred on **January 23**: journalists did not manage to get to the administrative hearings over activists who planned to stage commemorative event dedicated to **anniversary of Majdan** in Ukraine. The action took place on January 22, all participants were detained. The next day, the detainees were not taken to court; the administrative hearing took place at the police department of the Central district of Minsk. Journalists **were not allowed to enter the building** (namely, BAJ members Tatsiana Vlasenka, Natsassia Reznikava, Aliaksei Shein, Aleh Hruzdilovich). In the reply, the Minsk City Court claims that all information about the hearings was provided on the information stand at the police department, and the hearings were held in an open regime. So to say, the judge held the hearing correctly, and the issue of pass control lies within the competence of security guards of the police department. The journalists and human rights activists are going to complain against the situation further.

On March 4, in the courtroom of the Zavadski district court in Minsk, photo journalist Uladz Hrydzin was detained while covering a criminal trial. He says he started to adjust his equipment before the beginning of the process, which attracted the attention of court security officers. They detained the

journalist and took him to the police department of the Zavadski district where his ID was checked and photos in the camera viewed. He was set free around one and a half hour later. However, a little later, the head of the police department phoned him and invited the journalist for a talk. The journalist declined the invitation.

On March 4 BAJ filed a **request** to the Minister of Home Affairs' Deputy **Mikalay Melchanka**. "The media tell about a directive issued by you this February **banning to take photo or video of administrative buildings**. Referring to this directive, police officers have several times detained journalists in places open for the public. This way journalists' rights were violated (though) guaranteed by the Law on Mass Media. BAJ asks to inform whether it is true that /.../ representatives of the Ministry of Home Affairs have issued any directive in this regard, and if yes, please, send us a copy."

Also **on March 4**, BAJ phoned to Viktor Novikau, the deputy head of the press service of the **Ministry**, but he denied knowing anything about the directive. **A day before** Aliaksandr Barsukou, the head of the **Minsk City Executive Committee**, answering the question on a hotline, assured that "nobody banned taking photos". Meanwhile, **on March 6** the Ministry of Home Affairs gave an official comment to BelTA claiming that publicizing of documents of internal use was not mandatory. "The requirement is aimed at ensuring safety in the country and increasing vigilance of employees of home affairs in the part of preventing potential threats of different character: from provocations to terrorist acts," said the impersonal press release.

On March 5 a correspondent of the informational agency **BelaPAN** Uladzimir Laptsevich received a reply to his request he had addressed to the Mahilow Region Council of Deputies. It's been almost a year that the journalist **fails to get admission** to follow meetings of the Council. The journalist wanted to know which document regulated the process of accreditation. It turned out that the Council used the rules of work of the regional Council. The rules envisage that the number of people and who will follow the meetings is up to the chairperson of the Council. The fact that the correspondent does not get accreditation violates his rights under the Law on Mass Media and the transparency principle ensured by the Law on Local Governance and Self-Governance.

On March 6, Tamara Schapiotkina, from **Biaroza** town, Brest region, was fined for 40 basic amounts (7 million 200 thousand rubles) for work without accreditation for the *Belarusian Radio Racyja*. The grounds for prosecution was an interview with a traffic officer made **on January 8** and later published on the *Radio Racyja*. Allegedly, it was Tamara who had taken the interview. The case had been sent to court, but on February 27, the Lenin district court of Brest sent the administrative protocol for completion. On March 5, the journalist received a court summons in an SMS. On March 6, she came to court before 9am, with a lawyer. However, the lawyer was informed that the hearing had already been over and the journalist did not appear at court as the summons requested. When the journalist entered the judge's room, the latter asked her rudely to go out. The judge said the journalist would learn the court decision in a letter that would be sent to her by post. The journalist filed a complaint to the chairperson of the court, and another one to the prosecutor's office. *We remind that Tamara Shchapiotkina had been already fined on December 17, 2014 under similar charges.*

On March 7, tourists were detained in Iwye, Hrodna region; the police checked their IDs and deleted their photos of the prosecutor's office, firefighters' station, marriage registration hall and of the public library.

On March 11, the second hearing took place in the lawsuit filed by a nurse against *Borisovskiye Novosti*. The nurse claims that article "Who is guilty of a patient's death in the 2nd polyclinics?" (dated December 24, 2014) spread lies about her and damaged her business reputation. She wants the

newspaper to publish refutation and pay 50 million for moral damage. The hearing lasted four hours, the judge heard both the sides; continuation is on March 30.

On March 11 the term to bring activists to administrative liability for an unsanctioned picket had expired. The case deals with an action of solidarity with Charlie Hebdo victims. Four people, including the leader of the United Civil Party Anatol Liabedzka, took part in the solidarity actions near the French Embassy in Minsk. The police drew up administrative reports for an unsanctioned action. Later, the issue was raised at a press conference with Aliaksandr Lukashenka. Then, the administrative report was sent back for completion, and that's it.

On March 12, Ihar Barysau, the editor of the website *Nash Mahilow*, told that the police were conducting a check-up in relation to an article dated January 8; the police presented a search warrant under art. 188 part 2 (defamation). The article alleges that a director general of a local enterprise in Mahilow had lost a big sum in a casino. From the police officers' words, the case had not been open yet, it was only a preliminary inquiry. Upon three hours' searches, information carriers and personal computers were seized, without seizure protocols. Also, the police did not allow to engage human rights activists as witnesses of the searches; instead, two other people participated whom the officers had invited. On the same day, the local office of *Viasna* in Mahilow was searched, by the same police officers who had searched the editor's flat. The police seized three computers and a modem from *Viasna* office.

On March 12, two people in plain clothes paid a visit to parents of **Veranika Charkasava**, a journalist murdered ten years ago. The visitors called on the door at 6.30 am. One of them introduced himself as an employee of the police, the other did not talk. They wanted to have a talk with Veranika's son. Veranika's stepfather Uladzimir Mialeshka answered that everything had its limits and their patience too, and declined further talks. *We remind, Veranika Charkasava, journalist of the newspaper Salidarnasc', was stabbed on October 20, 2004 in Minsk. The murderer has not been found yet.*

On March 12, the independent journalist **Larysa Shchyrakova** was **finned** by the Central district court of Homel for 20 basic amounts (3 mln 600 rubles) for work for foreign mass media without accreditation (**art. 22.9** of the Administrative Code). The grounds for the case was a TV report on *Belsat* about a strike of local private entrepreneurs. The administrative report was drawn up on March 8 by the head of the public order unit of the Central district police department, subcolonel Yury Panin. The journalist will appeal against the court decision.

On March 14 the National legal Internet-portal published Ruling No 6 of the Ministry of Communications and Informatization (dated February 18). The document establishes the procedure of **forming and storing data about information resources** viewed by Internet users. Since January 1, 2016, Internet providers are obliged to store actual information about which resources users view. Providers are obliged to store information about users for a year: number and date of signing a user's contract, name, address, MAC address etc.

On March 14 the independent journalist from Biaroza **Yury Dziashuk** reported that people he has talked to have troubles with the officials. For instance, a librarian from Biaroza city library was invited for a talk to the KGB after the journalist talked to her. Meantime, the librarian denies this information. Also, the journalist says employees of the Lida museum are banned to talk to him. *On February 19, 2014 Yury Dziashuk received a prosecutorial warning against cooperation with foreign mass media without accreditation.*