



THE BELARUSIAN
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OF JOURNALISTS

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MASS MEDIA IN BELARUS

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The economic, legal, political, and technological resources of non-state and state media differ significantly. Talking about social and political media, one non-state media outlet falls on nine state media outlets in Belarus. Despite the incomparable activity scale of state and non-state media as well as their unequal working conditions, the level of confidence in these completely different media is quite comparable. It appears that the state media in our country exert a larger influence on the society due to their quantity and unequal favorable conditions. It is not an indicator of their quality though.

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MAIN EVENTS IN MASS MEDIA FIELD IN JANUARY-MARCH 2014

The major trends of the second half-year of 2013 remained in the Belarusian media field in the first quarter of 2014. Among other, they included:

- **the obstruction of professional journalistic activity by means of detaining journalists, issuing official warnings etc.;**
- **the use of anti-extremism legislation to restrict the freedom of expression;**
- **the restriction of Internet freedom.**

On the eve of Local Elections on March 23, 2014, there became more frequent the attempts to misinform the population and mass media by means of disseminating fake messages on behalf of media personalities or by means of establishing fake accounts in the social media.

A court verdict in support of 'Belsat TV' satellite TV channel can be named among the positive events in the Belarusian media field at the beginning of 2014. (The observers were afraid of links between the claims and the attempts of Belarusian official authorities to stop broadcasting of Belsat TV programs in the country.)

A COURT VERDICT IN FAVOUR OF 'BELSAT TV'

On January 27, 2014, the Judicial Board for Intellectual Property at the Supreme Court of Belarus dismissed a claim, filed by the 'BELSAT plus' Belarusian private company against the Polish Television



['SA TVP'] Stock Company that founded the 'Belsat TV'. The 'BELSAT plus' owner Andrei Beliakou tried to convince the judge that 'Belsat TV' used illegally his trademark and demanded to terminate broadcasting of 'Belsat TV' through the 'Astra' satellite.

The 'Belsat TV' has broadcast programs from the territory of Poland since the year of 2007. The majority of its programs consist of reports and other materials, produced by Belarusian journalists for Belarusian residents. The 'Belsat' journalists are constantly persecuted by the Belarusian official authorities. The latter refer to the Media Law that bans foreign media journalists' activity without valid press credentials in the country. The law concerns the Belarusian citizens, too. Several attempts of 'Belsat TV' representatives to get an official permit for opening a correspondent's office in Belarus were all in vain.

THE OBSTRUCTION OF PROFESSIONAL JOURNALISTIC ACTIVITY

14 journalists were arbitrarily detained in January–March 2014, according to the BAJ media monitoring reports. The accidents took place in Miory (Vitsiebsk region), Babruysk (Mahilou region), and different city districts of Minsk. At least 7 journalists were detained at the Russian Embassy in Minsk on March 2, 2014. The reporters were going to cover a protest action against the Russian activities in the Crimea.

In all cases, the journalists were released without bringing to administrative responsibility. However, the police started administrative proceedings against two journalists – Maryna Malchanava from Babruysk and Aliaksandr Dzianisau from Hrodna. In particular, M. Malchanava was accused of taking part in an unauthorized picket and A. Dzianisau was accused of illegal production and distribution of mass media materials (part 2, article 22.9 of Belarusian Code on Administrative Offences). In both cases, the journalists were persecuted for producing reports for 'Belsat TV' with-



out valid press accreditations, issued by the Ministry of Foreign Affairs of Belarus.

The norms of Belarusian media legislation that ban any kind of foreign correspondents' journalistic activity in Belarus without valid press credentials from the Ministry of Foreign Affairs of Belarus contradict to the Constitution of Belarus and the international obligations, signed by the country. (In particular, it concerns Article 19 of International Covenant on Civil and Political Rights.) Nevertheless, the legal norms have been repeatedly applied for persecution of Belarusian journalists, contributing to foreign media outlets.

The Public Prosecutors' Offices for Lida district (Hrodna region), Homiel region, and Brest region issued official warnings to four freelance journalists, cooperating with different media outlets, on the same grounds, within the reporting period.

THE RESTRICTION OF INTERNET FREEDOM

On February 7, 2014, the Department of Internal Affairs at Mahilou Regional Executive Committee reported on filing a criminal case by Babruysk Public Prosecutor's office in relation to a blogger Aleh Zhalnou for his posts that, allegedly, 'offended public officers' (article 369 of Criminal Code of Belarus). Among other, it was noted that a series of offending materials in relation to a police officer had been published on the personal Web-site under the title of 'Aleh Zhalnou's blog' in 2012-2013. If convicted on these charges, the blogger can be imprisoned for the term of up to three years.



A. Zhalnou states that he published audio- and video-materials with the actions of police officers that he considered to be illegal. According to the blogger's calculations, 14 cases were filed in relation to him within the recent year, including one civil case, nine administrative proceedings, and four criminal cases. Moreover, the blogger has noted that he was summoned more than 40 times to the police and complained about the

arbitrary seizure of 13 items of video equipment and other professional devices from him.

On March 17, 2014, Babruysk District Court fined A.Zhalnou 45 base amounts (over EUR 4,300) for publishing a video recording of reception of citizens by Aliaksandr Vasilyeu, the Head of Department of Internal Affairs at Babruysk City Executive Committee. The court regarded the blogger's actions as 'disobeying a public officer's lawful order or request' (article 23.4 of Belarusian Code on Administrative Offences). In particular, it was said that the blogger had ignored the officer's-on-duty demand to give all audio- and video-recording equipment, including mobile phones, to him for the time of reception. The police and the judge accused A. Zhalnou of posting the records on the Web.

On February 18, 2014, the Central City District Court of Minsk dismissed a claim, submitted by Valiantsin Stefanovich, Deputy Chairperson of 'Viasna' Human Rights Center. The human rights activists complained against the General Prosecutor's decision to restrict public access to the www.spring96.org Web-site. The judge noted that V. Stefanovich couldn't be regarded as a plaintiff, since he wasn't the owner of the Web-resource. Consequently, it was stated that the human rights defender's personal rights hadn't been violated by the fact of including the Web-site to the 'black list' of Web-resources.



One of the largest Belarusian oppositional Web-media "[Charter-97](http://charter97.org)" reported on the Web-site hacking **on March 13, 2014.** The unidentified attackers tried to crack the site server for a few hours and started a DDoS-attack later on. The Web-site editorial connected the attack with 'the active coverage of events in Ukraine and the Russian aggression against the southern neighbor [of Belarus]' by charter97.org. It is worth mentioning that the Web-site faced severe

repressions after the Presidential election 2010. Its editorial has been working from Warsaw since 2012.

The ‘Nasha Niva’ newspaper’s Web-site couldn’t be accessed within several hours **on March 25, 2014**. The traditional annual rally of democratic forces, dedicated to the Liberty Day, was held on this day. “It looked like a purposeful blocking of access to the Web-site by ‘Beltelecom’ [state-owned monopolist enterprise – author’s remark]”, [the ‘Nasha Niva’ journalists noted](#). The Web-site couldn’t be accessed even through TOR then. Apparently, the official authorities are practising new ‘working methods’ on the eve of the coming Presidential election in 2015.

FAKES ON THE WEB

The practice of sending fake messages on behalf of famous people and organization as well as creating fake accounts became widespread in Belarus within the period under review.



Thus, a fake message was received by the BelaPAN News Agency **on March 5, 2014**. The unidentified offender sent the statement on behalf of the ‘Fair World’ oppositional leftist party, condemning ‘the unconstitutional coup d’etat in Ukraine’. [The ‘Fair World’ party leader notified](#) the BelaPAN Editor-in-chief that the party leadership hadn’t adopted any statements of the kind. The sender’s e-mail address differed from the party address by one character. Kaliakin assumed that intelligent services could have been involved in the provocation.

Two ‘Tell the Truth’ opposition candidates at the local election to Babruysk City Council received e-mails with threats on behalf of Maryna Malchanava, a ‘Babruyski Kuryer’ non-state newspaper journalist. [The journalist has stated](#) that the unknown person or organization has created a fake e-mail account to conduct the provocation. She suspected participation of special services in the incident.

Two articles with offending and discrediting materials about opposition candidates from Mahilou region appeared on 'Svabodny farmat' independent Web-site **on March 14, 2014**. They were written on behalf of the Web-domain owner Ales Lianeuski. Also, all records on www.formats.by disappeared since September 9, 2013.

The 'Svabodny farmat' editorial has stated that the offensive materials were published by the unknown malefactors, who hacked the Web-site.

On these days, an independent journalist from Mahilou Aliaksandr Burakou reported on provocative actions of unknown malefactors, who sent out provocative e-mail messages from a fake e-mail account on his behalf. A.Burakou urged the police to identify the author of these letters and bring the criminal to justice. Also, he asked the providers to block the e-mail address.

"Nasha Niva" reported on creation of a false editorial Twitter account by the unknown malefactors **in March 2014**. The newspaper editorial complained against distributing information that didn't have any relation to the periodical edition with the use of the newspaper title, content, and formatting by the unidentified offenders.



THE USE OF ANTI-EXTREMISM LEGISLATION TO RESTRICT THE FREEDOM OF EXPRESSION

On February 11, 2014, the judge of Ashmiany District Court Tatsiana Yemelyanovich **took a decision to ban the import** of ‘The Baptized with Belarusian Affairs’ book, written by a human rights defender Ales Bialatski.

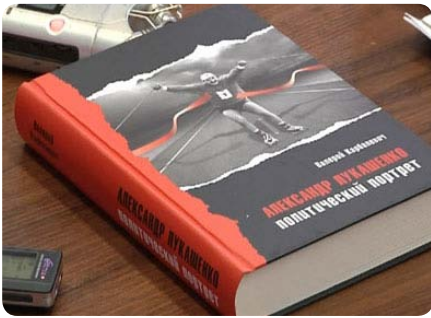
Thus, the court dismissed a complaint concerning the actions of Ashmiany customs officers, submitted by a human rights defender Tatsiana Reviaka. (The customs officers had seized 40 copies of the above-mentioned publication from the human rights activist at the Lithuania – Belarus border crossing.) The court invalidated the appointment and holding of designated customs examinations for the presence of appeals to extremism in the book. However, the judge took a decision to ban the import of the book to Belarus, “according to the personal convictions”. Moreover, she obliged Tatsiana Reviaka to take the already imported copies of the book abroad.



The book is a digest of literary articles and essays on Belarusian literature. Moreover, it features four texts, written by Ales Bialatski behind bars. 40 copies of the book were confiscated from Ms. Tatsiana Reviaka at the Belarusian-Lithuanian border checkpoint “Kamenny Loh” on her way back to Belarus on July 3, 2013.

The Belarusian customs officers found several copies of annual reports on the ‘Platform’ human rights organization activities at the Lithuania – Belarus border crossing **on February 13, 2014**. Despite the fact that the report had been published much earlier on the ‘Platform’ Web-site and hadn’t caused any claims, Ashmiany customs officers took a decision to direct the document to a special examination for the presence of libels and appeals to extremism.

Aliaksandr Malochka, an activist of the United Civil Party of Belarus learnt **on February 18, 2013** that a copy of 'Alexander Lukashenka. A Political Portrait' book that had been seized from him at the Lithuania-Belarus border crossing in September 2013, was directed to the KGB Department for Hrodna region, in order to investigate the possibility of including the publication into the list of goods, which cannot be imported/exported to/from the territory of the Custom Union.



The Chief of Ashmiany Customs Office Ivan Niverkievich informed A. Malochka that the previous experts' reply about the absence of signs of extremism in the book had been invalidated. Consequently, the activist couldn't take the publication back.

RATING LISTS, INDEXES, STATISTICS

According to the results of the national survey, conducted by the Independent Institute of Social, Economic, and Political Studies in December 2013, 41% of respondents confide in non-state media and 46.1% of respondents don't trust them. The state media have much worse results in this respect. 31.6% of respondents confide with the state media, whilst 55.3% of respondents do not trust them at all.



On February 6, 2014, the Index on Censorship delivered a presentation of its analytical report under the title of 'Belarus: Time for media reform'. It was timed to the 5th anniversary of bringing the new Belarusian media law into force. In the authors' opinion, Belarus has one of the most repressive media-landscapes in Europe, just as before. Besides stating and generalizing the facts, the report contains a range of recommendations for reforms, including the demonopolization of broadcasting media, foundation of public media, termination of arbitrary detentions of journalists, elimination of all forms of economic discrimination of non-state media outlets, cancellation of certain articles from the Criminal Code of Belarus that stipulate responsibility for defamation etc.

The 'Reporters without Borders' human rights organization published the traditional annual **World Press Freedom Index** at the beginning of February 2014. Belarus is holding the 157th position in the list of 180 countries this year. The last year's position was the same.

**REPORTERS
WITHOUT BORDERS**
FOR PRESS FREEDOM

Among other, the 'Reporters without Borders' have noted that 'the Belarusian independent journalists continue their unequal fight against the propaganda of the last dictatorship of Europe. The social and political reporters are regularly detained and even

arrested. The justice and the KGB refer to the “fight against extremism” every now and then, in order to make silent everyone, who rejects to follow the official ideological policy lines. The ‘Press Photo Belarus 2011’ photo album **was banned** for distribution in Belarus in 2013. One of leading independent publishing houses was deprived of its license on trumped-up reasons. The ‘Arche’ magazine and independent broadcasting media, such as ‘Belsat TV’, that work in exile have faced a broad number of problems, connected with the administrative hassle.’



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