



THE BELARUSIAN  
ASSOCIATION  
OF JOURNALISTS

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# MASS MEDIA IN BELARUS

E-NEWSLETTER

APRIL-JUNE 2014



*Accreditation should not be a license to work and the lack of it should not restrict journalists in their ability to work and express themselves freely... All journalists should have the same professional rights as journalists employed with registered media outlets, including the right to seek and disseminate information.*

*Dunja Mijatović,  
OSCE Representative on Freedom of the Media*



## CONTENTS:

<b>Situation in Mass Media Field in April-June 2014 (review) . . . . .</b>	<b>4</b>
<b>Main Events in Mass Media Field in April-June 2014 . . . . .</b>	<b>5</b>
<b>Rating lists, indexes, statistics . . . . .</b>	<b>10</b>

## SITUATION IN MASS MEDIA FIELD IN APRIL – JUNE 2014 (review)

The situation in Belarusian mass media field and freedom of expression field in general was 'frozen' since the end of 2012. However, new negative trends were noticed again at the end of the second quarter 2014.

The following events that exerted a negative impact on the freedom of expression in Belarus should be mentioned in the report:

- **initiation of criminal proceedings for 'insulting' the President of Belarus;**
- **the return of a criminal case against 'Belsat TV' channel for revision;**
- **precedents of using article 22.9 of Belarus Code on Administrative Offenses ("Violation of Mass Media Legislation") in relation to journalists for their cooperation with foreign media without press credentials.**

However, the number of detentions of journalists for conducting their professional activity reduced within the period under review. Only one detention of three journalists was registered by the Belarusian Association of Journalists within the period. All of them were released from custody after Minsk police commandment had intervened. 17 journalists were detained for their professional activity since the beginning of 2014 till the end of June 2014. (The number of detained media workers had totaled 50 people in 2013.)

The Ice Hockey World Championship was held in Minsk on May 9-25, 2014. It exerted insignificant influence on the situation with mass media freedom in Belarus.



The Minister of Information of Belarus was changed in June 2014. The former Minister Aleh Praliaskouski was dismissed by Presidential order on June 4, 2014. [Liliya Ananich](#) was appointed to hold the position of the Acting Minister and then the Minister of Information of Belarus. She used to hold the position of the First Deputy Minister of Information before that. Ms Ananich has been working in the mass media governmental administration system since 1992 and in the Ministry of Information of Belarus since the moment of its foundation. [Most of experts agree](#) that the Minister of Information change was not aimed at democratization of relations in the Belarusian mass media field and that it could hardly influence the situation in the area.



## MAIN EVENTS IN MASS MEDIA FIELD IN APRIL-JUNE 2014

### The Influence of Ice Hockey World Championship – 2014 on Situation with Mass Media in Belarus

Prior to the Ice Hockey World Championship beginning, the Belarusian governmental authorities announced that the journalists with valid IIHF press credentials wouldn't need to get a Belarusian visa or apply for the press accreditation to the Ministry of Foreign Affairs of Belarus. It was underscored that the journalists wouldn't be restricted in the choice of issues of their reports to the topic of the Ice Hockey championship at that. However, it appeared that by the time of the Ice Hockey Championship start, the journalists of 'Radio Liberty', BBC and some other foreign media, including the reporters with valid press accreditations from the Ministry of Foreign Affairs of Belarus [couldn't obtain the press credentials](#) from the International Ice Hockey Federation, despite applying for the document well in advance. The Belarusian



organizers claimed that they didn't have any relation to the IIHF decisions.

The majority of journalists with the IIHF accreditations didn't face obstacles in their professional activity. Still, there were recorded several conflicts in the mass media field in Minsk at that time. They were directly connected to the international Ice-Hockey championship. Thus, **on May 8, 2014**, the police prevented the "Yleisradio" TV crew (Finland) from conducting a survey about the socio-political situation in Belarus, since it wasn't connected with the international ice-hockey event. Also, [the accredited 'Radio Liberty' correspondents were detained](#) by police, while interviewing people in the street, **on May 9, 2014**. The reporters were released after Minsk city police commandment representatives had intervened.

**On May 12, 2014**, the Ministry of Information of Belarus issued an [official warning to the 'SNPlus. Svoobodnye Novosti Plus'](#) newspaper editorial for publishing an article on the Ice Hockey World Championship – 2014. The Ministerial officials stated the article was forming a negative attitude towards the championship. (It is worth mentioning that a media outlet can be closed down judicially on receipt of two official warnings within a year's course.)

The situation in the Belarusian regional mass media field didn't change during the Ice Hockey Championship at all.

## A New Criminal Case for 'Insulting' the President

[A new criminal case was filed](#) in relation to Ms. Katsiaryna Sadouskaya, 68, for 'insulting' the President of Belarus (article 368 part 2 of Belarus Criminal Code). The criminal proceedings were grounded on Ms. Sadouskaya's note in the Book of Comments and Suggestions of Savietski City District Court in Minsk. Ms. Sadouskaya was accused of 'using offensive words, collocations, and phrases', containing indecent and humiliating remarks in relation to the



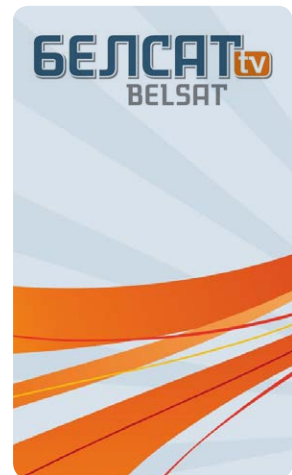
President of the Republic of Belarus', while expressing her indignation at the groundless arrests of civil activists, conducted on the eve of the Ice Hockey World Championship in Minsk.

**It is worth mentioning that article 368 part 2 of Belarus Criminal Code ('A public insulting of the President of Belarus, committed by the person, previously convicted of insult or defamation, or connected to a grave or especially grave crime') is punished by a fine or correctional labor for up to two years, or restraint of liberty for a term up to three years, or imprisonment for the same term.**

Ms Sadouskaya used to be prosecuted on similar charges in October 2006 and sentenced to two years of imprisonment then. However, she was released on parole in May 2007.

## The Return of a Criminal Case against 'Belsat TV' Channel for Revision

On June 24, 2014, the Presidium of the Supreme Court of Belarus cancelled a verdict in support of 'Belsat TV' Channel, issued by the Board on Intellectual Property of Supreme Court of Belarus. The claim, submitted by the 'BELSATplus' commercial company owner Andrei Bieliakou against the 'Polish Television' company that had founded [the 'Belsat TV' channel](#), was sent for revision in connection to the insufficient study of evidence, as stated by the Presidium of Supreme Court of Belarus. [It is worth mentioning that the claim in defense of the trademark rights was filed](#) by A. Bieliakou in May 2013. However, it was dismissed by the Board on Intellectual Property of Supreme Court of Belarus on January 27, 2014.



[The court verdict was contested](#) in almost five months after its pronouncing and in three days after the Belarusian-Polish consultations at the level of Foreign Ministries of Poland and Belarus by Aliaksandr Fedartsou, Deputy Chairperson of Supreme Court of Belarus.

## Fines for Work without Press Accreditations

Hrodna City and Regional courts subjected three journalists to administrative liability for their cooperation with foreign media without valid press credentials within the reporting period.

**On April 4, 2014**, the Leninski City District Court in Hrodna found an independent journalist Aliaksandr Dzianisau guilty of illicit manufacture of mass media production (article 22.9, part 2 of Belarus Code on Administrative Offences). **On June 16, 2014**, the Kastrychnitski City District Court in Hrodna fined another local journalist, Andrei Mialeshka on similar charges. **On May 27, 2014**, the 'Belsat' program author and presenter Ales Zaluski was subjected to responsibility on article 22.9, part 2 of Belarus Code on Administrative Offences by Karelitchy District Court (Hrodna region). Each abovementioned journalist was fined 30 base amounts (approx. EUR 330 in equivalent). The court regarded the media workers' contribution of reports to foreign media (including 'Belsat' and 'Radio Racyja') without the Belarus Foreign Ministry press accreditations as 'illicit manufacture of media production'. The judicial authorities didn't have any claims concerning the character and contents of disseminated media materials at that.

**It is worth mentioning that article 22.9 was applied for the first time in relation to the journalists, who contribute to foreign media, within the reporting period. On June 7, 2014, the OSCE Representative on Freedom of the Media Dunja Mijatović expressed her concern about the increase of penalties, imposed on Belarusian journalists for their work without the press accreditations in the country.**



"I am concerned because this practice can effectively ban journalists from reporting," Mijatović said. Also, Ms. Mijatović noted that she had sent a letter to the Minister of Foreign Affairs of Belarus Uladzimir Makey with a request to regard the perspective of reforming the requirements, related to the obligatory press accreditation.



The journalist work without press accreditations used to be a frequent reason for the issuance of official warnings by public prosecution bodies to independent media workers in the recent past. Similar cases were recorded by the BAJ within the period under review. Thus, the Public Prosecutor's Office for Vitsiebsk region issued an official warning to the local journalist Ms Stsiapanava and the Public Prosecutor's Office for Brest region issued an official warning to the local independent reporter Maksim Khliabiets in June 2014.

According to the Belarusian Association of Journalists monitoring results, at least six official warnings were issued to independent journalists for cooperation with foreign media within the period under review to be compared to nine official warnings, issued by public prosecution bodies a year before.

## Persecution of Small Circulation Press Publishers

Article 22.9, part 2 of Belarus Code on Administrative Offenses "Violation of Mass Media Legislation" was also used for prosecuting publishers and distributors of small circulation press within the reporting period.

**According to the Belarus Law "On Mass Media", the periodical editions with the print run of less than 300 copies are exempt from state registration. However, the police officers and judges file claims against the publishers and distributors of such small-circulation newspapers every now and then.**

**On April 2, 2014**, Beshankovichy District Court (Vitsiebsk region) fined a local teacher and poet Georgi Stankievich 50 base amounts (around EUR 550 in equivalent) for producing and distributing the 'Kryvinka' small-circulation newspaper, funded by the civil activist from his personal savings. It is worth mentioning that it was for the third time that Mr Stankievich was prosecuted on these charges within the several recent years. His appeal against the judgment ren-



dered in 2010 is still pending in the UN Committee on Human Rights.

**On April 17, 2014**, Smarhon District Court (Hrodna region) fined a public distributor of 'Smarhonski Hrak' human rights small circulation newsletter Uladzimir Shulzhytski 20 base amounts (around EUR 216). Like in the case with G. Stankevich, he was prosecuted for working without a distribution contract with the legal entity that dealt with the newspaper publishing.

*"The situation is absurd enough. The judge acknowledged that media outlets with the circulation of less than 300 copies were exempt from official registration and, therefore, the contract with the legal entity, i.e. the editorial wasn't necessary to distribute such periodical editions. Nevertheless, the judge fined Shulzhytski for not having the contract with the legal entity for distributing the newsletter,"* the local human rights activist and 'Smarhonski Grak' newsletter publisher Ales Dzerhachou noted.

## RATING LISTS, INDEXES, STATISTICS

**On April 30, 2014**, the Freedom House analytical organization published its [annual report on the situation with mass media freedom](#) in 197 countries of the world (Freedom of the Press 2014).



Just like in the previous years, Belarus was placed on the list of countries with the poorest working conditions for journalists alongside with Uzbekistan, Turkmenistan, and Iran.

"In these states, independent media are either non-existent or barely able to operate, citizens' access to unbiased information is severely limited, and dissent is crushed," the FH expert Karin Deutsch Karlekar noted about the worst of the worst countries in the

rating list. (The expert coordinated the latest global media freedom research.)

**REPORTERS  
WITHOUT BORDERS**  
FOR PRESS FREEDOM

The Reporters without Borders international organization composed a list of “100 Information Heroes” for the first time in its history. It included outstanding journalists, aged 25-75, from 65 countries of the world. The BAJ Chairperson Zhanna Litvina and the journalist, who faced the repeated prosecution on criminal charges for ‘libel’ and ‘casting aspersions’ on the President of Belarus, Andrzej Paczobut were mentioned in the list.

“Why can Belarus be found on the list of 65 states? It is so, since we’ve been living with system problems for almost 20 years already,” said Zhanna Litvina. [Andrzej Poczobut believes](#) that his name was included into “the list of 100 journalists”, since the situation with journalists in Belarus “remains to be extremely tough’, first of all”.



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