



THE BELARUSIAN
ASSOCIATION
OF JOURNALISTS

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MASS MEDIA IN BELARUS

E-NEWSLETTER

APRIL-JUNE 2015



The authorities have to stop imposing restrictive measures on freelance journalists, hindering them to do their job in a free and safe manner.

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

The European Federation of Journalists (EFJ) is extremely concerned by the increasing numbers of fines imposed on Belarusian freelance journalists for “illegal creation of mass media production” since April 2014.



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SITUATION IN THE BELARUSIAN MASS MEDIA FIELD IN APRIL-JUNE 2015 (SHORT SUMMARY)

The following problems prevailed in the Belarusian mass media field since April till June 2015:

- **the intensified prosecution of journalists, who contribute original materials to foreign media;**
- **introduction of state registration of mass media production distributors;**
- **active interference of the Ministry of Information of Belarus into the activity of Web-resources.**

The intensification of pressure on journalists and media resources and the steps of official authorities on taking control over distribution of mass media production are registered on the eve of the Presidential election in Belarus, scheduled for October 11, 2015.

MAIN EVENTS IN THE BELARUSIAN MASS MEDIA FIELD IN APRIL-JUNE 2015

THE INTENSIFIED PROSECUTION OF JOURNALISTS FOR COOPERATION WITH FOREIGN MASS MEDIA

The prosecution of non-accredited freelance journalists for contributing materials to foreign mass media intensified in the second quarter of 2015. To be precise, sixteen journalists were fined in the second quarter of the year, and eight of them were fined in

June, while only five journalists had been fined on the same charges in January – March 2015.

All of them were fined 20 to 50 base amounts (one base amount equals to Br 180,000, i.e. a bit more than EUR 10). As before, the journalists were penalized on the grounds of article 22.9, part 2 of the Belarus Code on Administrative Offenses for the mere fact of publication of their stories in foreign media. The judicial authorities disregarded the content of the articles at that. All in all, the total amount of fines, imposed on the freelance journalists in the first half year 2015, exceeded Br 108,000,000 (over EUR 6,300 in equivalent).



The Belarusian Association of Journalists insists on the fact that the applied against freelance journalists article 22.9, part 2 of the Belarusian Code on Administrative Offenses does not stipulate any legal liability for journalist activity without accreditation. It stipulates penalty for violation of procedure of mass media production and distribution, which does not include journalist activity without accreditation. In terms of definitions included into the Belarus law “On Mass Media”, the journalist does not create or distribute mass media production, while the editorial board does. Therefore, he/she cannot be held accountable for the violation of respective procedures.

Moreover, the administrative prosecution of journalists, whose stories have appeared in foreign media, [violates the Belarusian citizens’ constitutional right to receive and disseminate information](#) as well as the existing regulations of Article 19 of the International Covenant on Civil and Political Rights concerning the permissibility of restrictions on freedom of expression.

INTRODUCTION OF STATE REGISTRATION OF MASS MEDIA PRODUCTION DISTRIBUTORS

On April 17, 2015, the Ministry of Information of Belarus adopted resolution No.3 'On Certain Aspects of State Regulation of Activity of Distributors of Radio, TV, and Printed Mass Media Production.' The document regulates the registration procedure for mass media distributors. It has been envisaged in the amendments to the Belarusian law 'On Mass Media', adopted at the end of 2014.

Accordingly, all mass media production distributors (except for editorial boards of media outlets) have been obliged to submit the required information for their introduction into the State Register to the Ministry of Information of Belarus by July 1, 2015. Any subsequent non-registered distributors' activity will be considered illegal. The Ministry of Information of Belarus has obtained various penalty tools that can be applied in relation to media distributors, including the banning of their activity.

Herewith, the distributors are in fact forced to monitor the content of the distributed media under threat of sanctions that may lead to the hidden censorship.



The public distributors of mass media and the individuals, who distribute the print mass media on nonprofit basis (including the media they publish themselves), have turned out to be outlawed. There has appeared a threat that they may be brought to account on the grounds of article 22.9, part 2 of the Belarusian Code on Administrative Offenses for violating the mass media distribution procedures. It should be underscored that similar repressive policies in relation to the press distributors and the distributors of leaflets and other non-periodical publications were applied in the past. However, they seem to become more wide-spread in the future, especially on the eve of the coming election campaign.

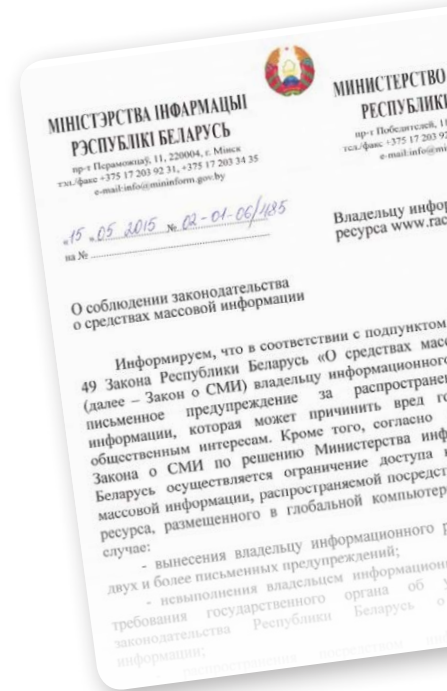
INTERFERENCE OF THE MINISTRY OF INFORMATION INTO THE ACTIVITY OF WEB-RESOURCES

The Ministry of Information of Belarus sent official letters, signed by the Minister of Information Liliya Ananich, to the editorial boards of several Web-sites in the first half of May 2015. The Ministry informed the on-line media representatives about its power to apply sanctions against the owners of the corresponding Web-resources, including the issuance of warnings or restriction of access to the Web-pages and underscored that 'violations of Belarusian Mass Media legislation' were registered on the Web-sites. Consequently, the Ministry looked for contact information about the owners of the Web-resources.

In particular, such letters were received by the representatives of the following Web-sites: 'Svabodny Rehijon', 'The Belarusian Radio Racyja' (Poland), the 'Tuzin Hitou' music Web-portal, the United Civil Party supporters Web-site, and the www.kyky.org on-line magazine. Surprisingly enough, the Ministry of Information didn't specify the nature of "legal breaches" in its letters to the on-line editorials.

On June 18, 2015, the Ministry of Information restricted access to the www.kyky.org Web-site. As it was stated in the ministerial report, some KYKY.org on-line publications "contained derogatory statements concerning the Belarusian Victory Day public holiday, as well as and the citizens of the country who celebrated it, thus... calling in question the significance of this event for the state and distorting the historical truth about the Great Patriotic War". Besides, the Ministry stated that certain publications contained "taboo words, derogatory and sometimes offensive statements concerning certain social and ethnic groups as well as religious denominations".

The Ministry of Information blocked access to the Web-site on the grounds of a letter, received from a Belarusian citizen, who permanently lives abroad. The editorial board of kyky.org had not received any warnings or orders at that.



Access to the Web-site was resumed in 6 days, following the KYKY.org Web-site editorial team members' visit to the Ministry of Information of Belarus and a meeting with Ihar Lutski, the First Deputy Minister of Information of Belarus. The KYKY.org editorial had to remove all publications that the ministerial officers disliked from their Web-pages, in order to get back online.

Reportedly, the access to one more Web-site – www.hata.by – was restricted and later restored in mid-July 2015. The Web-resource deals with the sales and rent of real estate.

On June 24, 2015, the Ministry of Information blocked access to www.bizator.by, www.ekomok.by, www.ilotok.by, www.localmart.by, and www.slanet.by Web-resources. According to the Minister of Information Liliya Ananich noted that the Web-sites advertized medicines unscrupulously.

According to the Ministry of Information recent updates, [the governmental authority restricted access to 26 Web-sites](#) in the first half-year 2015. Reportedly, most of these Web-resources either dealt with drug trafficking or contained publications with taboo words. As mentioned above, the access was resumed to two of these Web-sites as soon as the corresponding on-line editorials took concrete steps "to eliminate the committed violations".

The Ministry of Information of Belarus was entitled with the right to block access to the undesirable online resources (including foreign Web-sites) extrajudicially since January 1, 2015, following the adoption of amendments to the Belarus law 'On Mass Media' in December 2014.



RATING LISTS, INDEXES, STATISTICS

Belarus remained on the 157th position among 180 countries of the world in the annual World Press Freedom Index 2015, traditionally prepared by the [Reporters without Borders](#). It is worth mentioning that the country has been holding this position since the year 2012.



Country	2015	2014
Poland	18	19
Latvia	28	37
Lithuania	31	32
Ukraine	129	127
Russia	152	148

Source: <http://belapan.com/archive/2015/06/01/780646/>.



On June 2, 2015, the delegates to the EFJ General Meeting supported unanimously a [statement](#) in defense of freelance journalists in Belarus:

The organization called upon the Belarusian official authorities “to immediately cease pressure on freelance journalists, cooperating with foreign media, and in particular to abandon the practice of bringing them to administrative responsibility.”

Moreover, the delegates called on the institutions of the Council of Europe, the OSCE, and the European Union “to pay attention to violations of freedom of speech in Belarus related to the activities of freelance journalists and to take steps to remedy the situation.”



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