

Freedom of speech violation and media situation conflict's cases monitoring in Belarus

Analytical survey

(December 16, 2005 – February 1, 2006)

Calling election. Nomination of candidates to the Presidency. Setting up of election committees.

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1. Short description of the first phase of election process

On December 16, 2005 the Chamber of representatives of the National Assembly of the Republic of Belarus adopted an edict "On Calling Election of the President of the Republic of Belarus. The voting day was appointed on March 19, 2006 (it should be known here that the latest period previewed by the Belarusian Constitution for appointing a voting date is July 2006).

Moreover, the issue of calling the election was not planned for a discussion at the session of Chamber of representatives held at the end of the year. The issue was included into agenda on December 16th only and it was solved on the same day. As a result potential pretenders to the Presidency turned out in an extremely difficult situation as regards the time (till December 23rd) allocated for establishing their initiative groups.

On December 27, 2005 the Central Election Commission of the Republic of Belarus registered 8 initiative groups for nominating candidates to the Presidency. To compare, in 2001 23 groups were registered.

Since December 29, 2005 till January 27, 2006 there had been taking place the process of collecting signatures needed to register prospective candidates. And as in 2001, 4 initiatives groups managed to collect more than 100 000 signatures, a necessary minimum needed to nominate a candidate. Currently the Central Election Commission verifies the collected signatures.

At the monitored period there were also set up territorial and divisional commissions on election of the President of the Republic of Belarus as well as polling stations.

2. The latest trends in media situation

According to the data of Ministry of Information of the Republic of Belarus, as of January the 1st 2006, there existed 1 187 periodicals, newspapers, magazines, bulletins, catalogues, almanacs as well as news agencies' outputs included. In the meantime, as of beginning of 2005, 1 221 periodicals were registered and at the end of 2003 there existed 1 492 periodicals. Thus, by nowadays the number of periodicals has decreased by 305.

It was just during two last months of 2005 that the number of printed periodicals in the country decreased by 70, of which 22 was newspapers. And during last year the number of registered newspapers decreased by 36 (the loss is partly set off by an increased number of other printed

media such as magazines and catalogues, which, as a rule, are specialized editions not covering political or social issues).

Although the majority of periodicals disappeared from the market because of financial reasons, the pre-election period witnessed also an increased number of extrajudicial closures of newspapers by State bodies. Thus, on October 24, 2005 Ministry of Information declared non-valid the registration certificate of *Kurier iz Borisova* (one of the most influential regional newspapers). In this case the Ministry referred to the fact of liquidation of its founder (*Press Service Company*) initiated by another State body, Minsk regional Executive Committee. In the meantime the liquidation of both newspaper and its founder has not been completed yet, which makes the lawfulness of order given by the minister of information problematic.

On November 11, 2005 after having had twice suspended the publication of the other newspaper *Molodiozhnyj Prospekt* Ministry of Information closed it. By the words of newspaper's responsible employees, the second order, which on September 16, 2005 suspended the newspaper's publication, had become known to them only from the Ministry document declaring the newspaper's certificate non-valid. And on October 24, 2005 Ministry of Information took the same decision as regards the *Navinki* newspaper.

It should be known that the vast majority of registered printed media are either commercial publications or editions making their appearance one or two times per year in order to preserve the registration certificate. Those printed periodicals, which cover political and social issues and which have no State bodies as their founders or are not subsidized from the State budget, are around 30 (their cumulative circulation, according to the estimate of the Belarusian Association of Journalists (BAJ) is 2000 copies per week). And two thirds of them had problems with printing and distribution on the eve of election campaign.

At that period the most circulated independent daily *Narodnaja Volia* joined those independent newspapers (5 of them), which have been enforced to print abroad. State owned printing houses having cancelled printing agreements with these newspapers gave an example to do the same for the State monopolist-distributors *Belposzta* and *Belsajuzdruk* and their regional departments. Later on the same State owned enterprises refused to cooperate with a number of other independent newspapers. According to BAJ, 16 independent newspapers were excluded from the subscription catalogues of *Belposzta*. And 19 independent newspapers are not sold in retail by *Belsajuzdruk* news-stalls. Claims by founders and readers of the newspapers against State owned distributors are not however accepted by the courts.

With the announcement of Presidential election the legislation on freedom of expression has become tougher. In particular, there were made some changes to the Criminal Code previewing criminal proceedings against non-registered organizations as well as for discredit of the Republic of Belarus. It is really striking that the activities of different branches of power and different authorities, State bodies, courts and enterprises submitted to different Ministries are well coordinated. It makes to conclude that these activities are controlled from one and the same center.