

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Info-posting No. 7-10

February 22 – March 28, 2010

March 2010 appeared to be as difficult for Belarusian journalistic community as the preceding months.

Firstly, the Supreme Court of Belarus declined an appeal of Belarusian Association of Journalists against an official warning to the BAJ, issued by the Ministry of Justice of Belarus.

"To charge a journalists' association with illegally issuing press cards is absurd and a blatant attack on freedom of association for journalists," said Aidan White, IFJ General Secretary. "It is clear that the government is putting legal shackles on the BAJ in response to its uncompromising campaign for media freedom and journalists' rights," he added.

Secondly, the month was full of KGB and police searches and interrogations as well as other tools of pressure, applied in relation to journalists on behalf of law-enforcement agencies.

Siarzhuk Sierabro, the Editor of "People's News of Vitsiebsk" Web-site was interrogated again by police on **February 22, 2010**. The interrogation concerned a criminal case, filed against a civil activist Siarhei Kavalenka, who had placed a white-red-white national banner on the central Christmas tree in Vitsiebsk on January 7, 2010. Among other, a legal investigator of police department at Vitsiebsk Regional Executive Committee Andrei Baranau was interested if S. Sierabro had been aware of the civil protest action and if he had prepared beforehand for taking pictures of this event.

Alaksandr Dzianisau, an independent journalist from Hrodna was accused of 'self-will' (article 23.39 of Belarusian Law on Administrative Torts) by police on **February 23, 2010**. According to the police, the young man "practised journalistic activity, lacking special rights for it." It should be noted that a BAJ member A. Dzianisau interviewed the Head-master and a teacher of Secondary school No. 28 in Hrodna on January 18, 2010.

Finally, Leninski City District Court of Hrodna fined A. Dzianisau 2 base amounts (approx. EUR 18) on **March 15, 2010**. The judge Kseniya Stasiukievich stated that the reporter was guilty, as he had dealt with journalistic activity without special credentials that led to violation of article 23.39 of Belarusian Law on Administrative Torts.

As reported on **February 24, 2010**, Anatol Bukas, the "Borisovskiye Novosti" Editor-in-chief had received a reply to his claim to Barysau District Public Prosecutor's Office. The Editor wanted to attract the local Public Prosecutor's attention to the frequent refusals of local public officials to present information to the non-state periodical edition.

Surprisingly, an official reply came from Barysau District Executive Committee. Valantsina Shutko, Deputy Head of Barysau District Executive Committee stated that the public officials, mentioned in the claim, hadn't broken the law, since comprehensive information about their enterprises could be found on pages of "Adzinstva" state-owned district newspaper as well as on the Web-pages of Barysau District Executive Committee.

The Ministry of Information refused three times to register "**Khimik. Dva Goroda**" (Khimik. Two Cities) non-state newspaper from Navapolatsk (Vitsiebsk region). Initially, the Ministry did not like the editor's qualification. The second refusal was grounded with "topical irregularities", and the third one was explained by problems with editorial office. The last official refusal was signed by the Minister of Information **Aleh Pralaskouski** on **February 25, 2010**. According to the text of the refusal the editorial office of the newspaper "failed to meet the legal requirements."

Representatives of law enforcement agencies intended to search private apartments, belonging to an independent journalist Iryna Khalip and the Chief Editor of "Narodnaya Vola" weekly Sviatlana Kalinkina on **February 26, 2010**. I. Khalip had a possibility to prevent the policemen from entering her apartment. At the same time, S. Kalinkina couldn't evade the search. The policemen from Savietski City District Police Department (Minsk) seized two PCs, belonging to S. Kalinkina and her son as well as the journalist's phone book and flash cards. According to the policemen, the search was connected with legal investigation within a "hunting case".

Iryna Khalip, a well-known Belarusian journalist and a member of BAJ, and her husband Andrei Sannikau, a leader of European Belarus Civil Campaign, were interrogated by the police on **March 3, 2010**. The interrogation was connected to the so-called "hunting case."

Law-enforcement officers came to the "Borisovskiye Novosti" independent newspaper's editorial office in Barysau (Minsk region) on **March 10, 2010**. They distrained a sofa, a bookcase, and a water cooler in the editorial premises.

It is worth reminding that following a court decision, the "Borisovskiye Novosti" newspaper editorial has to pay out around 2,000,000 Belarusian rubles (approx. EUR 505) to Viera Pratasievich, the "Adzinstva" state-owned newspaper's Editor-in-chief to cover her moral damages. The latter got offended by an article under the title of "Barysau Code of Honour" by a pensioner Valery Nitski, published in the "Borisovskiye Novosti" weekly. The author of the article condemned Barysau city authorities for creating unfair competitive environment for the state-owned and non-state press in the area.

As reported on **March 11, 2010**, the "BelKP-Press" Close Corporation that deals with the "Komsomolskaya Pravda in Belarus" newspaper publishing had received the second warning from the Ministry of Information of Belarus within a year's course. Both the newspaper editorial and the Ministry abstained from articulating the reasons for the warning and felt reluctant to comment upon it.

The Belarusian customs officers seized a private car from Maryna Koktysh, "Narodnaya Volia" Deputy Editor-in-chief at the "Kamienny Log" border crossing with Lithuania on **March 12, 2010**. (The journalist had bought the car in Lithuania.) Nobody explained the media worker the reasons for confiscating her private property. The Lithuanian border guards hadn't noticed any problems with the media worker's car.

Policemen with witnesses were trying to enter an apartment, hired by a "Nasha Niva" photo correspondent Yulia Darashkevich and her husband, on **March 15, 2010**. Moreover, the reporter informed the BAJ Monitoring Service that some police inspector Andrei Saladun from the Central District Department of Internal Affairs in Minsk phoned her persistently with a request to come to a meeting with him. The journalist asked the police officer to send an official writ to her private address first.

It is worth reminding that Y. Darashkevich was detained on February 16th in Kastychnitskaya Square in Minsk. The photo correspondent was reporting from a solidarity action with political prisoners, arranged in the square. Some young person in plain clothes was preventing her from carrying out her professional duties, closing her camera with his hands. Later on, it appeared that the youngster was a policeman. Allegedly, he accused Y. Darashkevich of attacking him. Presently, the journalist is waiting for a trial on the cause.

During the day of **March 16, 2010** the police conducted a series of searches in working premises and private apartments of several Belarusian journalists and civil activists in Minsk. Their equipment was confiscated, and one of the journalists stated that excessive force had been used against her.

The searches were conducted at the office of Charter97.org web site, at the office of Chief Editor of Narodnaya Volia newspaper Sviatlana Kalinkina and at the flats of Deputy Editor of Narodnaya Volia Maryna Koktysh, a journalist Iryna Khalip and the Editor of Charter97.org Web site Natallia Radzina.

In all the cases journalistic equipment was confiscated, including computers, memory sticks, DVDs and other information carriers. Besides, the police attempted to enter private apartments of a journalist Aleh Biabenin and a coordinator of European Belarus Civil Initiative Dzmitry Bandarenka, but they refused to open doors.

Natallia Radzina also stated that police officers used force against her while entering Charter97.org office. One of the officers hit the journalist in the face.

The searches of March 16, 2010 were sanctioned by Deputy Public Prosecutor of Homiel Region Valiantsin Shaeu. The search warrant was also approved by Colonel Paliashchuk, the Head of Homiel Regional Interior Affairs Department. All the searches were connected to the so-called "Hunting Case." It deals with four high-ranked police officers who allegedly organized illegal hunting and tried to put illegal pressure on KGB officers. Three of them were found guilty.

Police officers from Vitsiebsk Regional Department of Internal Affairs seized 50,000 copies of “Nash Dom” (‘Our House’) newspaper, published by a civil initiative of the same title, on **March 17, 2010**. Civil activists Volha Karach and Viktor Ramniou had intended to bring the print-run of “Nash Dom” non-registered periodical from Smolensk (Russia) to Vitsiebsk. The policemen drew up a record for the incorrectly presented output data and a protocol of seizure.

The Supreme Court of Belarus declined an appeal, submitted by the Belarusian Association of Journalists against an official warning, issued by the Ministry of Justice of Belarus, in full.

The judge **Anatol Tsierach** announced the verdict on **March 22, 2010**. As soon as the judge read the verdict, it came into effect. Taking into account the official warning has remained in force, the Belarusian Association of Journalists will have to comply with all the orders in it. Among other, it should be mentioned that the Ministry of Justice urged the BAJ to collect all BAJ membership cards (badges) with the word "PRESS" and "secure the impossibility of using them in the future". Also, the Ministry stated that the Law Center for Media Protection at BAJ had to be closed down, as its activity wasn't provided for in the BAJ Statutory Notes.

The Supreme Economic Court declined a claim of “Vitsiebski Korund” Private Unitary Enterprise against the Ministry of Information of Belarus on **March 23, 2010**. The Ministry had refused to consider a set of documents for official registration of “Nash Dom” newspaper. The newspaper founder stated that in accordance with the Belarus’ Law “On Mass Media”, the Ministry of Information had either to register the periodical edition or decline the application instead of returning the set of documents to the applicant. Consequently, the founder requested the court to oblige the Ministry to regard the application for official registration of “Nash Dom” newspaper per se.

The police detained a civil activist Alaksandr Protska for distributing the “Novy Chas” officially registered newspaper near the “Davydauski” market place in Homiel on **March 24, 2010**. The police looked into the newspaper contents and verified its registration data at a police station. As soon as none of “illegal signs” were found, the distributor was given back the newspaper copies and released from custody an hour after.

The police seized print-runs of “Vitsiebskiy Kuryer” and “Nash Dom” non-state periodical editions on **March 25, 2010**. In particular, the police detained a car with 10,000 copies of “Vitsiebskiy Kuryer” newspaper, transported by Viktor Ramniou, Director of “Vitebskiy Korund” Private Trade Enterprise. He was accused of distributing a periodical edition without the output data (article 22.9 part 2 of Belarusian Code on Administrative Torts), brought to court and fined 35 base amounts (approx. EUR 310).

A human rights activist and a journalist Valery Shchukin was detained near Homiel on the same day. He used his car to deliver 24,000 copies of “Nash Dom” newspaper. The police

drew up a record on committing an administrative infraction in relation to V. Shchukin. Consequently, he was fined 30 base amounts by court (approx. EUR 265) a day later.

Independent journalists Sviatlana Kalinkina, Maryna Koktysh, and Natallia Radzina were urged to come to Savietski City District of Internal Affairs in Minsk as witnesses within a criminal case on libel in relation to Ivan Korzh, ex-Head of KGB Department for Homiel region. According to the "Narodnaya Vola" Chief Editor S. Kalinkina, the legal investigator was highly interested in the personalities, who could place "libeling materials" on the Web-pages of "Belorusskiy partisan" and "Charter'97" as well as in the people, who cooperated with the on-line informational resources in general. The whole interrogation was video recorded.

Prepared by the BAJ Monitoring Service