



# MASS MEDIA IN BELARUS 2018

Belarusian Association of Journalists (BAJ)

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# SITUATION IN THE SPHERE OF MASS MEDIA IN 2018 (OVERVIEW)

## MAIN TRENDS

In 2018, the Belarusian authorities intensified pressure on independent media and journalists. This happened despite the liberalization policy declared by the authorities and the dialogue on human rights with the European Union and the United States.

The main events and trends in 2018 included:

- changes in the mass media legislation involving tightening government control;
- criminal prosecution related to freedom of expression (the case of *Regnum* journalists; criminal prosecution of the blogger Piatrukhin; the case of the head of the *BelaPAN* news agency Ales Lipaj closed because of his death; the “*BeITA* case”, which ended with the conviction of Maryna Zolotava, editor-in-chief of the most popular Belarusian website *TUT.BY*);
- extrajudicial blocking of popular online news resources in Belarus;
- increased pressure on freelance journalists for cooperation with foreign media without accreditation;
- using counter-extremist legislation to restrict freedom of expression (especially, online).

These actions by the authorities were, rather, not a “new attack on the media,” but a continuation of a targeted and consistent policy of the Belarusian state aimed at establishing maximum control over the information space in the country. In 2018, the “Belarusian segment of the Internet” became the primary target.

Having taken full control over the television and radio broadcasting (with the exception of a few foreign media operating in the country, including the Polish TV channel Belsat and ousted independent print media, whose cumulative weekly circulation is less than the daily circulation of the Presidential Administration newspaper *SB Belarus Segodnya*, into a ghetto, the authorities have been trying to strengthen control over the Belarusian segment of the Internet, in which the state-owned media are obviously losing to independent resources.

Meanwhile, according to a survey conducted by the Information Analytical Center under the Presidential Administration, in Belarus, the Internet as a source of information is catching up in popularity with television.

The leading Belarusian portal *TUT.BY* outpaces by a huge margin (by ten folds) the popularity of government-owned online resources, including the news agency *BeITA* (which probably became the real reason for the “*BeITA* case”, directed primarily against the competitors of this state news agency).

Experts regard the attempts by certain circles in power to solve the problem of the Internet by tightening state control over it as a strategic mistake from the point of view of national security in the media sphere. The ousting of independent media from the information space will not lead to an increase in the popularity of government-owned media, but to an increase in the presence of Russian media in the country. Today, the extent of their influence on the audience is already huge: over sixty percent of the products of some of the leading Belarusian TV channels included by the government in the publicly available mandatory TV package are Russian-made.

Instead of trying to stifle independent voices, the authorities, at least from an instinct of self-preservation, should promote the development of non-government media in Belarus.

## RESTRICTION ON ONLINE FREEDOM

On January 24, 2018, the Ministry of Information decided to restrict access to the popular online resource *charter97.org*.

The Ministry justified this decision by an alleged publication of prohibited information on the website. By the "prohibited information" the Ministry meant some *"materials containing information the dissemination of which could harm the national interests of the Republic of Belarus, ... articles indicating the date and venue of a mass event, a permission to hold which was not received at the time of publication, ... the distribution through the website charter97.org of information products of a resource, which was recognized as an extremist material by a court decision and included in the Republican list of extremist materials."*

The Belarusian Association of Journalists noted that the blocking of *charter97.org* was the second decision of the Ministry of Information within a month to restrict access to popular information resources in Belarus (at the end of December 2017, it decided to block *belaruspartisan.org*). In both cases, the decisions to restrict access to the websites were taken in a non-transparent, out-of-court way, without disclosing which materials provided the reasons for blocking.

## CHANGES TO THE MEDIA LEGISLATION

In June 2018, the National Assembly of the Republic of Belarus (the Belarusian parliament) adopted a law on amending the media legislation, significantly extending state control over the Internet space in Belarus.

The law, in particular:

- introduces the voluntary registration of online resources as mass media, but retains the unreasonably complicated authorization procedure for this registration;
- deprives the online resources that failed to pass the registration barrier, the rights of the media, and their correspondents the journalistic status, while extending to them all the liabilities provided for by the Law on Mass Media;
- maintains the extrajudicial procedure for blocking online resources by the Ministry of Information and introduces additional grounds for this (for example, using an online resource for carrying out activities prohibited in accordance with the Belarusian legislation);
- binding the online resources to identify commentators on their pages and on forums and to conduct moderation of their comments under the threat of liability for them.

The professional community criticized the amendments to the mass media law.

Harlem Désir, the OSCE Representative on Freedom of the Media, also expressed his concern over them. *"Many of the provisions are excessive and disproportionate and could result in the curtailing of freedom of expression,"* Désir said in a statement.

New rules that introduce additional responsibility for the owners of online resources have also been introduced into the Administrative Code (Article 22.9 "Violation of the law on mass media"). A fine has been established for the distribution of "prohibited" information. The maximum amount of the fine is 200

base values (about 2,000 euros) for the websites registered as mass media, and 100 base values for the online resources that do not have the media status. At the same time, the legislation does not provide for the list of prohibited information and approaches to its definition. The control over the compliance with legislation on the media in this area has been assigned to police officers.

## CRIMINAL PERSECUTION RELATED TO FREEDOM OF EXPRESSION

### The “Regnum case”

On February 2, the Minsk City Court made findings of guilt in the criminal case against Yury Pavlovets, Dmitry Alimkin and Sergey Shiptenko, three Belarusian authors who were published in Russian media (the so-called “Regnum case” named after the Russian news agency which had published their articles). The court found them guilty of deliberate actions aimed at inciting national hatred or discord committed by a group of persons (Article 130 (Part 3) of the Criminal Code) and sentenced them to the five years’ imprisonment with a three-year reprieve in the execution of the sentence. The convicts were released in the courtroom. If they do not commit violations of public order during the reprieve and comply with court orders, the court can release them from serving the sentence.

The “Regnum case” was instigated on the basis of a letter of the Ministry of Information to the Investigative Committee about the [presence of signs of extremism in publications of these authors](#). The defendants were under arrest for 14 months - from the moment of their detention in December 2016.

*“These sentences would be appropriate for dangerous criminals, to deter them from reoffending, but not for bloggers who were prosecuted for expressing controversial views,”* said Johann Bihr, the head of Reporters Without Borders’s Eastern Europe and Central Asia desk. *“Under international standards on freedom of expression, there is no justification for such disproportionate sentences. We call for their convictions to be overturned on appeal.”*

Yury Pavlovets and Sergey Shiptenko appealed the verdict, but the Supreme Court upheld it.

### The case of Ales Lipaj, the head of BelaPAN

On June 12, 2018, a criminal case was instituted against Ales Lipaj, the head of the leading Belarusian independent news agency *BelaPAN*, on intentional income tax evasion on an especially large scale in 2016-2017 (Article 243 (Part 2) of the Criminal Code of the Republic of Belarus). A search was conducted in the apartment of Ales Lipaj, during which documents and professional equipment were seized. Belarusian human rights organizations have declared the political background of the case and associated it with the general trend of increasing pressure on non-state media and online resources in Belarus.

In early August, the instigation of the “*BeITA* case”, in which two leading *BelaPAN* employees were charged, confirmed this conclusion.

Soon, on August 23, Ales Lipaj died at the age of 52. On September 12, the criminal case against him was discontinued in connection with his death.

## **'The BelTA case' and criminal prosecution of the editor-in-chief of the TUT.by portal Maryna Zolatava**

On August 7–9, the editorial offices of the news agency *BelPAN*, the portal TUT.BY and several other media outlets, as well as the apartments of some of their employees were searched. During the searches, professional equipment and storage media were seized. About twenty journalists were detained and questioned by investigators; eight of them were sent to the temporary detention center for up to three days.

The reason for the large-scale "special operation" was the unauthorized use by some journalists of the passwords to the subscription-based news feed of the website of the state news agency *BelTA*. It should be noted that the materials of the *BelTA* website are in free public access, and the media used them in accordance with the rules set by *BelTA*.

Nevertheless, criminal cases were initiated against fifteen journalists under Article 349 (Part 2) of the Criminal Code (unauthorized access to computer information, while acting out of other personal interest, causing significant damage).

The actions of the investigators drew protests from human rights activists, journalistic organizations and international bodies including the Council of Europe, the European Union, and the OSCE Representative on Freedom of the Media.

At the end of 2018, criminal cases against fourteen journalists were dropped. The administrative action was brought against them in the form of large fines and an actual coercion to pay compensation to the state-owned media – *BelTA* and the newspaper of the Presidential Administration, *SB Belarus Segodnya*. The compensation amounts ranged from 3,000 to 17,000 rubles (1,250 to 7,000 euros). BAI regards the payment of compensation as a forced step on the part of journalists in order to avoid a much tougher punishment under the criminal article and other adverse consequences associated with criminal liability.

Maryna Zolatava, the editor-in-chief of the online portal *TUT.BY* was the only defendant charged in the "*BelTA case*". Moreover, she was charged under another article - the omission to act (Article 425 of the Criminal Code).

On March 4, the Zavodski district court in Minsk found Maryna Zolatava guilty and sentenced her to a fine of 7,650 rubles (more than 3,000 euros); it also ordered the collection of court fees in the amount of 6,000 rubles (2,500 euros) in favor of *BelTA*.

*"Conviction & fining of Marina Zolotova, editor of @tutby, along with disproportionate measures of law enforcement against @belapan & @tutby agencies in 2018, may exert chilling effect on independent media in #Belarus"*, tweeted Harlem Désir, the OSCE Representative on Freedom of the Media.

*"The way the authorities persisted with this case, which was out of all proportion from the outset, shows their determination to undermine the state media's rivals"*, said Reporters Without Borders after the conviction of Maryna Zolatava.

## **Using 'anti-extremist' legislation to restrict freedom of expression**

In 2018, the imposition of administrative sanctions against journalists and activists for publishing on social networks became more frequent. For this, they used Article 17.11. of the Administrative Code, which provides for liability for dissemination of information products that contain appeals for extremist activities or promote such activities.

The freelance journalist Alexander Dzianisau was fined 612.5 Belarusian rubles for reposting two videos about the participation of Brest anarchists in a protest rally, the "March of parasites", in 2017.

Alexander Horbach and Mikalaj Dziadok were fined for posting symbols recognized as extremist on social networks. Meanwhile, on the contrary, in their materials, both of them criticized manifestations of neo-Nazism. So, Mikalaj Dziadok was fined for a post in which he condemned the fact that some people who were well-known in Belarus had taken photos with members of a group whose emblem was recognized as extremist in Belarus (these photos were given as an illustration).

## Fines for cooperation with foreign media

The prosecution of freelance journalists for cooperation with foreign media without accreditation of the Ministry of Foreign Affairs has intensified. The courts used Article 22.9 (Part 2) of the Administrative Code to fine journalists.

*Article 22.9 (Part 2) of the Administrative Code provides for liability for the illegal production and / or distribution of media products. According to BAI, journalists cannot be held accountable under this article, since the liable party under it is not journalists, but the editorial staff of the media.*

In 2018, journalists were held liable under this article at least 118 times (which is more than in the previous four years taken together). The total amount of fines exceeded 100,000 rubles (about 43,000 euros).

In 2018, in most cases, the journalists who collaborated with Belsat TV channel were persecuted. Belsat forms a part of the Polish television but positions itself as the first independent television channel in Belarus.

## Increase in the state media funding

On December 30, 2018, the law "On the republican budget for 2019" was signed. In accordance with it, 151,211,151 rubles (about 63 million euros) were allocated to finance state-owned media in 2019. This is almost one third more than in previous years. The allocation of funds occurs on a non-competitive basis.

## RATINGS, INDICES, STATISTICS

The international human rights organization Freedom House in its ranking of freedom in the world in 2018 ranked Belarus among the non-free countries and assessed the degree of media freedom and Internet freedom in the country as the lowest (1 point out of 4). At the same time, "Press Freedom Status" and "Net Freedom Status" of the state were defined as "Not Free".

In the latest press freedom rating of the international organization Reporters Without Borders, published in April 2018, Belarus ranked 155th among 180 states, down two positions from the previous rating.

## CHANGES IN LEGISLATION

On June 28, the Council of the Republic of the National Assembly of Belarus approved amendments to the Law on Mass Media (they entered into force on December 1), which significantly expanded government control over the Internet space in Belarus by extending the application of the law to all online resources.

According to these amendments:

- new definitions were introduced into the law, such as "online resource", "owner of the online resource", "monitoring of the media," and "network publication";
- voluntary registration of online resources as network publications was introduced (at that, the unregistered online resources are not construed as the media);
- rights and duties of the owner of an online resource were enshrined in the law for the first time (Article 30-1), including the duty to prevent the publication of information messages and (or) materials (including comments) by other users without their prior identification; to moderate all publications under the threat of liability for their contents and to remove immediately at the request of the Ministry of Information those contrary to the requirements of the Law on Mass Media;
- the list of functions of the Ministry of Information was expanded to include the "monitoring of mass information"; the Ministry received the right to request from the owner of the online resource and the Internet service provider the data needed to analyze the information posted on the online resource, including the identity of users;
- additional grounds were introduced for blocking access to online resources - the use of an online resource for activities prohibited under the Belarusian law;
- the list of the types of information, the dissemination of which is prohibited was expanded to include the information that leads to suicide, improper advertising, information on how to make explosive devices and explosives, information about minors who have suffered as a result of unlawful actions;
- Article 51-2 "Restoring access to an online resource, network publication" was added;
- foreigners, foreign legal entities, and Belarusian legal entities, at least 20% of shares of which are owned by foreign or international organizations, as well as stateless persons are prohibited from establishing the mass media.

On July 30, the Administrative Code and the Code of Execution Procedure for Administrative Offenses of the Republic of Belarus were amended. Article 22.9 of the Administrative Code (Violation of legislation on mass media) was supplemented by Parts 3-1 and 3-2, which provide for a fine for the dissemination of inappropriate information. The maximum amount of the fine for the sites registered as the mass media is 200 base values (more than 2,000 euros) and for the sites that do not have the status of the media is 100 base values. The authority to execute control over the observance of the media legislation in this area was vested in the police.

On July 31, President Alexander Lukashenka signed the Decree "On mass media issues". This document amends the decree of May 17, 2011 "On the support for some media and other organizations". The old version used the following phrase: "carrying out state policy through the media."

The decree was supplemented by an explanation of what is meant by this phrase: "Carrying out state policy through the media means the creation by editorial staff on the orders of state bodies of



information messages and (or) materials, television and (or) radio broadcasts aimed at ensuring state and public interests, as well as their dissemination through the media, including through the Internet."

On October 3, the Operational and Analytical Center under the President of the Republic of Belarus, the Ministry of Communications and Informatization of the Republic of Belarus and the Ministry of Information of the Republic of Belarus approved by their joint decision the Regulations on the procedure for restricting (restoring) access to an online resource. It establishes the procedure for restricting and restoring access to online resources by the decision of the Ministry of Information, as provided by Articles 51-1 and 51-2 of the Law on Mass Media.

On November 23, the Council of Ministers approved the Regulations on the procedure for the prior identification of users of online resources or a network publication adopted following the amendments to the Law on Mass Media. According to them, the prior identification of the users is carried out by registering their accounts on the online resource through the conclusion of a user agreement. The user agreement should contain a warning about the inadmissibility of posting on the online resource the information, the dissemination of which is prohibited by law. The owner of an online resource must activate the user account by sending an activation code in the text message to the mobile phone number specified in the agreement or by using other identification data and technical means to identify the user's identity.

# VIOLATIONS OF RIGHTS OF MASS MEDIA AND JOURNALISTS, CONFLICTS IN THE SPHERE OF MASS MEDIA

## Criminal cases

On February 2, the Minsk city court made findings of guilt in the criminal case against three Belarusian authors, Yury Pavlovets, Dmitry Alimkin and Sergey Shiptenko, whose articles had been published on the website of the news agency *REGNUM* as well as in other Russian media. The court found them guilty of deliberate actions aimed at inciting national hatred committed by a group of persons (Article 130 (Part 3) of the Criminal Code) and sentenced them to a five years' imprisonment with a three-year reprieve in the execution of the sentence. The convicts were released in the courtroom. If they do not commit violations of public order during the reprieve and comply with the court orders, the court can release them from serving the sentence.

The "Regnum case" was instigated following a letter of the Ministry of Information to the Investigative Committee about the signs of extremism in publications of these authors. The defendants were under arrest for fourteen months from the moment of their detention in December 2016.

*"These sentences would be appropriate for dangerous criminals, to deter them from reoffending, but not for bloggers who were prosecuted for expressing controversial views,"* said Johann Bihr, the head of Reporters Without Borders's Eastern Europe and Central Asia desk. *"Under international standards on freedom of expression, there is no justification for such disproportionate sentences. We call for their convictions to be overturned on appeal."*

On June 14, Yury Pavlovets and Sergey Shiptenko appealed the verdict, but the Supreme Court upheld it.

On June 12, a criminal case was instituted against Ales Lipaj, the head of the leading Belarusian independent news agency *BelaPAN*. The case was initiated by the Department of Financial Investigations for an intentional income tax evasion on an especially large scale in 2016-2017 (Article 243 (Part 2) of the Criminal Code), even though Lipaj had admitted the violation of the law and paid the income tax and the penalty of more than 191,000 rubles. Article 243 provides for the punishment of up to seven years of imprisonment with confiscation of property. Belarusian human rights organizations have insisted on the political background of the case and associated it with the general trend of increasing pressure on non-state media and online resources in Belarus.

On June 14, the apartment of Ales Lipaj was searched. Police officers produced a warrant signed by the prosecutor and said that the search would be carried out in connection with the criminal investigation. After the search, Lipaj was taken to the headquarters of the Department of Financial Investigations for questioning and released a few hours later.

On August 23, Ales Lipaj died at the age of 52. On September 12, the criminal case against him was discontinued because of his death.

On July 24, it became known that a criminal case was instigated against Siarhiej Piatrukhin, a video blogger from Brest, under Article 189 (Part 2) of the Criminal Code (Insult in a public speech or in a printed or publicly performed work, or in the media). The punishment for this crime is a fine or correctional labor for up to two years, or arrest, or restriction of liberty for up to three years.

*Earlier the blogger Siarhiej Piatrukhin from Brest was held administratively liable on several occasions. In particular, he was fined for some videos filmed for the YouTube channel "People's Reporter," when he and*

*his colleague from Biaroza Alexander Kabanau covered the protests against the construction of the battery factory IPower near Brest.*

On 30 August, Piatrukhin's apartment was searched in the framework of the criminal case instigated concurrently under two articles of the Criminal Code, Article 188 (Part 2) (defamation) and Article 189 (Part 2) (insult) (see more in *Searches, seizure and confiscation of and damage to equipment and storage devices*).

On 3 September, Siarhiej Piatrukhin was detained to be forcibly submitted to a psychiatric examination in the criminal case for insult and defamation (see more in *Other forms of pressure and infringement of journalists' rights*).

On July 26, it became known that a criminal case was instigated against the blogger Aleh Shabietnik from Rechytsa under Article 188 (Part 2) of the Criminal Code. He was suspected of slandering Mikalaj Maisiejenka, the head of the district inspection of the Committee for Natural Resources and Environmental Protection. The conflict between the entrepreneur Shabietnik and the official occurred on December 27, 2017; after that, Aleh Shabietnik described the situation in a post on Facebook. Shabietnik told about the threats and illegal demands from Maisiejenka and, in addition to his posts on the social network, filed a complaint with the police. According to him, the story did not have any legs at that time but more than six months later the Investigative Committee instigated a criminal case against Shabietnik for libel.

On August 7, it became known that the Investigative Committee instigated a criminal case against several journalists under Article 349 (Part 2) of the Criminal Code (unauthorized access to computer information, while acting out of other personal interest, causing significant damage). The article provides for the maximum punishment of imprisonment for a term not exceeding two years. According to the official version, the police uncovered numerous instances of unlawful access to computer information (access to the subscription-based news feed under someone else's passwords) when they were checking a complaint of the state news agency *BelTA*. In its statement, the Investigative Committee reported that "executive officers of the Publishing House Bielaruskaja Navuka, *BelaPAN* JSC, and *TUT BY* Media Ltd became involved in the specified unlawful activities".

On August 7-9, the editorial offices of the *BelaPAN* news agency, the *TUT.BY* portal and several other media outlets, as well as the apartments of some of their employees, were searched. During the searches, professional equipment and storage media were seized. The police detained *BelaPAN's* editor-in-chief Iryna Leushyna and foreign affairs' commentator Tatstsiana Karavienkava, *TUT.BY's* editor-in-chief Maryna Zolatava and its editors Hanna Kaltyhina, Halina Ulasik, and Hanna Jermachonak, *Deutsche Welle's* correspondent Pauluk Bykouski, and the website editor of the newspaper *Bielarusy i Rynak* Alexey Zhukau. All of them spent several days in custody in a temporary detention facility. Before the release, they had to sign a non-disclosure statement. A total of eighteen people were questioned in the case.

The article of the Criminal Code, under which the journalists were detained, and their houses were searched, is in fact directed against the hackers who hack computer protection systems, and not against the journalists to whom one of their colleagues provided passwords. In addition, all news of *BelTA*, which is financed from the state budget and established for the dissemination of government information (while having the privilege of access to this information), are publicly available. The subscription allows the subscriber to access them only fifteen minutes before they are posted on the news agency's website. *TUT.BY* and *BelaPAN*, which faced the greatest pressure, have always complied with all the rules established by *BelTA* for the use of its information in their publications.

In early November, fifteen journalists and editors became defendants in the "*BelTA* case". After the indictment, the investigators offered to most of them to compensate for the financial losses allegedly inflicted to *BelTA* (as well as to some state-owned media, the passwords of which were used to access

*BelTA's* news feed). According to the investigators, it would lead to the termination of criminal proceedings and their recharacterization as administrative proceedings (Article 22.6 of the Administrative Code, "Unauthorized access to computer information", provides for a fine from 20 to 50 base values, i.e. from about 500 to 1,225 euros). The investigators claimed that the amount of losses to be compensated for and the method of their calculation constituted the secrecy of the investigation. According to some journalists, these amounts ranged from 3,000 to 17,000 rubles (from 1,250 to 7,000 euros). Most journalists decided to agree on paying the compensation for losses. They were exempt from the criminal prosecution and were held administratively liable in the form of significant fines (in addition to the compensation for losses).

Maryna Zolatava, the editor-in-chief of *TUT.BY*, became the only defendant charged in the "BelTA case". She was charged with the "omission to act by an executive officer" (Article 425 of the Criminal Code). The Investigative Committee rejected two petitions of the editor to terminate the criminal proceedings against her.

On March 4, the Zavodski district court in Minsk found Maryna Zolatava guilty and sentenced her to a fine of 30 base values (7,650 Belarusian rubles); it also ordered the collection of procedural costs in the amount of 6,000 rubles (for two *BelTA's* lawyers).

## Other court cases (except for administrative prosecution)

On January 11, Judge of the Leninski district court in Mahiliou Panasienka redressed the grievance of Uladzimir Laptsevich, a journalist of the news agency *BelaPAN*, to reverse as unlawful the decision of Major of Justice I. Druhakou, the senior investigator of the Mahiliou interdistrict department of the Investigative Committee, not to open a criminal case against Siarhiej Kalesnikau and Kanstancin Kistsianiou. The court sent the case file to the chief of the Mahiliou interdistrict department of the Investigative Committee for further review. The court ruling noted that the evidence obtained during the examination had not been checked and evaluated in accordance with the requirements of Articles 104 and 105 of the Criminal Procedure Code, and that in his decision, Major Druhakou had failed to provide assessment of compliance of Kalesnikau's and Kistsianiou's actions with the requirements of the Belarusian legislation.

On February 27, Judge of the Leninski district court in Mahiliou Viktoryja Paliakova ruled to reverse another decision of Alexander Leskaviec, the senior investigator of the Mahiliou interdistrict department of the Investigative Committee, to refuse the institution of criminal proceedings against Kistsianiou, an official of the administration of the Leninski district in Mahiliou, and Kalesnikau, a neighborhood police inspector of the Leninski district police department.

*A reminder note: On April 29, 2017, Kanstancin Kistsianiou, an official of the administration of the Leninski district in Mahiliou, and Siarhiej Kalesnikau, a neighborhood police inspector, did not allow Uladzimir Lapcevich to enter the meeting room where a meeting of members of the garage cooperative Spadarozhnik-2008 was about to be held. Participants in the meeting invited him to cover the event, but Kistsianiou refused to let the correspondent in the room, and then refused to give him the book of comments and suggestions; Kalesnikau did not allow the journalist to remain in the room and forcibly led him out by the hand. During several months, Laptsevich sought to bring to justice those who had committed illegal actions against the journalist. The police officers repeatedly bounced Lapcevich's complaints, but each time the journalist appealed the police's decisions in court and sought their reversal.*

On February 9, the Saviecki district court in Minsk, having considered a claim of S. Mashkovich, ruled to find the information posted by the journalist Stanislau Ivashkievich on the website of the TV channel

*Belsat* and entitled "Family business: how energy officials embezzle utility payments. An investigation by *Belsat*" untrue and blaspheming the honor and dignity, and to order Ivashkevich and the TV channel *Belsat* to publish a refutation as well as to compensate for non-pecuniary damage in the amount of 400 rubles.

On February 14, Paviel Levinau, a member of BAJ, received a reply to his complaint filed with the Centralny district court in Minsk. He claimed that he was a regular reader of the website *Charter'97*, which had been blocked in 2018 by a decision of the Ministry of Information, and demanded the court to defend his interests as "Article 60 of the Constitution guarantees everyone the defense of their rights by a competent and independent court." The complaint stated that the blocking of the information resource violated his right to receive information and represented an unwarranted restriction of freedom of thought and expression, contrary to the provisions of the International Covenant on Civil and Political Rights and the Constitution of the Republic of Belarus. Levinau asked the court to declare that the decision of the Ministry of Information violated his rights, and to annul the decision.

The Centralny district court in Minsk refused to examine the complaint on the grounds of "lack of jurisdiction."

On March 29, the Minsk city court rejected Paviel Levinau's appeal against the decision of the Centralny district court to dismiss his complaint against the Ministry of Information without a hearing on its merits.

On May 16, the Economic Court in Minsk refused to consider Paviel Levinau's claim concerning the invalidation of the regulatory legal act of the Ministry of Information on the restriction of access to the website *Charter'97*.

On February 26, Judge of the Homiel district court Volha Fiadosava denied the claim of the freelance journalist Kanstancin Zhukouski for compensation for moral damages from the district veterinary station and the police for chemical poisoning. In court, Zhukouski sought the compensation in the amount of 3,000 rubles, including 2,400 rubles from Dobraya Khrushka Ltd. The incident occurred in 2017 when the journalist, along with his colleague Andrej Tolchyn, tried to determine the cause of pigs' mortality in the breeding complex of Dobraya Khrushka Ltd in the village of Zialonyja Luki. As it became known in court, Leanid Kazlou, the head of the district veterinary station and the chief veterinarian of the Homiel district, sprayed Zhukouski with some chemicals. (Kazlou was summoned to the court as a third party and became the main defendant in the case, instead of Dobraya Khrushka Ltd). Zhukouski was splattered from head to toe, and Tolchyn got fluid on pants and shoes only. They called the police and an ambulance. The journalist was taken to a hospital for tests, as a result of which it became known that he had been poisoned by an unknown chemical substance. Kazlou explained in court that due to the epizootic situation a sanitary protection zone had been set around the pig farm Dobraya Khrushka Ltd and quarantine measures had been implemented. Since two unknown people, i.e. the journalists, were not involved in the "elimination of the disease outbreak" and failed to react to the police's observations, he sprayed their shoes with Microcide.

On June 25, the Economic Court of the Brest region ruled in the case on the protection of the business reputation of IPower Ltd. This company is involved in the construction of a battery factory near Brest; the locals protested against this factory because of its harm to the environment. IPower Ltd sued the local bloggers Alexander Kabanau and Siarhiej Piatrukhin. The court sentenced the bloggers to a fine of 245 rubles each and ordered them to remove the video entitled "Lead - Brest is Dead" from their YouTube channel "People's Reporter", as well as to record an apology and post it on that channel. IPower Ltd sued the bloggers for their very first video clip about the construction of the battery factory. The lawsuit claimed that the video story contained information which was untrue and damaging for the business reputation of IPower Ltd. According to the plaintiff, the statements of the bloggers in the video contained

unfounded allegations of violation of the environmental legislation by the company, environmental pollution, corruption, etc.

On July 25, the Economic Court in Minsk ruled to partially satisfy the claim of Belkotlaachystka JSC against the journalist Stanislau Ivashkievich. The court ordered him to refute the information, which damaged the business reputation of the company by sending a formal written rebuttal to the Polish satellite channel *Belsat*. In his journalistic investigation about the state concern Belenergo published on the website of the TV channel *Belsat* and entitled "Family business: how energy officials embezzle utility payments. An investigation by Belsat", Stanislau Ivashkievich revealed serious corruption misdeeds in the dealings between the concern and Belkotlaachystka JSC. He claimed that the company unreasonably inflated prices for its services, but despite that, it became a virtual monopolist in the cleaning of fuel oil tanks for Belenergo. In response to these allegations, Belkotlaachystka JSC filed a lawsuit to the Economic Court, asking to recover 5,000 rubles of compensation from the journalist.

On September 10, the Saviiecki district court in Minsk dismissed the claim of the businessman Arkadz Izrailevich against the newspaper *Novy Chas* and the reporter Dzianis Ivashyn on the protection of honor, dignity and business reputation. The court ordered to collect 600 rubles from Izrailevich in favor of the newspaper and the journalist. Izrailevich believed that the author of *Novy Chas* misinterpreted the meaning of the words "affiliation" and "beneficiary", which the reporter had used to prove that Izrailevich was associated with the construction and activities of the restaurant *Poedem Poedim*. Izrailevich claimed that he had nothing to do with the companies which owned the restaurant. The court ruled that one part of the phrases about Izrailevich did not harm his reputation and did not offend him, and the second part was not related to him at all. Judge Vieranika Abramovich heard the case.

On September 18, the Mazyr district court dismissed the complaint of the blogger Andrej Pavuk from Akciabrski about the violation of his right to receive information by officials of the Akciabrski district executive committee and the district council of deputies. In June, Pavuk asked the officials of the executive committee and the district council for permission to attend the public meetings of the executive committee and the sessions of the district council of deputies. The officials replied that Pavuk did not have such a right and denied his request. The blogger believed that by this refusal the officials violated his constitutional right to receive, store and disseminate complete, reliable and timely information. His complaints to a higher authority – the Homiel regional executive committee - were also dismissed. Initially, the case was heard in the Akciabrski district court, but on August 15, Judge Uladzimir Vasileuski recused himself from this case. The day before, when the case was still under consideration, Assistant District Prosecutor Vadzim Shybut forgot sheets with a printed text similar to the wording of the court's ruling in the courtroom. Some attendants of the hearing photographed the sheets and posted the photos online. Andrej Pavuk regarded it as a prepared ruling. Thereafter, the case was transferred to the Mazyr district court.

On October 29, the Chyhunachny district court in Homiel partially upheld the claim of a headmaster against the video blogger Arciom Shaparau. Judge Volha Impalitava considered that, by dressing Nina Starazhenka, the headmaster of the school No 3, in the black Nazi SS officer's uniform in the title sequence of a video, Shaparau harmed her honor, dignity and business reputation. The court ordered the blogger to pay Nina Starazhenka 300 rubles of the 5,000 requested in her claim for non-pecuniary damage. The blogger also had to compensate partially the headmaster for the incurred lawyer and court fees in the amount of 347 rubles. *In May 2018, on his YouTube channel "Homiel Society", the video blogger Shaparau posted a video entitled "Children taken hostage, and their widowed mother enslaved. The terrible realities of Belarus. Decree No 18". It was a story of Antanina Shajniuk, the mother of a large family who alone raises four children. Nina Starazhenka threatened to include the family in a special register as socially dangerous. The headmaster did not like the fact that the mother of a large family paid utility bills untimely, her daughters of school age were often looked after by their grandmother, and the apartment was a mess: stripped wallpaper and unpleasant odors felt from a sick shepherd dog,*

*which the headmaster strongly advised to euthanize. The Nobel Prize Laureate in Literature Svetlana Alexievich helped the family with money, and residents of Homiel collected money for the operation on the sick dog. The family paid the debts and cured the dog.*

On November 9, the Kastychnicki district court in Hrodna decided to partially satisfy the claim of Ivan and Viera Hryhorjeus against Ihar Bublikau, the editor of the website newgrodno.by, which published an article entitled "There is no lilac, but there is a criminal case. An unexpected twist in the story of felled lilacs". The plaintiff referred to the fact that the article humiliated his honor and dignity and violated his right to privacy. The court ordered Ihar Bublikau to pay the two plaintiffs 200 rubles as compensation for moral damage.

On December 28, the Saviecki district court in Minsk announced its ruling on the lawsuit of the businessman Leanid Zajdes against the newspaper *Novy Chas* and the journalist Dzianis Ivashyn on the protection of honor, dignity, and business reputation. The lawsuit was partially satisfied: the court ordered *Novy Chas* to pay Zajdes 700 rubles in moral damages and court fees. In addition, *Novy Chas* must publish a refutation of its material. Dzianis Ivashyn should not pay compensation to Zajdes who claimed that the articles wrote by Dzianis Ivashyn in a series of investigative journalism caused his mental suffering. The journalist revealed the construction scheme and identified most individuals and companies, which, in his opinion, were involved in the construction of a restaurant complex near the historical and cultural site of the first category, "The site of the execution of victims of political repression in 1930-40 in Kurapaty".

## Detention of journalists, judicial administrative prosecution

On January 5, the Homiel Regional Court dismissed the appeal of the local freelance journalist Andrej Tolchyn against the fine of 575 rubles, which was imposed on him in November 2017 by Judge Jauhien Sharshniou of the Centralny district court. The administrative penalty was imposed because of the story on the TV channel *Belsat* entitled "Forty degrees, threats, and water out of the closet", which reported poor working conditions at the company Kashtan.

On January 10, the Pastavy district court in the Viciebsk region found the journalist Zmicier Lupach guilty under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products) and imposed a fine of 612.5 rubles. An administrative report was drawn up against Lupach for shooting a video for *Belsat* about the shortage of fertilizers in the Pastavy district.

On January 11, Judge Hanna Bujnouskaja in the Frunzienski district court in Minsk sentenced the freelance journalist Liubou Bujanava (Luniova) to a fine of 980 rubles for the illegal production and distribution of media products - the preparation of a story for the TV channel *Belsat* without accreditation. The case was initiated by Paviel Tumas, the deputy head of the department for architecture and construction of the administration of the Frunzienski district, who filed a statement to the police to the fact that on November 20, 2017, the journalist had attended a public hearing in the executive committee and interviewed people there.

On January 18, Pipko, Judge of the Lida district court in the Hrodna region, fined Volha Chajchyc, a reporter of *Belsat*, 705 rubles. Once again, she was charged under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products). The reason for this was a story about the problems of entrepreneurs working in the local market in Lida.

On January 18, the Svietlahorsk district court sentenced the freelance journalists from Homiel Kanstancin Zhukouski and Andrej Tolchyn to heavy fines for interviewing villagers of Jakimava Slabada for *Belsat*. Judge Ruslan Tsaruk fined Zhukouski 1,225 rubles (about 500 euros) and Tolchyn 1,102.5 rubles

(about 450 euros). Police captain Siarhiej Shlikht drew up the administrative reports against the reporters. He accused them of violating Article 22.9 of the Administrative Code (illegal production and/or distribution of media products).

On January 31, Zmicier Lupach, a reporter from Hlybokaje, was fined 980 rubles (400 euros) for the cooperation with the TV channel *Belsat*. Lupach was punished for the preparation of a report about life in one of the agrotowns in the district. Judge Viachaslau Jelisiejnka of the Dokshytsy district court heard the case of the journalist under Article 22.9 (Part 2) of the Administrative Code (illegal production and/or distribution of media products).

On February 8, Ales Silich, who worked for *Belsat*, was held administratively liable in Minsk for the "illegal use of the Belsat trademark". Judge Anastasija Papko sentenced him to a fine of 875.5 rubles (356 euros) and ordered to confiscate his camera, microphone, a computer, and two laptops.

*The case of the Belsat trademark lasted almost five years and probably was initiated by the authorities. According to the owner of the Belarusian company BELSATplus, the TV channel Belsat harmed the interests of his company, and he tried to ban the TV channel from using the Belsat trademark. The Supreme Court initially dismissed these claims. But later, in 2015, the Supreme Court of Belarus reconsidered its decision and urged the Polish authorities to prohibit the TV channel Belsat from using its trademark, as the Polish TV channel is not subject to the Belarusian jurisdiction.*

On February 9, the Homiel district court fined the freelance reporter Larysa Shchyryakova 661.5 rubles (273 euros) for the illegal production of media products (Article 22.9 of the Administrative Code) and failure to appear in court (Article 24.6 of the Administrative Code). In December and January 2017, the journalist broadcasted live on YouTube from spontaneous rallies of villagers of Jakimava Slabada in the Svietlahorsk district, who were protesting the dangerous bleached pulp factory, which was built by Chinese investors near the village. This video was used by the TV channel *Belsat*.

On February 18, the police detained the journalist Andrej Koziel during the voting at the elections to the local councils of deputies. As a trustee of a candidate, he broadcasted live from a polling station in Minsk. The police said that Koziel had "ignored their demands, resisted a police officer, and grabbed a policeman by his uniform". The journalist spent the night in prison awaiting trial on charges of disobeying police. Koziel, who received a heavy blow in his forehead, said that the police had beaten him, banging his head against a glass door until the glass broke, and then had denied him medical treatment while he had been under their authority.

On February 19, the Centralny district court in Minsk decided to send the administrative case back to the police for revision, and he was released.

On March 7, Andrej Koziel was fined 735 rubles (305 euros) for disobeying police after the administrative report was updated.

On February 20, Judge Uladzimir Fiedarovich of the Lida district court in the Hrodna region sentenced the freelancers Volha Chajchyc and Andrej Koziel to a fine of 857.5 rubles (356 euros) each. In accordance with Article 22.9 of the Administrative Code (illegal production and/or distribution of media products), the journalists were punished for a video about their trial, which was aired by *Belsat* on January 18. Chajchyc denied her participation in its production.

On February 22, Judge Ilja Bielavus of the Akciabrski district court in Viciebsk fined Uladzimir Luniou and Vital Skryl 588 rubles (244 euros) each for their cooperation with the TV channel *Belsat*. The journalists were found guilty of the "production of a fragment" of a media material under Article 22.9 of the Administrative Code (production and/or distribution of media products). That is what was written in the report drawn up by Lilija Trushko, an officer of the Orsha police department. They interviewed



residents of Orsha, and these interviews were included in a video story entitled "Why they don't like Alexander Lukashenka in Orsha" and aired by *Belsat*.

On April 6, Vital Skryl and Uladzimir Luniou failed to appeal these fines. Judge Sviatlana Ivanova of the Viciebsk regional court heard the appeals.

On February 28, the Kalinkavichy district court fined the freelance reporter Andrej Tolchyn from Homiel 300 rubles (124 euros) for his cooperation with *Belsat*. He was sentenced under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products). Together with his colleague Kanstancin Zhukouski he filmed a video in the village of Kaplichy in the Kalinkavichy district in late January 2017. The court dismissed the case of Zhukouski, as the residents of Kaplichy, who were summoned to testify in court, could not identify the journalist.

On February 28, the Leninski district court in Brest found the bloggers Alexander Kabanau and Siarhiey Piatrukhin guilty of violating the procedure of organizing mass events repeatedly during a year (Article 23.34 of the Administrative Code) and fined them 1,225 rubles (about 500 euros) each. They were prosecuted for the incitement to take part in an unauthorized protest against the construction of a battery factory, which threatened the ecological situation. The rally took place in Brest on February 25.

Kabanau and Piatrukhin were detained on the evening of February 23. They spent the weekend in a temporary detention facility.

On March 2, Judge Ruslan Tsaruk of the Sviethorsk district court discontinued the administrative cases of the freelance journalists from Homiel Kanstancin Zhukouski and Andrej Tolchyn. The police wanted to hold the reporters liable under Article 22.9 of the Administrative Code for covering the environmental situation in the village of Jakimava Slabada on *Belsat*. The video entitled "People will die here like flies. The police got interested in participants in spontaneous rallies near Sviethorsk" was aired on the satellite TV channel *Belsat* on December 30, 2017. The court dismissed the administrative prosecution, as the two-month term, during which one could be held administratively liable, expired.

On March 3, Ales Liauchuk, who works for the TV channel *Belsat*, was fined 612.5 rubles (254 euros) in Brest. The reason for the trial was a story aired by *Belsat* about a corruption scheme some local officials used while repairing Shevchenko Str. in Brest.

The administrative report against Liauchuk was drawn up on February 27 under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products).

On March 5, the Dziarzhynsk district court found Volha Chajchyc and Andrej Koziel guilty of violating Article 22.9 of the Administrative Code and sentenced them to a fine of 857.5 rubles (about 350 euros) each. The reporters appeared in court for their cooperation with the TV channel *Belsat*, in particular, because of their story from Fanipal, where a group of residents had to wait for settling into their new homes for almost six months.

On March 6, a judge of the Sharkaushchyna district court sentenced the freelance journalist Zmicier Lupach to a fine of 563.5 rubles (about 230 euros). The reporter was charged with working without accreditation and prosecuted under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products). The video story, which was aired by the TV channel *Belsat* on January 7, dealt with the problem of low wages in Sharkaushchyna. On April 25, Judge Sviatlana Ivanova of the Viciebsk regional court overturned the ruling of the Sharkaushchyna district court, since at the time of the hearing the period of limitation for the institution of administrative proceedings expired.

On March 12, the bloggers Alexander Kabanau and Siarhiey Piatrukhin were fined 980 rubles (406 euros) each under Article 22.9 of the Administrative Code. The bloggers shot videos near the entrance of

the company EXIDE in Pinsk. Kabanau posted his video on his Facebook account, and Piatrukhin held a live broadcast on his YouTube channel. An administrative report was drawn up against them based on a complaint by Alexander Junkievich, a lawyer of EXIDE. The Pinsk district court punished them for the "illegal production and/or distribution of media products", although this article provides responsibility for working for a media outlet, and the social networks have never been regarded by courts as the media.

On April 11, Judge Ruslan Sianko of the Brest regional court overturned the ruling of the court of primary jurisdiction.

On March 14, the Homiel district court fined the freelance journalists Kanstancin Zhukouski and Andrej Tolchyn 612.5 rubles (about 255 euros) each for the illegal production and distribution of media products. In mid-February, *Belsat* aired a story about a mass slaughter of pigs in the farm Sozh in the Homiel district, presumably caused by swine plague. Because of this story, Police captain Jakau Sukhajkou drew up an administrative report under Article 22.9 of the Administrative Code.

On March 16, the freelance journalists Alena Shabunia and Viachaslau Lazarau were fined in Viciebsk under Article 22.9 of the Administrative Code. Shabunia was sentenced to a fine of 490 rubles and Lazarau to a fine of 539 rubles for a video story about a littered lake and the lack of drinking water in the village of Taporyna aired by the TV channel *Belsat*.

On April 25, Judge Sviatlana Ivanova of the Viciebsk regional court dismissed the reporters' appeal of the ruling of March 16.

On March 23, Judge Andrej Malechka of the Frunzienski district court in Minsk sentenced the freelance journalist Volha Chajchyc to a fine of 735 rubles for the alleged illegal production by the journalist of a story about urban densification on Jakubouski Str., which was aired by the TV channel *Belsat*.

On March 23, the police detained the blogger Siarhiey Piatrukhin from Brest. He spent more than two days in the detention center of the Leninski district police department in Brest. According to Piatrukhin, he was detained by plain-clothed men, who were joined later by police officers in uniform. He asked them to introduce themselves, but no one named himself. They told him that he was allegedly drunk and waving his arms and then pushed him into a police car by force.

On March 29, the Leninski district court in Brest fined the blogger 1,102.5 rubles under Article 23.4 of the Administrative Code (disobedience to a lawful order or request of an official in the exercise of official duties).

On March 24, the police detained the video blogger Alexander Kabanau in Biaroza. He remained in the detention center until the beginning of the trial scheduled for the afternoon of March 26. An administrative report was drawn up against him for taking part in an unauthorized protest rally of opponents of the battery factory on March 18. These rallies are held on Sundays, and the nearest one was scheduled for March 25. Along with the blogger Siarhiey Piatrukhin from Brest Kabanau regularly covered the problems related to the construction of the battery factory near Brest on their YouTube **channel "People's reporter"**. The ongoing construction caused outrage among residents, who feared that the factory would harm the environment and human health.

On March 29, the Biaroza district court found Kabanau guilty of an administrative offense and fined him 980 rubles.

On April 26, the Brest regional court dismissed the appeal of Alexander Kabanau and upheld the decision of the court of primary jurisdiction.

On March 25, the police detained ten journalists on Freedom Day - an unofficial holiday in Belarus, which is celebrated in commemoration of the proclamation of the Belarusian People's Republic in 1918. The authorities authorized a festive concert in Minsk but did not allow the procession, which was to begin at Jakub Kolas Square. Several freelance journalists covering the event were arrested.

Around 10:30 am, the traffic police stopped the car of *Belsat's* reporters Volha Chajchyc and Andrej Koziel. After checking their papers, the police let them go, but only for a short period of time (one of the policemen had their car's license plate written on his hand). A little later, the reporters were detained again. The cameraman Andrej Koziel was taken to a psychiatric hospital in the village of Sennitsa near Minsk. There, his blood alcohol content was checked, and then they released him.

The journalists of *Belsat* Liubou Bujanava (Luniova), Stanislau Ivashkievich, Ihar Illjash, Kaciaryna Andrejeva (Bakhvalava) and Siarhiey Kavaliou were arrested at about noon near Jakub Kolas Square in Minsk, where the unauthorized procession was about to begin. By 5 pm, *Belsat's* journalists were released.

In Viciebsk, the journalist Uladzimir Luniou was detained by the traffic police for an inspection of his car. He was taken to the Piershamajski district police department. There, Luniou made a written statement and was released three hours later.

In Lepiel, the Viciebsk region, the police stopped the freelance journalist Tatstsiana Smotkina. Her driver was charged with alleged speeding. The policemen questioned him but did not draw up a report for violation of traffic rules.

Halina Abakunchyk, a reporter of *Radio Liberty*, was detained in Minsk after the authorized concert at 5 pm. She said that all persons detained together with her were carrying small white-red-white flags, which are the unofficial national symbols. Abakunchyk was also detained with a small flag. In the Centralny district police department, the police seized her things. She was not allowed to make phone calls and go to the toilet. The journalist was released three and a half hours later.

On April 2, the Centralny district court in Minsk sentenced Hanna Aziemsha and Alexander Barazienka to the maximum fine under Article 22.9 of the Administrative Code - 1,225 rubles (510 euros) each. The journalists were fined for streaming video on February 18 from near the building of the Centralny district police department, where their colleague Andrej Koziel was brought after having been beaten by police officers.

On April 2, the Centralny district court in Minsk fined the journalist Maryja Arcybashava and the cameraman Siarhiey Kravchuk to 735 rubles each for the alleged illegal production of media products - working without accreditation for the TV channel *Belsat*. On May 8, the Minsk city court quashed that ruling because of procedural violations.

On April 10, the Leninski district court in Minsk held a trial of the freelancers Hanna Aziemsha and Alexander Barazienka, the second one within a month. They were fined 1,225 rubles (about 500 euros) each for the illegal production and distribution of media production. As before, their coverage of detention and trial of their colleague, Andrej Koziel, provided a motive for their prosecution.

On April 10, the freelance journalists Andrej Koziel and Volha Chajchyc were fined 980 rubles (about 400 euros) each in Minsk. They were tried under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products). First, they were told that their trial was postponed, but later it turned out that the case was heard. It was related to the video story they had produced about the early voting in Barauliany in the Minsk district during the local elections, which was aired on the TV channel *Belsat*.

On April 14, the journalists Siarhiej Krauchuk and Liubou Bujanava (Luniova) were fined in Minsk under Article 22.9 of the Administrative Code. The fines for their cooperation with the TV channel *Belsat* without accreditation amounted to 705 rubles each.

On April 20, the Karelitchy district court sentenced *Belsat's* reporter Volha Chajchyc and cameraman Andrej Koziel to a fine of 980 rubles each for working without accreditation under Article 22.9 of the Administrative Code. The reason for the administrative report was their work on a video story about a citizen of Turkmenistan who complained of "slave labor" in a Belarusian farm.

On April 20, the Hlybokaje district court sentenced the freelance reporter Zmicier Lupach to a fine of 857.5 rubles (345 euros) for his cooperation with *Belsat*. Police captain Siarhiej Cyrban drew up two administrative reports because of the stories on the TV channel *Belsat* entitled "Wolves are terrorizing the Viciebsk region. People are assailed by fear" and "One hundred fifty is a good wage. Are small towns doomed?".

On May 23, Judge Sviatlana Ivanova of the Viciebsk regional court upheld the ruling of April 20, having considered the journalist's appeal.

On April 27, Judge Ruslan Tsaruk of the Svietlahorsk district court sent back for revision the report drawn up by Police senior lieutenant Aleh Kaucevich under Article 22.9 of the Administrative Code against the freelance reporter Larysa Shchyrakova from Homiel, as the charges in the report were absurd. The report stated that on March 9 at 8 am, Shchyrakova illegally interviewed villagers of Jakimava Slabada in the Svietlahorsk district, and the Polish satellite TV channel *Belsat* aired this video interview in a "News Bulletin". Meanwhile, there is no such show on this TV channel. The author of the report, who was summoned to court, could not explain intelligibly the circumstances of his claims against the journalist. On June 21, Shchyrakova received a notification signed by Alexander Ziaziotka, the head of the Svietlahorsk district police department, about the termination of administrative proceedings as the period of limitation for the institution of administrative proceedings expired.

On May 2, the Centralny district court in Homiel fined the freelance journalist Kanstancin Zhukouski 735 rubles (about 300 euros). He was found guilty of illegally producing and distributing media products under Article 22.9 of the Administrative Code. The administrative report stated that, from March 5 to March 7, Zhukouski had interviewed three residents of Homiel; after that, he had produced a video story and posted it in the show *Abjektyu* on the Polish TV channel *Belsat*.

On May 7, the reporters Liubou Bujanava (Luniova), Siarhiej Krauchuk, Kaciaryna Andrejeva (Bakhvalava), Iryna Arakhouskaja, Maryja Arcybashava, and Alexander Barazienka – the journalists who cooperate with *Belsat* – were fined in Minsk under Article 22.9 of the Administrative Code (for working without accreditation). Siarhiej Krauchuk and Kaciaryna Andrejeva (Bakhvalava) were fined twice on that single day. The fines amounted to 6,000 rubles (about 2,530 euros) in total. In connection with this development, the OSCE Representative on Freedom of the Media Harlem Désir expressed his continued disappointment and concern regarding the ongoing practice of imposing penalties on journalists working without accreditation in Belarus, "*This detrimental practice effectively bans journalists from reporting on issues of public interest and has a crippling effect on pluralism and freedom of the media in Belarus. Yesterday's court decisions against six freelance journalists again underscore the urgent need to address the issue,*" said Harlem Désir. He urged the authorities to amend the mass media law and grant all journalists an unimpeded right to seek and disseminate information.

On May 10, the Maskouski district court in Brest found the freelancer Ales Liauchuk guilty under Article 22.9 of the Administrative Code and fined him 612.5 rubles (256 euros). The reason for the punishment was that on January 3, Liauchuk allegedly "illegally produced and distributed media products." Without having accreditation as a foreign journalist, he interviewed people on Shevchenko Str. in Brest, and then published the interviews on the website of the TV channel *Belsat*.

On May 14, a court in Hrodna fined Paviel Mazhejka, the host of *Intermarium* show on the TV channel *Belsat*, 857 rubles (359 euros). On March 25, Freedom Day, the journalist was covering events in Hrodna. According to the police report, drawn up by Vadzim Nalivajka, Mazhejka was accused of illegal production and distribution of media products under Article 22.9 of the Administrative Code.

On May 21, two plain-clothed men detained the freelance journalist Alina Skrabunova and took her to the Leninski district police department in Mahiliou. Two unidentified men waited for the journalist near the apartment building where she lives. Hardly the journalist came to the door, one of them grabbed her arm and dragged her to a car. The journalist was taken to the police station in a private car (not a police car); during the journey, the driver refused to name himself. Only after they got to the police station, he told his name and position – the neighborhood inspector Ruslan Marozau. He also told Skrabunova that she would be prosecuted for "participating in the illegal production and distribution of media products." The second man refused to identify himself at all. He tried to prevent the journalist from taking pictures during the detention, and then just disappeared. Skrabunova managed to film the moment of her detention, as well as how they took her to the police station.

On May 23, the journalist filed a complaint to Alexei Shcharbakou, the head of the Leninski district police department in Mahiliou. She received a reply signed by Alexander Pushyna, the deputy head of the department, stating that her complaint "was not considered on its merits", due to the fact that it contained questions that were not within the competence of the Leninski district police department in Mahiliou, as well as about legality of actions of law enforcement officers during the brutal detention.

On May 23, the journalist of *Belsat* Kaciaryna Andrejeva (Bakhvalava) was fined 1,225 rubles (about 520 euros) for the illegal production and distribution of media products, that is, for working without accreditation. The case was heard by the Saviecki district court in Minsk.

On May 28, the Kalinkavichy district court in the Homiel region fined Larysa Shchyrakova, a freelance journalist from Homiel, 980 rubles under Article 22.9 of the Administrative Code for working for the TV channel *Belsat*.

On May 29, the Leninski district court in Mahiliou fined the reporters Alina Skrabunova and Jauhien Hlushkou "for the illegal production of media products for the foreign satellite TV channel *Belsat*". Under Article 22.9 of the Administrative Code, Skrabunova was fined 1,225 rubles (about 520 euros) and Hlushkou was fined 735 rubles (about 310 euros). The journalists were accused of the production of two video stories for the TV channel *Belsat* – about the eviction of dwellers of a house in Mahiliou because of a mistake of the authorities and the suicide of the head of the agricultural holding Kupalauska in the Shklou district. The court summoned the persons who were filmed in the first video story as witnesses in that case. They told the reporters that they had been summoned under false pretenses – they had been told over the phone that the court would consider the case of their eviction.

On July 19, Judge Mikhail Melnikau of the Mahiliou regional court heard the appeal of the journalists and upheld the ruling of May 29.

On May 31, the Dokshytsy district court in the Viciebsk region sentenced the journalist Tatstsiana Smotkina from Hlybokaje to a fine of 735 rubles (312 euros). The journalist was fined under Article 22.9 of the Administrative Code for the story, which was published on the website of *Bielaruskaje Radyjo Racyja* based in Poland. Dzmitry Jukhnovich, a neighborhood inspector of the Dokshytsy district police department, drew up a report against her.

On July 23, the Viciebsk regional court denied the appeal of the journalist Tatstsiana Smotkina and upheld the decision of the Dokshytsy district court.

On June 1, the Dokshytsy district court discontinued the administrative case against Zmicier Lupach, a freelance journalist from Hlybokaje. According to Judge Viachaslau Jelisiejenka, the reason for this decision was the failure to prove the charge against the person in relation to whom the administrative process was conducted. During the hearing, the mismatch of the date and time of the offense became evident. Lupach managed to prove that he was elsewhere on April 19.

On June 4, the Homiel district court sentenced the freelance journalist Kanstancin Zhukouski to a fine of 1,225 rubles (520 euros) – the maximum penalty under Article 22.9 of the Administrative Code. Zhukouski was found guilty of the illegal production of media products for the Polish TV channel *Belsat*. The ground for this punishment was a video story about an environmental problem created by a landfill near the village of Sciah Pracy near Homiel shown in the show *Abjektyu* on April 5 and posted on the website. Siarhiej Prymakou, a neighborhood inspector of the district police department, drew up the report.

On June 6, the Centralny district court in Homiel fined the freelance journalist Kanstancin Zhukouski 980 rubles (416 euros). The journalist was put on trial because of four administrative reports drawn up under Article 22.9 of the Administrative Code in different parts of the Homiel region. Two reports came to the court from the Lojeu police department and one each from the Karma district and the Centralny district in Homiel. The court found Zhukouski guilty of the illegal production of media products for the TV channel *Belsat* without accreditation.

On June 6, the journalist of *Belsat* Kaciaryna Andrejeva (Bakhvalava) was detained near the scene of the massacres of Stalin era in Kurapaty near Minsk, where she was covering public protests against the opening of a restaurant in the immediate vicinity of the mass grave. When Andrejeva held a live broadcast, a plain-clothed policeman grabbed her brutally and dragged her into a police car. A police officer, who refused to produce any ID, told the reporter that her activities were illegal. Andrejeva was taken to a police station in Barauliany, where she spent about an hour. The police drew up an administrative report against her under Article 22.9 of the Administrative Code for the illegal production and distribution of media products.

On August 9, Kaciaryna Andrejeva (Bakhvalava) as well as the cameraman Siarhiej Kavaliou, were fined 980 rubles each in accordance with this report.

On June 7, the Kalinkavichy district court sentenced the freelance journalist from Homiel Kanstancin Zhukouski to a fine of 735 rubles (about 320 euros) under Article 22.9 of the Administrative Code. The court found that the airing of the reporter's video by the TV channel *Belsat* constituted the illegal production of media products. The video story was about the death of a young man from the village of Navinki (the Kalinkavichy district) during his military service.

On June 11, the Hlybokaje district court sentenced the freelance journalists Tatstsiana Smotkina and Zmicier Lupach to the fines of 1,102.5 rubles (about 550 euros) and 857.5 rubles (about 370 euros) for working without accreditation for a foreign media outlet. The journalists were prosecuted under Article 22.9 of the Administrative Code. The police drew up four reports against Tatstsiana Smotkina for her publications on the website of *Bielaruskaje Radyjo Racyja* and two reports against Zmicier Lupach for his publications on the website of the TV channel *Belsat*.

On July 11, Judge Smaliakova of the Viciebsk regional court heard the appeals of the freelance reporters from Hlybokaje. She decided to reduce the fine imposed by the Hlybokaje district court on Tatstsiana Smotkina from 45 to 35 base values (down to 857.5 rubles).

On June 14, Ales Lipaj, the co-founder and director of the news agency *Belapan*, was arrested after a search of his apartment and taken for questioning to the Department for Financial Investigations for Minsk and the Minsk region in connection with a criminal investigation (see more in "Criminal cases").

On June 21, the Slonim district court in the Hrodna region fined the reporters Andrej Koziel and Volha Chajchyc 980 rubles each for their cooperation with the TV channel *Belsat* without accreditation under Article 22.9 of the Administrative Code.

On June 26 in Minsk, five journalists who cooperated with the TV channel *Belsat* were fined for the illegal production of media products (Article 22.9 of the Administrative Code): Kaciaryna Andrejeva (Bakhvalava) and Andrej Koziel 1,102.5 rubles each, Tatstsiana Ulasienska 490 rubles, Tatstsiana Belashova and Vital Dubik 857.5 rubles each. The reason for the court decisions was their work during the "Chernobyl Way" protest rally, which took place on April 26.

On June 28, the Centralny district court in Minsk fined the journalist Kaciaryna Andrejeva (Bakhvalava) and the cameraman Siarhiej Kavaliou 735 rubles (about 320 euros) each for cooperation with the TV channel *Belsat* without accreditation. They were found guilty under Article 22.9 of the Administrative Code for working at a meeting of trade unions on May 1. According to the judge's ruling, Andrejeva and Kavaliou "illegally produced" a video clip, which was allegedly aired by *Belsat* in the show "News Bulletin", even though there is no such show on the channel.

On June 28, Andrej Shauliuha, a freelance press photographer of the news agency *BelaPAN*, was detained in Minsk near the Ministry of Internal Affairs and spent the night in custody. Shauliuha was detained along with three students of the Belarusian Free Theater during a protest rally in support of the LGBT community. They urged to stop pressure on the community by putting a flower bed in rainbow colors at the feet of the statue of a policeman. It was in response to a statement condemning the same-sex relationships made by the Ministry of Internal Affairs after the US and UK embassies have hung the rainbow flag on the International Day Against Homophobia.

On June 29, all the detainees were brought to justice. The Piershamajski district court fined Shauliuha 73.5 rubles (32 euros) for disobeying police officers. According to the police report, the journalist allegedly refused to leave the police car when he was brought to the police station. The participants in the action received the same fines.

On July 5, the neighborhood police inspector Siarhiej Prymakou visited the freelance journalist from Homiel Larysa Shchyrakova and drew up an administrative report for working without accreditation for the TV channel *Belsat* (Article 22.9 of the Administrative Code). The reason for it was the photo report, which was posted on the website of the TV channel on May 16 entitled "Breathtaking landscapes. The highest mountain in the world through the eyes of residents of Homiel". It included photos that Shchyrakova made in the Himalayas in Nepal. According to the police report, she allegedly placed "an article in the form of a story on the air", although the photo report was published on the website only.

On July 7, the Saviecki district court in Minsk fined the freelance journalists Stanislau Ivashkievich and Iryna Arakhouskaja 857.5 rubles (about 370 euros) each for their cooperation with the TV channel *Belsat* without accreditation.

On July 7, Judge Andrej Tolchyn of the Saviecki district court in Homiel found the freelancer Andrej Tolchyn 980 rubles (about 420 euros) for his cooperation with the TV channel *Belsat* without accreditation. Tolchyn was fined for three video stories shot in Rechytsa and Homiel.

On July 7, the journalist of the TV channel *Belsat* Kaciaryna Andrejeva (Bakhvalava) was fined 1,225 rubles in Minsk under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products).

On July 9, the Rechytsa district court found the freelance journalist Larysa Shchyrakova guilty of the illegal production of media products and fined her 980 rubles. She was punished for the story entitled "Today, animals die in a tar pit. Will people die there tomorrow?" aired by *Belsat*.

On July 11, a judge of the Centralny district court in Homiel fined the freelance journalist Kanstancin Zhukouski 735 rubles (about 320 euros) under Article 22.9 of the Administrative Code, finding him guilty of the illegal production of media products for the TV channel *Belsat*. He was prosecuted for the production of two video stories in the Rahachou district in the Homiel region, even though the Saviecki district court in Homiel had fined Andrej Tolchyn for the very same stories on July 7. Tolchyn testified at the trial of Zhukouski that he had filmed these stories; however, it did not affect the judge's decision.

On July 12, the Chyhunachny district court in Homiel sent back for revision the administrative case of Arciom Shaparau. It took into account the blogger's petition about the violation of his right to participate in a legal examination, which, according to Shaparau, was one-sided and of poor quality. Previously, the Saviecki district police department carried out an expert examination on the request of the headmaster Nina Starazhenka (see more in "Other court cases"), but no proof of insult was found. The case was re-characterized under Article 17.10 of the Administrative Code (promotion and dissemination of Nazi symbols). The police sent the title sequence for the video for examination. The results of the examination were transferred to the court together with the administrative report. On July 31, Shaparau received a letter stating that the administrative case against him for the promotion and dissemination of Nazi symbols was discontinued because "the period of limitation for the institution of administrative proceedings expired".

On July 13 in Minsk, the freelance journalist Ales Silich was sentenced to a fine of 980 rubles under Article 22.9 of the Administrative Code. The court found that the airing of the reporter's video by the TV channel *Belsat* constituted the illegal production of media products.

On July 20, the freelance journalist Kanstancin Zhukouski was detained for six hours and charged with disorderly conduct during his visit to the Homiel regional traffic police. Zhukouski went to the local traffic police to take back his driver's license, which he was deprived of a year ago, but the police refused to return the document without giving a reason. Then the journalist asked to familiarize him with the materials of his case. According to Zhukouski, when he began to photograph them, he was charged with disorderly conduct and taken first to the Chyhunachny district police department and then to the Chyhunachny district court. However, the journalist was unable to get out of the car on his own. He was taken to a medical emergency hospital because of high blood pressure and complaints of pain.

On July 20, the police detained the journalist of *Belsat* Kaciaryna Andrejeva (Bakhvalava) and the cameraman Siarhiej Kavaliou in Kurapaty near Minsk. This happened after the news conference of Leanid Zajdes, a restaurant owner. They interviewed activists protesting against the opening of a restaurant in the immediate vicinity of the mass grave. The journalists were taken to a police station in Barauliany in a police car. An administrative report was drawn up against them under Article 22.9 of the Administrative Code (illegal production and distribution of media products). Both were released an hour later.

On July 20, the journalist of the TV channel *Belsat* Kaciaryna Andrejeva (Bakhvalava) was fined 1,225 rubles in Minsk under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products).

On July 23 in Hrodna, the local freelance journalists Alexander Dzianisau and Alexei Kajrys who cooperate with the TV channel *Belsat*, were detained on the street by plain-clothed people in the afternoon and remained in police custody for more than two hours; afterward, they were taken home to conduct searches (see more in "Searches, seizure, and confiscation of and damage to equipment and storage devices"). The reporters were told that a complaint had been filed against them for insult and the police began an investigation. Probably, it was about the alleged insult of Sviatlana Zhylynskaja, the head of the hostels' maintenance section of the Leninski district in Hrodna, who was mentioned in a *Belsat* story published on April 20.



On July 25, Harlem Désir, the OSCE Representative on Freedom of the Media, urged to halt pressure on *Belsat's* journalists. *"Detention, search&seizure of equipment of @Belsat\_TV journalists Alyksandr Dzyanisau & Alyksei Kairys, under investigation for insult and working without accreditation is a restriction on #mediafreedom. Authorities should lift excessive restrictions on accreditation in #belarus"*, tweeted the OSCE representative.

On July 24, the blogger Andrej Pavuk from Akciabrski in the Homiel region was taken to the police station and held there for about three hours. An administrative report was drawn up against him under Article 22.9 of the Administrative Code. Pavuk was charged with the illegal production and distribution of media products. On August 23, the Akciabrski district court fined the blogger 735 rubles (about 300 euros) for a video story entitled "A blogger threatened for a photo of officials on his t-shirt" aired by *Belsat* on July 8, although he was not its producer but a protagonist. As stated in the ruling, Pavuk interviewed passers-by, *"acting effectively as a journalist of a foreign mass media outlet without accreditation of the Ministry of Foreign Affairs"*.

On 25 July, the Dziarzhynsk district court found the freelance journalist Volha Chajchyc, who cooperates with the TV channel *Belsat*, guilty of the illegal production of media products without accreditation and fined her 980 rubles.

On July 27, Siarhiey Piatrukhin, who runs the video blog "People's Reporter", was detained near his house in Brest after not allowing the police to enter his apartment. A police officer read out the search warrant for the blogger's apartment. The police officer also referred to a complaint about abuse filed by the police officer Rabushka, who detained the blogger earlier in 2018. When Piatrukhin refused to allow the police to enter the building until his lawyer arrives, he was detained. In the police department, Piatrukhin was charged with disobeying police. He was taken into custody. On August 1, the Leninski district court in Brest dismissed his case due to lack of evidence.

On August 3, a judge of the Biaroza district court found the freelance journalist Tamara Shchapiotkina guilty of the illegal production and distribution of media products without accreditation and fined her 612.5 rubles (260 euros). The reason for this was two stories for *Bielaruskaje Radyjo Racyja* located in Poland.

On August 6, Judge Kanstancin Skaryna of the Buda-Kashaliova district court dismissed the administrative case against the freelance journalist from Homiel Larysa Shchyrakova. In May, the latter shot a video story entitled "A milkmaids' riot" at the agricultural enterprise Kryusk aired by the TV channel *Belsat*. The court ruling, received by the journalist, said that the case was dismissed due to the expiration of the two-month period during which it is possible to bring the perpetrator to justice.

On August 13, the journalist of the TV channel *Belsat* Kaciaryna Andrejeva (Bakhvalava) was fined 1,225 rubles in Minsk under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products).

On August 15, the freelance reporter Jauhien Skrabciec was tried in Luniniec, the Brest region, under Article 22.9 of the Administrative Code (illegal production and (or) distribution of media products). The court sentenced him to a fine of 480 rubles (about 200 euros). The journalist was charged with collaborating with a foreign media outlet without accreditation because of the story published on the website of *Radyjo Racyja* on June 18. On September 12, the Brest regional court heard Skrabciec's appeal and upheld the ruling of the court of primary jurisdiction.

On August 29, a judge of the Biaroza district court in the Brest region found the freelance journalist Tamara Shchapiotkina guilty of violating Article 22.9 of the Administrative Code and fined her 735 rubles (about 300 euros). The administrative proceedings were instituted because of the story, which appeared on the website of *Radyjo Racyja* and was dedicated to the closure of a pig farm in the Ivanava district.

On August 30 in the morning, the riot police raided and searched the apartment of the blogger Siarhiey Piatrukhin from Brest. Once the search ended, Piatrukhin in handcuffs was taken to the Leninski district police department in Brest. He was released at about 2 pm. In July, a criminal case was instituted against Piatrukhin on charges of insulting a police officer (*see more in "Criminal cases"*).

On September 3, the Centralny district court in Minsk fined *Belsat's* author Iryna Arakhouskaja 490 rubles (about 200 euros). The journalist was punished under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products) for publication of her photos on *belsat.eu* (the website of the TV channel *Belsat*). On August 2, the paratroopers of some post-Soviet countries, including Belarus, celebrated Paratroopers' Day. Many of them participated in the traditional bathing in fountains. On that day, during the photographing, Police major Dzmitry Shantyr warned Arakhouskaja that an administrative report would be drawn against her if her photos appeared on *belsat.eu*.

On September 3 at about 8.45 am, at a bus stop in Brest, the police detained the video blogger Siarhiey Piatrukhin. He was told that he would be taken for a psychiatric examination in the criminal case for libel and slander instituted against him in July (*see more in "Criminal cases"*).

On September 4, a judge of the Braslau district court in the Viciebsk region fined the freelance journalist from Hlybokaje Zmicier Lupach 882 rubles (about 360 euros) for cooperation with the TV channel *Belsat* under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products). This time, he was tried for a story about the corruption of the former chairman of the Braslau district executive committee and his wife, in which residents expressed their views on this issue. On September 10, Judge Sviatlana Ivanova of the Viciebsk regional court upheld the decision of the district court.

On September 5, the Smaliavichy district court imposed a fine of 1,225 rubles (500 euros) on the journalist Volha Chajchyc for her cooperation with the TV channel *Belsat*. She was sentenced for reporting on the protests by residents against the closure of a store.

On September 10, a judge of the Dziarzhynsk district court fined the journalist Volha Chajchyc 980 rubles (395 euros) for her photo report covering the picketing of the restaurant in Kurapaty near Minsk, on the site of a mass grave of victims of Stalinist repression.

On September 11, the Babrujsk district court fined the freelance cameraman Siarhiey Kavaliou 980 rubles (about 395 euros). The journalist was found guilty of the illegal production and distribution of media products due to his coverage in July of the press conference of Leanid Zajdes, one of the owners of the infamous restaurant at the mass graves in Kurapaty.

On September 11, the Baranavichy district and city court found the journalist Tamara Shchapiotkina guilty of violating Article 22.9 of the Administrative Code and fined her 980 rubles. Shchapiotkina was charged with interviewing participants in an event at the Museum of the poet Adam Mickiewicz in Zavossje in the Baranavichy district two months before and then publishing the story on the website of *Radyjo Racyja*. On October 11, the Brest regional court upheld the decision on fining the journalist.

On September 11 in Minsk, two journalists were fined for cooperation with the TV channel *Belsat* under Article 22.9 of the Administrative Code. Kaciaryna Andrejeva (Bakhvalava) was fined 882 rubles and Ales Silich was fined 857.5 rubles.

On September 16, the Saviiecki district court in Minsk sentenced the journalist Kaciaryna Andrejeva (Bakhvalava) to a fine of 1,225 rubles (about 500 euros). The journalist was found guilty of the illegal production and distribution of media products due to her coverage in July of the press conference of the businessman Leanid Zajdes on the opening of a restaurant near the Kurapaty - a place of mass murder in the Stalin era.

On September 21, a judge of the Centralny district court in Homiel found the freelance journalist Kanstancin Zhukouski guilty of the illegal production and distribution of media products (Article 22.9 of the Administrative Code) and fined him 735 rubles (about 300 euros). An administrative report was drawn up in the Korma district police department because of his video story about the failure of the local district consumer union to furnish shops with the most essential products. The piquancy of the situation lies in the fact that the video was filmed by the freelancer Andrei Tolchyn, who came to the court and confirmed it. Zhukouski only drove their car. Nevertheless, Judge Osipava ignored this evidence and punished the journalist. Kanstancin Zhukouski came to the court in a prison uniform to protest restrictions on freedom of speech.

On September 25, the police detained Andrej Pavuk, the renowned blogger from Akciabrski in the Homiel region, when he attempted to attend a session of the district council of deputies. Pavuk was told that he was not welcome there. A police officer took him outside and then brought him to the police station, even though, under with the law, anyone has the right to attend these meetings. The blogger was questioned and released. He filed a complaint against the police to the prosecutor. On October 6, the prosecutor of the Akciabrski district in the Homiel region Andrei Liavonchyk told the blogger in writing that there was no reason for the prosecutor to take response action, as the police had responded to a phone call from the meeting room of the district council and, since Pavuk had refused to leave the chair of a deputy, Major Haponienka had "*taken his arm and seen him off the meeting room.*"

On September 26 in Minsk, Tatstsiana Ulasienska and Siarhiej Krauchuk were fined 735 and 980 rubles respectively for their cooperation with the TV channel *Belsat* under Article 22.9 of the Administrative Code.

On September 28 in Slonim, the journalist Volha Chajchyc was fined 980 rubles (about 400 euros) for the illegal production and/or distribution of media products (Article 22.9 of the Administrative Code). This happened on August 23, when a local official in Slonim in the Hrodna region prevented her and Alexander Ziankou from working by calling the police (see more in "Infringements related to access to information").

On September 30, the blogger Siarhiej Piatrukhin from Brest was detained while going back home from Lenin Square, where he held an online broadcast of the traditional meeting of those opposing the construction of a battery factory on his YouTube channel, "People's Reporter". Police officers forced the blogger to return to the square, and then he was taken to the Leninski district police department in Brest (he spent the night in a temporary detention facility). On October 1, the court began hearing his case. On October 4, Judge Alexander Siemianchuk found the blogger guilty under Article 23.34 (Part 3) of the Administrative Code (participation in an unauthorized mass event) and sentenced him to a fine of 1,225 rubles.

On October 16, the police detained the journalist Volha Chajchyc, who cooperates with *Belsat*, in Kurapaty near Minsk, where she came to make a report. The journalist was taken to the police station in Barauliany for an administrative report to be drawn up against her for a video story aired by *Belsat* on the previous day. There, the police officer Dzmitry Smyk forcibly took her phone and deleted all the video of the police taken at the time of her detention. An administrative report for "taking pictures without accreditation" under Article 22.9 of the Administrative Code was drawn up against Chajchyc after she spent about three hours at the police station. Then she was released.

On October 16, a judge in the Zhabinka district court found Ales Liauchuk and Milana Kharytonava, two reporters of *Belsat* from Brest, guilty of the illegal production and distribution of media products (Article 22.9 of the Administrative Code). Alexander Liauchuk must pay the maximum monetary penalty stipulated in Article 22.9, 1,225 rubles (506 euros), and his colleague and wife Milana Kharytonava, 490 rubles (202 euros). The journalists were fined for shooting a story about the swine fever in the village of Aziaty in the

Zhabinka district without accreditation as foreign journalists. The local authorities tried to hide any information about the situation with the swine fever.

On October 18, Judge Andrei Kaniushka of the Brest court fined the freelance journalist Alina Litvinchuk 490 rubles. The journalist was tried under Article 22.9 for the "*illegal production of media products, the abuse of rights and duties of the journalist.*" The case concerned the story, which appeared on the website of *Bielaruskaje Radyjo Racyja* about the event held on September 8 at a library.

On October 22, Alexander Husieu, the neighborhood inspector of the Centralny district police department in Homiel, told the freelance journalist Maryja Bulavinskaja-Liapina that he had drawn up an administrative report against her under Article 22.9 of the Administrative Code for the production of the documentary entitled "**The Homeless City**" without accreditation. The film was aired on the TV channel *Belsat* on September 6. The website of the TV channel designated Bulavinskaja as the film director. On November 21, the Centralny district court in Homiel discontinued the administrative case against Maryja Bulavinskaja-Liapina. The ruling was made by Judge Siarhiej Karmanovich, who stated that the two-month period of limitation for the institution of administrative proceedings had expired.

On October 23, a judge of the Kamianiec district court fined the journalists from Brest Ales Liauchuk and Milana Kharytonava for their cooperation with *Belsat*. The couple was fined under Article 22.9 of the Administrative Code for the second time in October 2018. The court sentenced Liauchuk to a fine of 1,225 rubles (506 euros), the maximum penalty under this article. Kharytonava was fined 980 rubles (about 405 euros). Thus, the journalists were fined more than 900 euros in total for the story about Vysokaje getting ready for the regional festival Dazhynki. On December 6, the Brest regional court considered the appeal by Kharytonava and Liauchuk and upheld the ruling of the Kamianiec district court.

On October 25, the Zhabinka district court fined the journalists from Brest Ales Liauchuk and Milana Kharytonava for working for *Belsat* without accreditation. The fines amounted respectively to 1,225 rubles (506 euros) and 960 rubles (about 450 euros). The reason for the punishment was a story on the situation at the oil depot in Zhabinka, where workers had not been paid on time for more than a year.

On October 25, Mykola Balaban, a Ukrainian journalist and the publisher of *The Village Ukraine*, who came to Minsk as an expert for the forum "Media management and IT", was detained in Minsk. The police knocked at the door of his hotel room in the morning and took him to a police station. Six hours later he was released and left Belarus on the same day. Later, the journalist explained that the police mistook him for his namesake - there is another Mykola Balaban in Ukraine, an author of the website *Informnapalm*, which exposes the Russian aggression in Ukraine.

On October 25, a judge of the Buda-Kashaliova district court fined the freelance journalist from Homiel Andrej Tolchyn 735 rubles (about 300 euros) for working without accreditation. The local police drew up an administrative report against the freelancer under Article 22.9 of the Administrative Code for airing a video story on September 7 on the TV channel *Belsat*, which dealt with the deficit of fuel in one of the farms in the Buda-Kashaliova district.

On October 30, the staffer of *Radyjo Racyja* Jauhien Skrabiec, as well as the journalists Ales Liauchuk and Milana Kharytonava, who cooperate with the TV channel *Belsat*, were fined in Brest under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products). Skrabiec was punished by a fine of 490 rubles (about 200 euros) for his report entitled "Graffiti on the walls of the Brest Fortress", published on the website of *Radyjo Racyja*. Liauchuk and Kharytonava were held liable for their cooperation with the TV channel *Belsat*. On October 4, they interviewed the blogger Siarhiej Piatrukhin and the civil activist Ryhor Astapuk about the persecution of opponents of the construction of a battery factory near Brest. Their fines amounted to 1,225 rubles (about 500 euros) and 735 rubles (about 300 euros) respectively. On December 6, Judge Ruslana Sianko of the Brest regional court quashed the

decision against Ales Liauchuk and Milana Kharytonava and sent the administrative case to another judge.

On November 1, the Buda-Kashalova district court in the Homiel region found the freelance journalist Kanstancin Zhukouski guilty under Article 22.9 of the Administrative Code (illegal production and/or distribution of media products) and fined him 980 rubles (about 400 euros). The judge concluded that Zhukouski, who was not accredited as a foreign journalist, illegally interviewed employees of a farm near the village of Rahin, so he illegally produced media products, which were later aired by *Belsat* in the show *Abjektyu*.

On November 1, the Rechytsa district court stopped the administrative proceedings under Article 22.9 of the Administrative Code against the freelance journalist Andrej Miadzviedzieu.

Judge Maryna Kaciuba, who considered the report submitted by the police, concluded that there was no evidence against the journalist regarding the production of media products without accreditation for a foreign TV channel. The administrative report was drawn up against Miadzviedzieu by the neighborhood inspector of the Rechytsa police department Alexei Cimoshchanka after the journalist was filmed in September in a video story of the TV channel *Belsat* entitled "Fighting for your rights - get ready to pressure from law enforcers." It dealt with the story of a resident of Rechytsa Dzianis Barsukou, against whom the police resumed the criminal case closed six months ago. The neighborhood inspector failed to investigate who produced the story about Barsukou, after having seen the journalist Miadzviedzieu on the screen.

On November 2, a judge of the Leninski district court in Brest fined the freelance journalists Ales Liauchuk, Milana Kharytonava and Jauhien Skrabiéc 612.5 rubles each for their cooperation with foreign media without accreditation, in particular, for their stories about the protest of residents of Brest against the construction of a battery factory near the town. Over the previous three weeks Liauchuk and Kharytonava, who not only work together but are a family, were tried five times for their work for *Belsat* without accreditation. The total amount of fines reached about 3,900 euros in less than a month. On December 13, Jauhien Skrabiéc appealed the ruling of November 2 in the Brest regional court – to no avail.

On November 2, the Kastychnicki district court in Hrodna found the musician and journalist Alexander Dzianisau guilty of distributing extremist materials. Judge Valery Shpak, who heard the administrative case under Article 17.11 (Part 2) of the Administrative Code (distribution, production, storage, and transportation of information products containing calls to an extremist activity or promoting such activity), fined the freelance journalist 612.5 rubles. The basis for the administrative prosecution was the repost by Dzianisau in his account in the social network *Vkontakte* of two videos about the participation of anarchists from Brest in a protest "March of parasites" last year. The repost was made from the anarchist website "Revolutionary Action" in March 2017, before the website was recognized as extremist by the court and added to the list of extremist materials.

On November 5, the journalist of *Euroradio* Raman Pratasievich was detained in Minsk. The police came to the journalist's apartment in the morning. He was detained, taken to the Piershamajski district police department in Minsk and released three hours later. The journalist said that something very strange was happening at the police station. The policemen did not show him any documents and did not say anything at all. When he asked about the reason for his detention, he got no reply. They took his mobile phone from him for a long time and were looking for something in the phone; they also took some pictures of the phone. During the examination of the phone, they asked Pratasievich why he had often photographed rallies and why he had a lot of pictures of police officers. After that, the police told Pratasievich that a criminal case had been allegedly instigated against him for "hooliganism" (Article 339 (Part 1) of the Criminal Code). Allegedly more than a month ago, about July 20 (the exact date was not given), he was

riding a bus and there was some kind of conflict, someone hit the bus driver - and the driver recognized Pratasievich on a photo as the attacker.

On November 5, the Biaroza district court in the Brest region sentenced the freelance journalist Tamara Shchapiotkina to a fine of 857.5 rubles (358 euros). She was found guilty of the illicit production of media products without accreditation because of the story, which was posted on the website of *Radyjo Racyja*. On December 6, the Brest regional court dismissed her appeal against the ruling of the court of primary jurisdiction.

On November 8 in Homiel, a judge of the Centralny district court fined the freelance journalist Kanstancin Zhukouski 735 rubles (307 euros). The court found him guilty of the "illegal production of media products" under Article 22.9 of the Administrative Code. The reason for this was a story that appeared on the website of the TV channel *Belsat* on October 10. The story dealt with the protest of workers of the agricultural company Niakrashynski in the Akciabrski district against the decision of the district authorities to dismiss their director.

On November 13, the blogger Siarhiej Piatrukhin from Brest was arrested while he was shooting video at a police station. He spent the night in the detention center of the Leninski district police department and was released on November 14. According to Piatrukhin, he was accused of failing to appear at the police station on the summons on Sunday, November 4, even though he had informed them of having a legitimate excuse for not coming and offered to come on any day except weekends. An administrative report was drawn up against Piatrukhin for his absence. Also, he was served two more summons - to the court on November 16 and to the police station on November 18, on Sunday. Piatrukhin is convinced that he was summoned to the police station on Sunday to prevent him from attending one of the weekly protests in the main square of Brest against the construction of a battery factory. He has been covering them in his video blog since early 2018. On November 23, the Leninski district court in Brest found Piatrukhin guilty under Article 24.6 of the Administrative Code (failure to appear before the authority conducting the administrative or criminal proceedings) and fined him 245 rubles.

On November 13, the Svietlahorsk district court sentenced the freelance journalists from Homiel Andrej Tolchyn and Kanstancin Zhukouski to the maximum fine under Article 22.9 of the Administrative Code, 1,225 rubles (510 euros) each. They were found guilty of the illegal production of media products for the TV channel *Belsat* without accreditation.

On November 14, a judge of the Maskouski district court in Brest fined the freelancer Milana Kharytonava 612.5 rubles (255 euros). The journalist was found guilty under Article 22.9 of the Administrative Code (illegal production and distribution of media products) because, on October 4, she photographed in the entrance hall of her apartment building how Eduard Ulasiuk, an officer of the Maskouski district police department in Brest, was serving a summons to the police to her husband and colleague Alexander Liauchuk. The picture later appeared on the website of the TV channel *Belsat*.

On November 15, the Homiel district court sentenced the freelance journalists Andrej Tolchyn and Kanstancin Zhukouski to a fine of 490 rubles each under Article 22.9 of the Administrative Code.

On December 3, a judge of the Kalinkavichy district court fined the freelance journalist Kanstancin Zhukouski 980 rubles (about 400 euros) under Article 22.9 of the Administrative Code. The neighborhood inspector of the local police department Siarhiej Cikhinia drew up four administrative reports against Zhukouski and his colleague Andrej Tolchyn: two for a video story entitled "An apartment building is falling apart in Kalinkavichy" and two more for a story about how the executive committee, by a policy letter, ordered the farms in the district to organize the sale of apples to the population and to report on the implementation of this order.

On December 5, a judge of the Kalinkavichy district court fined the freelance journalist Andrej Tolchyn 1,053.5 rubles (about 430 euros) in the same case, in which a day earlier his colleague Kanstancin Zhukouski was fined (see above).

On December 5, the Luniniec district court in the Brest region sentenced the freelance journalists Andrej Tolchyn and Kanstancin Zhukouski to a fine of 735 rubles each under Article 22.9 of the Administrative Code. In Luniniec, the freelancers were found guilty of the illegal production of a video story for the TV channel *Belsat* about a horrible murder of a baby.

On December 6, the Homiel district court sentenced the freelance journalists Andrej Tolchyn and Kanstancin Zhukouski to a fine of 490 rubles each. In the Homiel district, the journalists recorded testimony of a resident of the village of Chyrvony Bahatyr about the local anti-tank ditch, where civilian residents of Homiel were shot to death during the war. The TV channel *Belsat* used the video footage in the story entitled "A new site was found where 25,000 victims were killed during World War II." Captain Valery Stacenko of the Homiel district police department decided that the freelancers did not have the right to record the interview, as thus they allegedly acted as correspondents of a foreign media outlet.

On December 14, the Piershamajski district court in Minsk heard the administrative cases of five freelance journalists under Article 22.9 of the Administrative Code, that is, for the "illegal production of media products." All of them were fined for the coverage of the Dzyady rally allowed by the authorities for the TV channel *Belsat*. The list includes Volha Chajchyc (980 rubles), Siarhiej Kavaliou (980 rubles), Liubou Bujanava (Luniova) (857.5 rubles and 980 rubles), Iryna Arakhouskaja (980 rubles), and Siarhiej Krauchuk (980 rubles).

On December 19 in Minsk, the journalists Siarhiej Kavaliou, Liubou Bujanava (Luniova) and Andrej Koziel were fined for their cooperation with the TV channel *Belsat*. On the same day, the case of the freelancer Zmicier Lupach was heard in Hlybokaje. All of them were fined 980 rubles under Article 22.9 of the Administrative Code.

On December 22, the Centralny district court in Minsk fined the journalist of *Novy Chas* Dyjana Sieradziuk 250 rubles (101 euros) under Article 23.34 of the Administrative Code for participating in an unauthorized mass event. On November 26, about a dozen residents of Minsk left paper boats in front of the Russian Embassy in Minsk in support of the Ukrainian sailors arrested after an incident in the Kerch Strait. Later, the police drew up a report against Sieradziuk, considering her, for some reason, a participant in the rally, even though she was only covering the events and her report was published. The journalist was fined, even though she said that she had worked at the event as a journalist and the editor-in-chief of *Novy Chas* Aksana Kolb spoke in her favor before the court.

On December 24, a judge of the Hlybokaje district court in the Viciebsk region fined the freelance journalist Zmicier Lupach 612.5 rubles (about 250 euros) for his cooperation with the TV channel *Belsat* without accreditation. The reason for this was a story about honoring the memory of victims of the Nazi and Communist regimes in the Hlybokaje district.

## Searches, seizure, and confiscation of and damage to equipment and storage devices

On January 23, the Piershamajski district court in Minsk ruled to confiscate the equipment that was seized from the office of the TV channel *Belsat* in Minsk during a raid in March 2017 (two system units, two monitors, two discs, a laptop, and a camcorder). In addition, Judge Anastasija Papko imposed a fine

of 980 rubles (405 euros) on the cameraman Alexander Lubianchuk for the illegal use of the Belsat trademark. The cameraman was able to get back only his personal belongings - the Go Pro camera and a photo camera, which were also seized during the search. The police failed to prove that Lubianchuk used them while working for *Belsat*.

*The case of the Belsat trademark lasted almost five years and probably was initiated by the authorities. According to the owner of the Belarusian company BELSATplus, the TV channel Belsat harmed the interests of his company, and he tried to ban the TV channel from using the Belsat trademark. The Supreme Court initially dismissed these claims. But later, in 2015, the Supreme Court of Belarus reconsidered its decision and urged the Polish authorities to prohibit the TV channel Belsat from using its trademark (the Polish TV channel is not subject to the Belarusian jurisdiction).*

On February 8, Ales Silich, who cooperates with *Belsat*, was held administratively liable in Minsk for the "illegal use of the Belsat trademark". Judge Anastasija Papko sentenced him to a fine of 875.5 rubles (356 euros) and ordered to confiscate his camera, a microphone, a computer, and two laptops, which were seized by the police during the search in the Minsk office of *Belsat* on March 31, 2017.

On February 19, the police searched the apartment of Dzianis Dashkievich from Rahachou, the editor of the local news website *vrogacheve.ru*. When the police raided the apartment, only his wife and children were home. According to some reports, the police looked for his computer, but failed to find it.

*In January, vrogacheve.ru posted a report claiming that the police had beaten a local resident during questioning. The report described in detail how the police had broken a rib of a resident of Rahachou Viktor Arciukh while detaining him. Shortly after the publication of this report, Dzianis Dashkievich was summoned to the police station and questioned about the source of this information. A few days after his apartment was searched, Dashkievich said that the police had been probably looking for a video of the beating.*

On February 22, the Minsk police searched the apartment of Sciapan Sviatlou, a popular video blogger, whom they suspected of insulting President Alexander Lukashenka. 19-year-old Sciapan Sviatlou is the author of a blog on social and political life in Belarus on the YouTube channel NEXTA with more than 100,000 subscribers. Almost every story in his blog criticizes Lukashenka. At the time of the search, he was abroad, being a student at a university in Poland. Only Sviatlou's mother was at the apartment. Two policemen produced a search warrant and said that a woman had filed a complaint with the police about insulting remarks towards the president published on the blogger's YouTube channel. They took his laptop and video camera. On November 13, Sviatlou was officially notified that the investigation against him was over and he could retrieve the confiscated items.

On March 25, on the day of celebration of the 100th anniversary of the Belarusian People's Republic (the date which is traditionally celebrated by Belarus's democratic forces as Freedom Day), about ten drones, which broadcasted the event, disappeared on the site of the concert sanctioned by the authorities. Their owners, including some media outlets, believed that law enforcement agencies were involved in their disappearance. Minister of Internal Affairs of Belarus Ihar Shunievich told reporters that he was not aware of what had happened to the drones. The TV channel *Belsat* and the online portal *TUT.by* were among the media that lost their drones in the first minutes of the video shooting. The concert organizers reported that several more private drones also had gone missing.

On May 12, the police in Brest raided the apartment of the renowned video blogger Siarhiej Piatrukhin. Several city police and riot police officers met Piatrukhin when he was taking out litter. They produced a search warrant signed by the prosecutor. As the grounds for the search, the warrant cited a complaint about insult and defamation filed by the police officer Siarhiej Ihnaciuk (the latter claimed that the blogger had allegedly insulted him on the YouTube channel "People's Reporter" in March). Police took away a laptop, a tablet, a phone, and a photo camera. Piatrukhin saw it as the harassment triggered by



coverage of protests against the construction of a battery factory near Brest in his blog "People's Reporter". On September 28, the police returned the seized equipment to Siarhiej Piatrukhin.

On June 14, the Minsk apartment of Ales Lipaj, the co-founder and director of the news agency *BelaPAN*, was searched. The search lasted more than six hours. The police officers produced a warrant signed by a prosecutor and said that the search would be carried out in connection with a criminal investigation carried out by the Department of financial investigations of the State Control Committee (see more in "Criminal cases"). On July 27, Ales Lipaj got back the seized equipment, including the computer system unit.

On July 23, the police in Hrodna raided the apartments of the local freelance journalists Alexander Dzianisau and Alexei Kajrys, working for the TV channel *Belsat*, after their detention (see more in "Detention of journalists, administrative proceedings"). They searched their apartments as well as the house of Dzianisau's mother. The policemen seized three computers, a telephone and a hard drive from Kajrys and a camcorder, a phone and other equipment from Dzianisau. On November 23, the two journalists got back the confiscated computer equipment and other personal belongings. The criminal case against the journalists was not instigated despite the threats.

On August 7-9, the editorial offices of the news agency *BelaPAN*, the online portals *TUT.BY* and *realt.by*, the newspaper *Mastatstva* and *Navuka*, as well as the apartments of some of their employees were searched. During the searches, professional equipment and storage media were seized. The searches were related to the criminal case, which was instigated for the illegal access to the paid subscription to the news feed of the state news agency *BelTA* (see more in "Criminal cases").

The apartments of the following journalists were searched:

1. Tatstsiana Karaviankova (*BelaPAN*), including the house of her mother in the Hrodna region;
  2. Maryna Zolatava (*Tut.by*);
  3. Hanna Kaltyhina (*Tut.by*);
  4. Halina Ulasik (*Tut.by*);
  5. Hanna Jarmachonak (*Tut.by*);
  6. Alexei Zhukau (*Bielarusy I Rynak*);
  7. Pauluk Bykouski (freelancer at *Deutsche Welle*);
  8. Iryna Leushyna (*BelaPAN*);
  9. Dzmitry Bobryk (*Tut.by*)
- and at least two more journalists who did not want their names to be made public.

On August 8, the co-author of the popular YouTube blog "People's Reporter" Alexander Kabanau was summoned to the Bioroza district police department in the Brest region. After that, the police inspected the apartment in Bioroza, where the blogger lives, as well as his house in the village of Sosnitsa and his parents' house. The police officers told him that the inspection was conducted in the framework of an investigation initiated following a complaint by Rabushka, a police officer from Brest, claiming to be insulted in one of the publications in the blog "People's Reporter".

*Earlier, on July 27 in Brest, a criminal case was instigated on this complaint against a colleague of Kabanau, the blogger Siarhiej Piatrukhin, who had also been searched.*

On August 30, the riot police raided and searched an apartment belonging to the blogger Siarhiej Piatrukhin from Brest. He held a live broadcast at that moment and managed to report that the police were attempting to enter his home. A policeman emerged, knocked out the phone and shouted, "Get down! On the floor! Quickly! Face down! Hands behind your back!" After the search ended, Piatrukhin in handcuffs was taken to the Leninski district police department in Brest. He was released at about 2 pm.

In July, a criminal case was instigated against Piatrukhin on charges of insult and slander of a police officer (see more in "Criminal cases").

## Warnings by the Ministry of Information

According to the Ministry of Information, in 2018, it issued six written warnings (four to mass media and three to online information resources; one of these warnings concerned both a media outlet and its website).

On July 24, the editorial board of the newspaper *Borisovskiyе Novosti* received a letter from the Ministry of Information with a request for clarification on some of its publications. It was reported that the chairman of the Barysau district executive committee Hienadz Dzienhaliou complained against *Borisovskiyе Novosti*. The official argued that the newspaper had violated the law. The list of "violations" consisted of four episodes. The first of these concerned the article entitled "Victory Day with bitterness" published in the newspaper. It allegedly contained an inaccurate assertion that the Barysau district executive committee had banned a funeral and the erection of a monument. The second point concerned the use of "information and photographs taken from the website of the Minsk regional police department without a hyperlink" in the article entitled "New city managers". In the same article, there was a photo of the recently appointed deputy chairperson of the executive committee Nastassja Kopikava, "who did not give her consent to printing the photo, and there is no such photo in the public domain". The last fact of the "violations" found in this article concerned the resignation of Ludmila Harnak from the post of the chief of the department for ideological work in June 2018. The Barysau district executive committee decided that this information was based on hearsay, which is contrary to Article 4 of the Law on Mass Media. The editor-in-chief of *Borisovskiyе Novosti* Anatol Bukas in his letter of response to the Ministry of Information denied the facts of violation of the media legislation by the newspaper. He noted that the information about the burial place of the veteran of the Great Patriotic War A. Jushko was taken from the official letter of the Barysau district executive committee and corresponded to its contents. As for the use of information and pictures from the website of the Minsk regional police department, Anatol Bukas explained that the website of a government agency is not a mass media outlet; information about activities of the government bodies must be available to the public, and its distribution and presentation are not restricted. The newspaper kept photos of Nastassja Kopikava from the times she was a doctor and *Borisovskiyе Novosti* wrote an article about her work. Regarding the circumstances of the resignation of the chief of the department for ideological work from her position, this information was factually accurate.

## Restrictions on online freedom

On January 9, in accordance with written notifications of the Ministry of Antitrust Regulation and Trade, the Ministry of Information decided to restrict access to twenty-two online resources. The ministry restricted access to the websites *saitdeneg.com*, *dengi777.xyz*, *vdolgdengi.xyz*, *v-dolg555.com*, *dengivdolg.info*, *dengi-vruki.com*, *zaem24.net*, *credit-bel.com*, *dengi24na7.xyz*, *prostodengi.com*, *money-online.by*, *denezhka.net*, *obzor.lt*, *dengi-v-karmane.com*, *dengi24h.com*, *bn-rb.com*, *dengi-v-dolg.net*, *dengidolg.com*, *dengivdolg.org*, *dengi24na7.net*, *zaim24na7.com*, and *про-деньги.бел* for advertising microloans to the public at large by the economic entities not included in the register of microfinance organizations.

On January 24, the Ministry of Information blocked access to the popular opposition website *charter97.org* due to an alleged violation of the media law. The Ministry referred to Article 38 of the Law

on Mass Media dealing with the distribution of materials that are banned or restricted for distribution by law or by court order but failed to provide any specifics.

On March 26, the Ministry of Information restricted access to five online resources as well as twelve groups and personal accounts in the social network *Vkontakte* based on the court decisions of the Centralny district court in Minsk for distribution of extremist materials.

On May 17, the Ministry of Information restricted access to twenty-two websites in accordance with written notifications of the Ministry of Internal Affairs. Twenty-one websites provided information about the sale of narcotic drugs, psychotropic substances and their precursors and analogs. Another website advertised drugs. Among the blocked sites is the website of the social campaign *Legalize Belarus*, which advocates changes in the Criminal Code, in particular, regarding the "narcotic" Articles 328 and 329. The website creator Piatro Markielau received a corresponding letter from the Minister of Information Alexander Karliukievich.

According to written notification of the Ministry of Internal Affairs dated May 8, this website published *"materials that promote the consumption of a dangerous drug, marijuana, the use of which in the territory of the Republic of Belarus is illegal"*.

On May 28, in accordance with written notifications of the Ministry of Antitrust Regulation and Trade, the Ministry of Information decided to restrict access to two online resources (*av.com.by* and *goabay.com*) for placing improper advertising.

On June 1, the Ministry of Information blocked access to seventeen websites based on written notifications of the Ministry of Antitrust Regulation and Trade: these sites served to issue microloans illegally. The access was restricted to the following online resources for placing inappropriate advertising: *alfazaem.win*, *dayu-dengi-v-dolg-minsk.com*, *dam-dengi.xyz*, *dam-deneg.casa*, *dengi-vdolg.info*, *financehelp.xyz*, *idengy.com*, *money-tyt.com*, *mymoney.by*, *zaem-v-minske.website*, *money-gold.win*, *vdolg24.xyz*, *get24h7.ru*, *alfacredit.win*, *zaimvdolg.com*, *zzzdengi.com*, *dengivdolg-vzaem.by*.

On July 7, in accordance with a written notification of the Ministry of Antitrust Regulation and Trade, the Ministry of Information decided to restrict access to four online resources (*med-by.info*, *artrovex.info*, *normaten8.pokupkishops.ru*, *medicina-portal.com*) for placing improper advertising of medicines.

On July 31, on the basis of a written notification of the Ministry of Antitrust Regulation and Trade, the Ministry of Information restricted access to sixteen online resources (*dam-dengi-v-dolg-minsk.com*, *dam-vam.cash*, *zaimy.top*, *get7h24.ru*, *dengivdolg.site*, *dam-zaim.top*, *vot-vash.cash*, *credit-na-ryki.com*, *do-zarp.com*, *money-gold.loan*, *easymoney.by*, *dengi-kredit.tilda.ws*, *dam-vam-dengi.com*, *zaumi.by2.by*, *dengidam.by*, *Dr.debt-dengi.be*), which placed advertising for microloans.

On October 18-19, the Ministry of Information restricted access to twelve online resources for improper advertising. In addition, it restricted access to six accounts in the social network *Vkontakte* for the distribution of information materials deemed extremist by a court decision of the Kastychnicki district court in Viciebsk.

On November 14, on the basis of a written notification of the Ministry of Internal Affairs, the Ministry of Information restricted access to thirty-seven online resources. They placed information about the sale of drugs and psychotropics.

On December 6, the Ministry of Information restricted access to one-hundred and fifty-one website dealing in drugs.

On December 13, in accordance with written notification of the Ministry of Antitrust Regulation and Trade, the Ministry of Information decided to restrict access to eleven online resources for the placement of improper advertising of lending to the public at large.

## Violations related to access to information

On January 8, the Baranavichy non-government newspaper *Intex-press* addressed an inquiry to Ivan Turchak, the deputy of the Brest regional council and Director General of Baranavichy Cotton Production Association JSC. Turchak ignored the questions of the newspaper about his work as the deputy and failed to answer the inquiry altogether. On February 21, in response to a complaint of *Intex-press* addressed to the Standing committee on law and order and deputy ethics, the committee's chairman Kanstancin Sharshunovich said in his letter to the editorial board that "*because of [Turchak's] improper performance of duties of a deputy*", it was brought to his attention that "*in accordance with the current legislation the deputies have the obligation to respond to the inquiries they have received and explained the inadmissibility of such incidents in the future*".

On January 26, it became known that Viachaslau Hierasimovich, the deputy of the Brest regional council of deputies and the head of the Baranavichy city police department, did not respond to written questions of the Baranavichy non-government newspaper *Intex-press* about his activities. The newspaper asked the deputy a dozen of questions, such as "Have you participated in the debate on the budget for 2018?", "Have you made any comments on the allocation of budget resources for Baranavichy?", "Have you participated in the allocation of budget funds from the so-called "vehicle tax", and what proposals have you made?", "What problems have you been unable to solve as a deputy?", etc. However, the deputy ignored the questions of the independent newspaper and its readers, i.e. his constituents. In his letter, Hierasimovich told the editorial board that the answers to the questions could be found in the newspaper *Nash Kraj* dated December 22, 2017, although there were no answers to most of the questions asked by *Intex-press* there.

On February 21, in response to a complaint of *Intex-press* addressed to the Standing committee on law and order and deputy ethics, the committee's chairman Kanstancin Sharshunovich said in his letter to the editorial board that "*because of [Hierasimovich's] improper performance of duties of a deputy*", it was brought to his attention that "*in accordance with the current legislation the deputies have the obligation to respond to the inquiries they have received and explained the inadmissibility of such incidents in the future*".

On February 2, the Brest city election commission refused to provide *Brestskaya Gazeta* the schedule of meetings of the candidates for deputies to the city council with voters. When the journalist Tatstsiana Hapiejeva asked for the schedule, the chairperson of the commission Iryna Mokot asked the journalist why *Brestskaya Gazeta* needed the schedule. Upon learning that the newspaper wanted to publish it, the chairperson of the election commission said that the commission was not obligated to provide the schedule of the candidates' meetings. According to Iryna Mokot, the schedule would be published, and the commission would decide on the place of its publication.

On February 5, after several unsuccessful attempts to interview the official, the Baranavichy non-government newspaper *Intex-press* sent a written inquiry to Ina Tarasiuk, the newly appointed director of the Baranavichy junior sports school for hockey and figure skating. The newspaper expressed interest in the state of affairs in the Ice Palace, as well as Ina Tarasiuk's opinion on certain issues; there were questions about her biography and plans. Tarasiuk's reply put a new spin in the newspaper's communication with officials. In her letter, she stated that "in accordance with Article 22<sup>1</sup> (para. 2) of the Law of the Republic of Belarus No. 204-3 from June 14, 2003 "On the civil service of the Republic of

Belarus", the provision of the requested information is carried out on behalf of or with the consent of the head of the state body in which the public servant holds a public office". On this basis, the director of the junior sports school recommended to the editorial board to "apply to the branch administration authority - the department for education, sports, and tourism of the Baranavichy city executive committee." Meanwhile, the Law "On the petitions of citizens and legal persons" does not provide for the option of a similar response of the head of an organization to an inquiry.

On February 6, the Baranavichy non-government newspaper *Intex-press* sent an inquiry to Tatstsiana Asos, the head of the Baranavichy department for commerce and services about the situation in the city commerce in 2017. However, the official replied to the newspaper that this information would be published on the website of the Baranavichy city executive committee before March 5. Such a response is a violation of the Law "On the petitions of citizens and legal persons". The law allows for such an answer when the information has already been published in official media outlets or other media or is publicly available on official websites of state agencies and other state organizations, and so on. However, it does not apply to information, which would ever be published there.

On February 14, the Baranavichy city election commission failed to provide information to the Baranavichy non-government newspaper *Intex-press* on the number of voters who took part in the early voting in the local elections in Baranavichy. The chairperson of the commission Tatstsiana Latyshava and its secretary Sviatlana Kasach told the reporter of *Intex-press* Alena Zieliianko that they had no such data. The next day, they said the same thing. However, the Brest regional election commission confirmed to the newspaper that it receives the figures for the city from the Baranavichy city election commission.

On February 18, the reporter of the TV channel *Belsat* Volha Chajchyc and the cameraman Andrej Koziel came to the polling station No 31 in Fanipal to cover the voting process. However, the chairman of the election commission Alexander Hanchar tried to forbid them to take pictures. Besides the oral ban, he tried to take the mobile phone from Volha Chajchyc. The journalists began to explain to the chairman of the commission that, in accordance with the legislation, they had the right to shoot video and take pictures of everything that was happening at the polling station. In his turn, Hanchar said that this could be done only "with the permission of the chairperson" and asked Chajchyc and Koziel to "get off the station".

According to our colleague, some observers at the polling station admonished Hanchar but refused to comment on the situation. After a long explanation of the rights of journalists, they were finally allowed to take pictures.

On May 1, members of the ultra-patriotic Russian bike club "Night Wolves" prevented two journalists of the TV channel *Belsat* from attending their press conference at the Russian Consulate in Brest. The press conference was held on the occasion of the arrival of "Night Wolves" in Brest in the framework of their annual motor race "Roads of War", which follows the movement of the Red Army in World War II on its way to Berlin. When members of the club led by Alexander Zaldostanov drove up to the building of the Consulate, some members of the Minsk branch of "Night Wolves" obstructed the work of the journalists of *Belsat*. They did not allow them to take pictures and blocked their access to the building.

On May 4, the *Regulation on the procedure of interaction with the media in the Belarusian State University* was approved. The document *de facto* forbade its employees to provide information to the media without the rector's permission. In particular, para 4 of the *Regulation* obliges that "all oral and written requests from the media addressed to officials (employees) and/or the BSU units should be sent to the press-service. The press service, after consultation with the Rector, and, if necessary, pro-rectors, heads of BSU units, and deans shall decide on the feasibility of the requested interview, commentary, or media presence at some BSU event, as well as on the participation of BSU officials (employees) in radio and television broadcasts, press conferences or round-tables organized by the media".

On May 23, the journalist of *Hazieta Slonimskaja* Hanna Valadashchuk was prevented from entering the premises of the Slonim district executive committee in the Hrodna region, where Minister of Agriculture Leanid Zajac was receiving citizens. A security guard stopped the journalist and told her that no one could enter with photographic and radio equipment. In response to the persistent requests of the journalist to allow her to enter, the guards called the head of the department for ideology, culture and youth affairs Natallja Junchyc, who asked Hanna Valadashchuk to wait, and when the official returned, she said that the reception was already in progress, other journalists were attending it and it would be improper to enter in the middle of the event. Then the official told the journalist that she could allow her to meet the Minister, but only as a private person.

On June 15, the journalist of *Hazieta Slonimskaja* Tatstsiana Plakhietka (Dzianisiuk) was not allowed to enter the premises of the district executive committee with a photo camera, although she was not there on a journalistic assignment, but came to pick up a camp voucher for her daughter.

She put the camera - her working tool - in her bag in order to avoid raising any alarm bells from the guards. However, the policewoman asked to see the contents of the bag and said that they had an order not to let any visitors with photo, video and radio equipment into the building. The guard agreed to let the journalist enter only when the head of the department of education, who happened to pass by, offered her guarantees.

On June 20, the Ministry of Foreign Affairs for the ninth time refused to accredit the journalist from Hrodna Viktor Parfionienka as a correspondent of a foreign media outlet, *Bielaruskaje Radyjo Racyja* (Poland). At this time, the Ministry of Foreign Affairs chooses a new wording to justify the refusal. They referred to para 15.4 of the *Regulation on accreditation*, which says, "*To refuse a foreign media outlet the accreditation of journalists during six months after the fact of the use of services of journalists and (or) other persons without accreditation was established.*"

Parfionienka already applied eight times to the Ministry of Foreign Affairs for accreditation, and each time it was refused. The complaint of the journalist on the authorities' actions is pending before the United Nations Human Rights Committee.

On August 23, a local official in Slonim (the Hrodna region) called the police to prevent Volha Chajchyc and Alexander Ziankou, the freelance journalist who cooperate with the TV channel *Belsat*, from working. A meeting of residents dedicated to the discussion of issues related to payment for social housing was to be held in Slonim. The reporters came there to cover it. A local official, Ihar Halenka, asked Chajchyc and Ziankou to leave the meeting because they did not have accreditation. When they refused, he called the police. The police officers checked the journalists' IDs and asked them to leave the room but failed to cite a lawful excuse for this. Sometime later, Halenka announced that the meeting did not take place and would be rescheduled for another day.

On September 23, a driver whose car got into a traffic accident, not only sought to prevent a journalist of *Hantsavicki Chas*, who happened to be on site, from taking pictures of the scene of the accident but also demanded him to provide the book of comments and suggestions. It happened when a Peugeot had an accident near the village of Khatynichy. The owner of the car lost control, the car skidded into a ditch, where it overturned. No one was injured, but the driver demanded not to take pictures of the scene of the accident.

On September 25, the police detained Andrej Pavuk, a renowned blogger from Akciabrski in the Homiel region, when he tried to attend a session of the district council of deputies. They told Pavuk that he should not be there. A police officer took him out and brought him to the police station, even though in accordance with the law everyone has the right to attend these meetings. The blogger was questioned and released.

On October 11, the journalist of the independent news agency *BelaPAN* Uladzimir Laptsevich was denied the opportunity to attend the Fifth forum of regions of Belarus and Russia, which took place in Mahiliou. On the morning of October 11, the Mahiliou regional executive committee informed him that he was accredited as a correspondent of *BelaPAN*. When in the evening he came to one of the activities of the Forum, he was not let in. Volha Kazlovich, the press secretary of the Council of the Republic of the National Assembly, told him over the phone that he was not accredited by the president's press service. On December 10, Laptsevich filed a lawsuit to the Leninski district court in Minsk asking the court to declare that the actions of the officials of the Council of the Republic, who denied him accreditation to the meeting of the Inter-Parliamentary Commission of the Council of the Republic and the Council of Federation on interregional cooperation during the Fifth forum of regions of Belarus and Russia in Mahiliou, were at variance with the law.

On Sunday, October 21, the police in Brest summoned and questioned the freelance journalists Jauhien Skrabiec, Ales Liauchuk, and Milana Kharytonava. It happened at the time when the regular Sunday protest rally was held on the city's central square against the construction of a battery factory. The journalists regularly covered these rallies. Liauchuk and Kharytonava were questioned about their cooperation with the TV channel *Belsat*. Skrabiec was told that he was under investigation for working for *Radyjo Racyja* without accreditation.

On October 26, the journalist of the Baranavichy non-government newspaper *Intex-press* Alena Zielianko was not allowed to enter the premises of the local machine-tool plant Atlant, which was visited by Mikhail Miasnikovich, the Chairman of the Council of the Republic of the National Assembly of Belarus. City officials first allowed the journalist to attend the meeting with Miasnikovich, but then changed their minds. Volha Dudko, the head of the department for ideological work and youth of the Baranavichy city executive committee, on the morning of October 26, told the editor-in-chief of the newspaper that the journalists of *Intex-press* were not on the guest list. Meanwhile, journalists of state-run media - the district newspaper, local radio, and television - were present at the meeting with the high official from the capital.

On November 20, a journalist of the online newspaper *Bobrujskij Kurjer*, who came to the district executive committee to collect information for a publication, was prohibited from taking pictures there. At the entrance, a police officer asked him to pass through the metal detector frame. The policeman explained that the frame had been installed "in connection with recent events". The guard advised the journalist to seek information about this decision at the security services department of the local police; there, they told him that they could not answer such questions. When the journalist tried to take a picture of the metal detector frame, the police officer said that it was forbidden and that generally, one could not take pictures in the building of the executive committee. He referred to an order but failed to show it in writing. Ludmila Pahuda, the head of the administrative department of the executive committee, answered the question about the ban on photographing with her own questions: "*Why do you need to take pictures? Do you lack photo opportunities in the city? Why do you need to photograph the police officer or our employees? Are they not people? What if they don't want to be photographed? Go and photograph houses and flowers*".

On December 24, the Hlybokaje district court heard the administrative case of the freelance journalist Zmicier Lupach for his cooperation with the TV channel *Belsat* without accreditation. Freelance journalists, among whom was Tatstsiana Smotkina, came to support their colleague, but the police took a while to check their stuff and refused to let them into the room where the case of Lupach was heard. Zmicier Lupach said that when a policeman and a secretary came to the courtroom to say that there were people who wanted to attend the trial, Judge Ludmila Vashchanka shouted at them. Only after the secretary told her about a phone call from the Investigative Committee, she agreed to let the journalists in.

On December 28, the editor of the website of the independent newspaper *Hantsavitski Chas* Siarhiey Bahrou was not allowed to enter the building of the district executive committee. Officers of the Hantsavichy district police department invited journalists of *Hantsavitski Chas* to the local executive committee for an event, where they planned to present letters of acknowledgment and awards to residents. However, at the entrance to the district executive committee, the head of the administrative department of the Hantsavichy district executive committee met Bahrou and ordered the guard not to let him into the building.

## Other forms of pressure and infringement of journalists' rights

At the night of January 26 to 27, unknown persons set fire to the car of the blogger Jauhien Kuliashou, which was parked on Chkalov Str. in Viciebsk. The blogger, who has been unmasking violations at vehicle service stations in Viciebsk, said immediately that he did not rule out the motive of revenge for his exposing videos. He started the project entitled "How they con us at service stations" in 2016 and posted videos about the exposed violations on his two YouTube channels (one has 137,000 subscribers, and another one 10,000). The Viciebsk city department of the Investigative Committee instituted a criminal case under Article 218 (Part 2) of the Criminal Code, "Deliberate destruction of or damage to property committed in a way injurious to the public".

On February 21, the video blogger from Biaroza Alexander Kabanau was summoned to the local prosecutor's office, where he received an official warning about the inadmissibility of violation of the Law "On mass events in the Republic of Belarus". The warning was signed by the prosecutor Alexander Krutsko. The reason for this was an online broadcast with the participation of Siarhiey Piatrukhin and Alexander Kabanau, where they announced their plans to rally on February 25 on the central square in Brest, if the local authorities failed to take the decision to stop the construction of a battery factory, which threatens the ecological situation in the city. This protest was not permitted by the authorities.

On February 22, the video blogger from Brest Siarhiey Piatrukhin received an official warning of the prosecutor's office about the inadmissibility of violation of the Law "On mass events in the Republic of Belarus". The warning was signed by the prosecutor of Brest Ivan Chajchyc. The reason for this was an online broadcast with participation of Siarhiey Piatrukhin and Alexander Kabanau (*see above*).

On February 22, unknown persons began to create "revelatory" videos against the popular video bloggers Siarhiey Piatrukhin and Alexander Kabanau and post them on a special YouTube channel "Antibloher". The videos went beyond criticizing and refuting the facts in Piatrukhin's and Kabanau's videos. More attention was paid to their personalities. For example, they described Siarhiey Piatrukhin as a "quarrelsome [person] in his team and his family" and a "fan of alcoholic beverages" and Alexander Kabanau as a supporter of "legalization and cultivation of marijuana in Belarus". The authors of "investigations" on "Antibloher" remained anonymous – their faces could not be seen, and their voices were changed. It is not known exactly who made these videos. Piatrukhin and Kabanau were convinced that the reason for the emergence of "Antibloher" was their investigation on the construction of the battery factory IPower near Brest. This topic was addressed in the videos by "Antibloher", which claimed that Piatrukhin and Kabanau exaggerated the harmfulness of the battery factory or even deceived people in this case.

On March 5, Paviel Spiryn, a blogger and the author of a documentary entitled "The Stepfather" about President of Belarus Alexander Lukashenka, which scored more than 450,000 views on YouTube, was questioned in the Leninski district police department in Minsk. Spiryn said that he provided an explanation about the film; the police took a sample of his voice to be able to prove that it was his film,



although the blogger himself confirmed it. The policemen said that an investigation was held in his regard and he might be prosecuted for insulting the president (Article 368 of the Criminal Code).

On April 4, the newspaper *Adzinstva* – the official gazette of the Barysau district executive committee - published an article entitled "A man's word is... not his bond, or a few words about idle talk". The author of the publication - the editor-in-chief of *Adzinstva* Viera Pratasievich - recounted in abusive terms how the journalist Paviel Sliapukhin from Barysau went to meet the chairman of the executive committee Hienadz Dzienhaljou. On April 5, this publication appeared on the website of the district newspaper. A few days later, Paviel Sliapukhin sent a letter to the editorial board of *Adzinstva* demanding to refute the information, which was untrue and discrediting his honor and dignity, and a complaint to the Ministry of Information requesting to issue a written warning to the state district newspaper. Soon, comments began to appear under the article signed as "Author" and "Viera N. Pratasievich". The person who wrote them moved to open insults and threats. Then the reporter called the Ministry of Information. First, he had a conversation with a Deputy Minister, and then with Minister of Information Alexander Karliukievich. As a result, first the comments and later the article itself were removed from the website of the newspaper *Adzinstva*.

On May 28, a video appeared online, which was supposedly dedicated to "exposing the funding" of the TV channel *Belsat*, but in fact full of insults against the journalist Uladzimir Luniou, who cooperated with *Belsat*. The video also mentioned the names of other journalists from the Viciebsk region - Alena Shabunia, Viachaslau Lazarau, Vital Skryl, Zmicier Lupach, and the social activist Tatstsiana Sieviaryniec. Another "hero" of the video was the video blogger Alena Janushkouskaja. She has nothing to do with journalism, but she has created her own channel on YouTube and makes video stories about the everyday problems of her native village and the immediate environment. On the same day, Uladzimir Luniou filed a complaint with the police, in which he asked the Akciabrski district police department in Viciebsk to find the person who had posted the video and to hold him or her liable under Articles 9.3 and 9.2 of the Administrative Code for insult and slander. A few days later, Luniou received an official response. It stated that the administrative case was closed, as no elements of the offense had been found in the actions of the unknown person under Articles 9.3 and 9.2 of the Administrative Code.

On June 11, the organizers of Minsk Dialogue Forum demanded the management of the TV channel *Belsat* to make an official apology before June 25 for a "biased and unfair coverage of events" in the broadcast and on the website of *Belsat*. Otherwise, they threatened to stop any cooperation with the TV channel *Belsat* and refuse to accredit the journalists of *Belsat* at any of their events. This was stated in an official letter signed by Yauheni Preiherman, the head of the expert initiative Minsk Dialogue, to Agnieszka Romaszewska-Guzy, the head of *Belsat*. This letter was sent to the address of one of the employees of the TV channel *Belsat* and the Belarusian Association of Journalists. On June 13, the head of *Belsat* sent her reply to Preiherman, where she invited him to speak on the TV channel and explain his position. He did not take advantage of this offer.

On June 19, Barys Khamajda, a distributor of independent media in Viciebsk, was detained by officers of the Chyhunachny district police department in the city center, near the house No 28 in front of the amphitheater, where he, as always, was distributing Belarusian publications and paraphernalia. They drew up a report against him and told to expect a summons to the court or the police. He was told in the police station that Viciebsk was preparing for the Slavic Bazaar festival, as well as for the City Day, which was scheduled for the following weekend. Therefore, the police were carrying out a "clean sweep" of anything unwanted, which could hit the eye of guests of the regional center. Soon, the police brought the administrative report directly to his home "for a clarification", and two weeks later he was sentenced to a fine. The fine is being deducted from his pension, which is about 250 rubles.

On June 28, the neighborhood police inspector Viktor Karpianok questioned the blogger from Akciabrski Andrej Pavuk following the complaints from the deputy chairman of the district executive committee

Uladzimir Jelisiejeu and the head of the administrative department Valiancina Shlapakova. The officials claimed that the blogger had insulted their honor and disgraced their family feeling. Uladzimir Jelisiejeu wrote in his complaint that on June 9, when a school reunion was held on a square in Akciabrski, Pavuk was "walking demonstratively, wearing a T-shirt with color pictures of Valiancina Shlapakova and myself and an inscription at the bottom saying, "They love you". Pavuk said that he had taken the pictures of the executive committee officials from the official local newspaper *Chyrvony Kastrыchnik*; the officials are public figures and the inscription "They love you" told every inhabitant that the said persons respected and loved the local population. The police inspector confined himself to the questioning and did not draw up the administrative report.

On July 13, Jana Vasiuk, an enforcement agent of the department for compulsory enforcement of the Dziarzhynsk district, paid a visit to the journalists of the TV channel *Belsat* Volha Chajchyc and Andrej Koziel. She distrained a phone and the car and took all the cash. She also warned about liability for storage of the distrained property and said that if they failed to pay the fine within two weeks, the property would be confiscated. The house in which the journalists are registered belongs to Koziel's mother; because of that, the enforcement agent said that they needed to apply to the welfare department: how can children live in the situation when their parents have no property?

*At that point of time, since early 2018, the Belarusian courts have imposed twelve fines on Volha Chajchyc and Andrej Koziel (almost 9,000 rubles in total). The journalists have been persecuted for their professional activity. All cases were instituted under Article 22.9 of the Administrative Code - for the production or distribution of media products.*

On July 31, the freelance journalist from Homiel Kanstancin Zhukouski came to undergo the reservist training as summoned by the city military enlistment office in early July. However, at the site, he found out that no decision had been taken in his regard. Then Zhukouski called the police, as he uncovered a case of manipulation with medical certificates. The enlistment office received a certificate from the 3<sup>rd</sup> city hospital that Zhukouski was in good health, but the same hospital informed the local clinic that he had hepatitis. Zhukouski filed a statement to the police demanding to investigate the fraud: both certificates were signed by the same person. 43-year-old freelancer came to the enlistment office in a striped Gulag robe and held a video stream from there. He declared his conviction that the absurdity of the situation with the reservist training and related lengthy medical checkups were the authorities' methods to hamper his journalistic activities.

On August 7, after a three-hour search of his apartment in the framework of the so-called "*BeITA* case" (*see more in "Criminal cases"*), the journalist and editor Dzmitry Bobryk was taken to the central office of the Investigative Committee, where he was held until late at night. Officials allegedly threatened him and his relatives and friends. They told the journalist that they would disclose details of his personal life if he refused to cooperate. As a result of this pressure, he agreed to cooperate in writing. Bobryk told about this in a post on Facebook on 25 September. He also said that he had realized immediately that he would not cooperate.

On September 3, the blogger from Brest Siarhiej Piatrukhin was detained to be forcibly submitted to a psychiatric examination in a criminal case for insult and defamation (*see more in "Criminal cases"*). It happened in the morning when he was on his way to a bus stop to go and meet his lawyer.

Plain-clothed people approached the blogger and read out a decision about a compulsory examination. Thereafter, they took Piatrukhin to the regional office of the Committee for forensic examinations, where he had to undergo some tests.

According to Piatrukhin, he knew that the investigator Andranik Khachatran commissioned this examination in the framework of the criminal case and was about to go and see the experts at the appointed time, but the police for some reason decided to take him there by force.

On September 29, a teenage daughter of the journalist and musician from Hrodna Alexander Dzianisau was questioned over the phone by a person who introduced himself as the neighborhood police inspector. According to the journalist, the policeman "behaved rudely and unceremoniously, and frightened her; the conversation with him shocked his daughter". He asked the girl where the father was and said that a criminal case had been instituted against him for a post on the social network *Vkontakte*. Nobody informed Dzianisau about such a criminal case. He saw it as pressure on him and his family in order to hamper his activities. On October 2, Dzianisau filed a complaint to the regional and city prosecutor's offices, as well as to the district police department demanding to verify these facts and to assess the actions of the police officer who failed to name himself.

On October 8, the police officers threatened to institute a criminal case against the journalist from Mahiliou Alexander Burakou Jr. under Article 193.1 of the Criminal Code (illegal organization of activities of a public association, religious organization or foundation or participation in their activities), as he worked for the Mahiliou human rights website *mspring.online*. Police lieutenant Paviel Kot called Burakou and told him about an ongoing investigation and invited him to come for questioning to the Kastychnicki district police department in Mahiliou. The journalist refused to go to the police station without a formal summons but agreed to meet the policeman in the city. During their meeting, Paviel Kot asked Burakou to provide explanations in connection with the investigation of "activities of the unregistered organization, Human Rights Center Viasna". The law enforcement officers received explanations from a few people with whom Burakou met as a journalist of *mspring.online* and, on this basis, they allegedly confirmed his involvement in activities of Human Rights Center Viasna. Lieutenant Kot drew up the questioning report, but Alexander Burakou refused to sign it. At the end of the meeting the policeman strongly "advised" Burakou to cease his activities and to stop any further cooperation with Human Rights Center Viasna. Article 193-1 of the Criminal Code provides for a fine, or arrest for up to six months, or imprisonment for up to two years. On December 11, Police Colonel Alexander Silvanovich, the head of the Kastychnicki district police department in Mahiliou, informed Alexander Burakou Jr. in his letter that the investigation against him in the framework of the Criminal Procedure Code had been suspended. The journalist received this letter in response to his statement, where he asked to inform him how long the investigation against him would continue.

Article 193-1 was abolished in 2018; the liability for participation in activities of unregistered organizations was transferred to the Administrative Code.

On October 29, an unknown man came several times to the home of the blogger from Homiel Arciom Shaparau, while the latter was attending the court hearing on the lawsuit of the headmaster Nina Starazhenka (*see more in "Other court cases"*). The man rang the doorbell and, when the 10-year-old daughter of Shaparau told him that her dad was not at home, he began to insist that she opened the door, so that he could wait. The girl, despite persuasion, refused, but gave the phone number of her father. After that, the phone calls began. In the audio recordings published by the blogger on the video channel *Homiel Society*, one can hear a male voice, in the first case, to ask Arciom briefly to "remember" that "there would be a funeral soon in his apartment house". In the second case, the man assaults Shaparau with a torrent of refutation of his information activities, arguing that "not all officials are bad, not all of them are shit as you demonstrate" and stating that "one can run" onto those who would use force "if not against you, then against your loved ones". In the same conversation, that person demanded the blogger to close his video channel.

On November 17, the freelance journalist from Homiel Kanstancin Zhukouski once again was summoned to the city enlistment office for a medical check-up in order to draft him for the reservist training. The previous medical board, which was held in the summer, classified 44-year-old Zhukouski as fit for military service with a few restrictions. The Homiel city military enlistment office even scheduled the date for his dispatch to the training camp – July 31, but this did not happen on the scheduled day (*see above*). Kanstancin Zhukouski wrote an open letter to the military commissioner of Homiel Alexander

Savianok in which he stated that he did not refuse to appear for military training on a summons and asked to explain in writing the reasons for which he had not been sent to the training camp in the summer, and now he was summoned to the enlistment offices for a recurring medical examination.

On November 2, after the Leninski district court in Brest once again fined the freelance journalists Ales Liauchuk and Milana Kharytonava, they made public their conviction that security services used numerous pressure mechanisms against them. "The police have been watching us physically. They have appeared in our yard and in the entrance to our apartment house, at the places where we work. They have even set an ambush near the school where our daughter is studying. They have launched full electronic surveillance against us; the wireless carrier MTS transfers information to the police, at their request, by means of which the police have been following our movements. Many people, both visible and invisible, have been working on harassment of the journalists for two months already", said Liauchuk. The journalists drew attention to the fact that it has become very difficult to live and work in such conditions, and there has never been such pressure on journalists in Brest before.

On November 22, people who introduced themselves as KGB officers called Alexander Marchanka, an employee of the advertising department of the TV channel *Belsat*, and came to his home, claiming that they wanted to "talk" to him, but unofficially.

Marchanka said that these people sought him persistently. They called him and invited him to talk. After he asked to send a formal summons, they said, "if you don't want it the easy way, it will be the hard way". While Marchanka was out, two plain-clothed men came to his home and showed some official IDs to his wife. They left without serving any summons. According to Marchanka, the most likely reason for their visit was his recent business trip to Mahiliou together with Alexey Dzikavitski, the deputy director of the TV channel.

On November 27, the freelance journalist Kanstancin Zhukouski received threats from an unknown author to his e-mail address. The message said that he must be careful because he would get either in the army or in prison.

A threatening letter was also sent to the human rights activist Leanid Sudalenka who helped Zhukouski in legal protection matters in connection with the prosecution for his journalistic activities and the drafting for reservist training. On December 18, it became known that the Homiel police failed to identify the persons who had sent these threats. Mikhail Pryvalau, the first deputy head of the Chyhunachny district police department in Homiel, said in his letter to Sudalenka that they had discovered only an online resource [www.guerrillamail.com/ru](http://www.guerrillamail.com/ru), registered in Canada, through which any Internet user could send e-mails from a temporary e-mail account.

## ECONOMIC POLICY IN THE MEDIA SPHERE

On February 5, the editor-in-chief of the independent newspaper *Borisovskiye Novosti* Anatol Bukas received a reply to his complaint to the Ministry of Information on the actions of the Barysau district executive committee, which prevented the newspaper from entering into contracts on distribution through retail facilities. First Deputy Minister Ihar Lutsky said that the Barysau regional executive committee is an independent legal entity, which is not subject to the Ministry of Information, and "in this regard, the Ministry of Information is not competent to take response measures" against its employees. As for the compliance with antitrust laws, Ihar Lutsky advised the newspaper to contact the Ministry of Antitrust Regulation and Trade. On February 19, Anatol Bukas received a reply signed by the deputy chairman of the Barysau district executive committee Maryna Bulojchyk to the letter of Anatol Bukas, who had petitioned the new head of the local executive branch Hienadz Dzianhalau to help resolve the conflict situation that had developed around the issue of concluding agreements on the distribution of the newspaper in retail shops in the city. In particular, Anatol Bukas complained about the resistance of the ideological department of the executive committee. He also enumerated the cases when journalists of *Borisovskiye Novosti* were not allowed to attend public events, the assortment lists of individual entrepreneurs for sale of the newspaper were not signed, and access to information was blocked. The reply of the official contained only several references to current legislation, such as freedom to enter into civil contracts, to develop the assortment list of goods and get them approved, rights and responsibilities of journalists, and the right to go to court in case of violation of rights.

On November 22, the newspaper *Nasha Niva* reported that it got in its disposal copies of directives of the administration of the Saviecki district in Minsk regarding the organization of a compulsory subscription, which had been sent not only to public companies but also to private companies. It concerned the official newspapers, such as *SB Belarus Segodnya*, *Respublika*, and *Minskiy Kurjer*, as well as the private pro-government magazine *Planeta*. The district administration requested the companies to provide proof of subscription to the department for the ideology. Vital Adamovich, the head of the department for ideology of the Saviecki district, who oversaw the subscription campaign, told *Nasha Niva* that there was no question of coercion. "We only inform that the subscription campaign begins", he said.

On December 30, the Law "On the Republican budget for 2019" was signed. It provided for the allocation of 151,211,151 rubles (about 63 million euros) for financing state-owned media in 2019. This is almost one third more than in the previous year. The budget backing for the television amounts to 129,699,385 rubles. The funds are allocated to state-owned media on a non-competitive basis.