

## THE BELARUSIAN ASSOCIATION OF JOURNALISTS

### Mass Media Week in Belarus

Info-posting July 9 – 15, 2012

**The main event of the fortnight has been the detention of a 20-year old freelancer Anton Surapin by the KGB. The reason for the detention was publication on his website Belarus News Photos of exclusive photos of the teddy bears which had been dropped onto cities Minsk and Ivianets by a Swedish PR-group from an airplane. The airplane was claimed to have passed the border illegally, so the KGB initiated a criminal case under article 371, part 3 of the Criminal Code (border trespass by an organized group of people). Anton Surapin is accused of assisting the group to illegally cross the Belarusian-Lithuanian border (article 16 of the Criminal Code).**

**On July 9** Aliaksandr Lukashenka signed the Law **“On Amnesty for Some Categories of Criminals”**. It is expected that the amnesty will be applied to 7.6 thousand prisoners. In all there are around 37 thousand prisoners in Belarus.

Meanwhile, human rights defenders remark that this year amnesty differs from the previous ones: this time the amnesty isn't applied to convicts under **article 342 of the Criminal Code** “Organizing and preparing actions that violate the public order or active participation in such actions”. Most former and present political prisoners were convicted according to this article (**Pavel Seviarynets, Iryna Khalip, Siarhei Vazniak, Aliaksandr Fiaduta, Zmitser Bandarenka**). The amnesty misses those convicted under **article 367 of the Criminal Code** – **“libel against the president”**: the journalist Andrei Poczobut was sentenced to three years imprisonment with two years' deferral according to this article; this summer another criminal case has been opened against Poczobut for repeating the same crime. Persistent violators of the regime in penal colonies don't fall under amnesty, either. The human rights defender Ales Baliatski acquired after three penalties, not long before the amnesty.

**On July 10** Minsk Economic Court **dismissed the appeal** filed by the head of the informational and enlightening center **“Platform” Andrei Bandarenka**. He demanded that the **BT** should refute information made public in the program “In the center of attention” on December 11, 2011.

*We remind that **on June 21** the Pershamaiski district court of Minsk (**judge Volha Bahomja**) **dismissed the lawsuit to defend honor and dignity** filed by Andrei Bandarenka against the Belarusian TV and Radio Company. Then Mr Bandarenka asked to refute the derogatory statements made public in the program about the plaintiff: it was told that Andrei Bandarenka was “involved in a case of large-scale fraud” and that he allegedly had a criminal nickname “Deputy”. Indeed, Andrei Bandarenka was charged, but then the court's decision was overturned because of absence of corpus delicti, and he was fully acquitted.*

**On July 11** the journalist **Andrei Poczobut** was summoned to the Investigative Committee in Hrodna region.

The investigative officer **Arsen Nikolski** showed him official papers of the case. It was a ruling **to set up an investigative group** that would be engaged in the investigation of the criminal case. Also there were materials of the **examination** of the **documentary "Skazany na polskość"**, shown on March 24 on TVP Białystok channel.

According to Nikolski, claims may be put forward against the authors of the film as well as the main character. The examination was made by a whole group of scientists, among them – **Aliaksandr Lukashanets**, head of the Yakub Kolas and Yanka Kupala Institute of language and literature of the

Belarusian National Academy of Sciences. Some of the experts have found components of crime in the film episodes.

*We remind that **on June 21** Andrei Poczobut was **detained** in his flat in Hrodna after it was searched. As reported **on June 22**, the Investigative Committee in Hrodna started a criminal case against Poczobut according to article 367, part 2 of the Criminal Code – libeling the president. The prosecution is based on the “materials of the check-up held by the KGB”. The journalist was held in custody for a week; then the official charges were announced and he was **set free under his own recognizance**.*

**On July 11** in Vitsebsk police detained the independent distributor of the independent press **Barys Khamaida**. The pensioner spent an hour in the police department and had a **prophylactic talk** with the police officers. They warned him that with his activities he disturbs the musical festival “**Slavonic Bazaar**”.

**On July 12** Minsk City Court dismissed the appeal of Ales Bialiatski against the additional penalty of 140 million rubles that he has to pay for late payment of taxes from large profit, according to the decision of the Pershamaiski district court.

At first the district court ruled that Ales Bialiatski had to pay 352 million rubles, but then the sum was indexed because of the inflation and almost doubled, rising up to 750 million rubles. The defense lawyer tried to prove that this decision was wrong, but unsuccessfully.

*We remind that on **November 24, 2011** the Pershamaiski court of Minsk (**judge Siarhei Bandarenka**) sentenced Ales Bialiatski to 4.5 years’ imprisonment for large-scale tax evasion (article 243, part 2 of the Criminal Code). Ales Bialiatski pleaded non-guilty and called his trial politically motivated. The prosecution was grounded on information from foreign bank accounts in Lithuania and Poland, sent to Belarusian authorities by the Ministry of Justice of Lithuania and the Polish General prosecutor’s office. The court dismissed the claims that the money in the bank accounts was not Bialiatski’s personal profit, but was intended for the unregistered human rights center “Viasna”. On **January 24** the judges’ board of Minsk City Court dismissed the appeal against the sentence. Now Ales Bialiatski is in a penal colony Babruysk.*

**On July 12** an activist of the civil campaign “**Nash dom**” Yanina Liasneuskaia was detained in Vitsebsk by policemen from Orsha “**for a prophylactic talk**”. The civil activist and human rights defender Valery Shchukin was not allowed into the cabinet where the talk took place.

The policemen claimed that Yanina was **suspected of distributing works propagating violence and cruelty** (article 17.8 of the Administrative Code envisages a fine of 10 to 30 base amounts). The subject of the suspicion was a book for coloring illustrations “My father is a militiaman. What does he do at work?” The only coloring book was found in Liasneuskaia’s house in February during searches. That time the policemen were looking for materials authored by “Nash dom” which stated that the police violate the law themselves and also demonstrate bad culture.

**On July 13** a freelancer and a journalism student Anton Surapin was **detained** after a **search** at his home by the KGB in connection with a criminal case against **Swedish teddy-bear-bombers**. Surapin was detained for **three days**, then his detention was extended to **10 days** – the term envisaged by the law after which the prosecutor has to formally bring charges. His lawyer, who was at the interrogation, said Surapin was accused of **assisting a foreign group of people to illegally cross the border** which carries punishment of three to seven years (article 16 of the Criminal Code). Anton Surapin, being an editor of the website **Belarus News Photos**, published unique photos of the teddy bears which hadn’t appeared in the media before. Anton wrote that the photos had been sent to him by an anonymous person who didn’t live in Minsk.

A Swedish PR-company "Studio Total" staged a stunt on **July 4** to support media freedom in Belarus: they said they illegally crossed the Belarusian border on an airplane and dropped a lot of teddy bears with pro-democratic slogans over Minsk and Ivianets. The Belarusian authorities denied the fact of trespass; however they started a check-up in the air defense forces. A day or two later a video of the flight appeared online. Later representatives of "Studio Total" claimed they did not have any contacts with anybody in Belarus.