

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

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The Ministry of Information finally re-registered the non-state magazine *ARCHE. Beginning*. The outlet filed documents for re-registration five times, the first time – in November 2012.

“These two events could have been highly appraised, but for the fact that they occurred last year on totally empty grounds,” said Andrei Bastunets, the deputy chairperson of BAJ. “So we don’t have any guarantees that similar situations won’t repeat. Moreover, a month ago the court found extremist the photo album of Belarus Press Photo 2011. And we cannot ignore the recent series of arresting independent journalists. In my view, all this testifies to the fact that the improvements in mass media sphere have cosmetic character.”

On May 13 the lawyer of the journalists Dmitry Halko and Aliaksandr Yarashevich filed cassation appeals against their administrative arrests: on May 7 they were sentenced to 10 and 12 days’ terms respectively by the Maskouski district court of Minsk (judges Yauhen Hatkevich and Tatsiana Matyl) for disobeying police’s demands.

On May 13 the Ministry of Justice gave a reply to the complaint filed by the deputy chairperson of BAJ Andrei Bastunets: he complained that the court in Ashmiany denied his right to take part in the Belarus Press Photo 2011 case as a civil society representative. The Deputy Minister Ihar Tushynski answers that the question lies beyond the Ministry’s competence; the right, according to the official, must be enforced and supervised by higher courts and the prosecutor’s office.

On May 16 BAJ received a reply to the same complaint from the chairperson of the Hrodna Regional Court Aliaksandr Hrynkevich (document dated May 8). The judge says that “the final answer... will be given after the mentioned case is considered on appeal, since the case cannot be taken for a check-up after the court ruling comes into legal force.”

We remind that Andrei Bastunets, as well as head of the legal commission of the Belarusian Helsinki Committee Harry Pahaniayla were not allowed to take the ground as civil society representatives in the Belarus Press photo 2011 case, although they are entitled to this by law and it is written down in the Statutes of the organizations.

On May 16 the journalist from Hrodna Uladzimir Khilmanovich told that he had had a visit to the Hrodna department of the KGB on April 26 where he was warned that several articles by the journalist published in the Bialystok newspaper *Niva* could cause liability under the criminal article 368 part 1 (discrediting the Republic of Belarus).

We remind that on April 25 the journalist was invited in a phone call to have a talk that was “within the competence of the KGB department.”

On May 17 the national statistics service *Belstat* published the data that 46.9% of Belarusians used the Internet. This year the number of Internet users in Belarus has grown by 22.8%. At the beginning of 2013 it reached 883 per thousand people. A random survey showed that 51.7% of households owned personal computers in 2012, and 48.3% had access to the web. 42.1% of Belarusians used the web from home, 2.4% from work/study places, 0.2% accessed the Internet from cybercafés and postal service points, 0.3% went online when visiting friends and relatives.

On May 17 the Kastychnitski court of Vitebsk (judge **Alena Protas**) found **BNF party members** Leanid Autukhou and Kastus' Smolikau **guilty of violating** the Law on Mass Media and **fined** them to 30 base amounts (3 million rubles, or around 290 euro). *We remind that the activists were distributing the party bulletins on March 22. They were detained and arrested for 5 days for "calls to organize an unsanctioned political meeting".*

A month later another administrative case was opened against them. According to the policemen who confiscated the bulletins, the number of copies exceeded 299, which means they were **distributing an unregistered mass medium**. According to the activists, the policemen did not count the bulletins in their presence, and during the hearing they measured the bulletins in "big packs" and "thick packs" which is far from precise.

As reported **on May 17**, the Deputy Chairman of the executive committee of Mazyr district issued a **warning** to the **editor-in-chief** of the local **government-run newspaper** "Zhytssio Palesia" over repeated **publications humiliating the Roma** community. Homel human rights activist **Maryia Klimovich** received a reply to her complaint to the Prosecutor of Mazyr district in which she expressed her concern about discrimination against the Roma ethnic group in the official district newspaper. The periodical published an article based on police data in which offenders were characterized according to their nationality. Remarkably, the complaint was filed to the prosecutor's office, but the reply came from the city executive committee.

On May 20 the journalist of foreign *Radio Racyja* **Viktar Parfionenka** (Hrodna) was **denied official accreditation** for the fifth time (the document signed by the deputy head of the information department of the Ministry of Foreign Affairs **Maryia Vanshyna**). Each year he applies for accreditation to the Ministry of Foreign Affairs - and each year receives refusals. Viktar Parfionenka: "I intend to apply for accreditation once again. Either the Ministry of Foreign Affairs at last legalizes me, or let it show again its real attitude to freedom of word."

We remind that Viktar Parfionenka has been trying to get accreditation for 5 years; on February 21, 2012 he received a warning from the prosecutor's office for violating article 35 of the Law on Mass Media – contributing to foreign mass media without accreditation.

As became known **on May 20**, city-dwellers of **Baranavichy** (Brest region) **filed a collective petition to the President's Administration** asking "to get back the channel *Euronews* to the TV network, and also to introduce the independent Belarusian-language TV channel *Belsat*, and also to provide a possibility to watch foreign channels from Poland, Russia and Ukraine **without censorship**".

It's been a third petition to different kinds of institutions, but they all have been fruitless, says the initiator of the petition **Ryhor Hryk**. The activist hopes that the Presidents' Administration will take steps to implement articles 33 and 34 of the Belarusian Constitution, which is to guarantee Belarusian citizens the right to truthful and objective information.

On May 21 the **Minsk City Court** heard the appeals of journalists **Aliaksandr Yarashevich** and **Dzmitry Halko** who have just completed their 12 and 10 days' administrative arrests. The lawyer presenting the appeal **Aliaksandr Haliyew** emphasized that the trials resulting in the arrests were held with a big number of inaccuracies and violations. Firstly, the policemen did not introduce themselves and did not explain the reason for detention; then they did not produce the protocol of the detention immediately, etc. However, the judge **Ulazdimir Karnou** did not find any grounds to overturn the sentence. Now the last legal remedy is the Supreme Court.

We remind that the two journalists were detained on the evening May 6, soon after a solidarity action. They were found guilty of petty hooliganism and disobeying police's demands.

On May 22 the Ministry of Information finally **re-registered** the independent Belarusian-language magazine **ARCHE. Beginning** – after six months' financial inspection and four refusals to re-register the outlet.

Ales Pashkevich, who performed duties of the chief editor, said that the packet of application documents did not differ a lot in the fifth time. They only added some information about the chief editor Valer Bulhaku.

“Why they refused four times out of formal reasons, and now re-registered – many variants are possible here. Perhaps, it was some political expediency, perhaps an order from above, perhaps they just ran out of formalities to stick to...” says Ales Pashkevich. “Now we don't have any obstacles to resume publishing. We hope to see the next issue in June.”

On May 22 the editorial office of the non-state **Baranavichy** newspaper **Intex-press** reported that it was becoming harder and harder to **get information from the local officials**. In particular, the correspondent **Liudmila Prakopava was denied information** about who had bought the building of the former House of Pioneers which is on the list of **historical heritage** objects of Belarus.

Uladzimir Matsukevich, the director's deputy, head of the department on organizing and holding competitions and auctions of the foundation *Brestblmajomasc'* (Brest Region Property), **denied the information** to the correspondent under the grounds that some “law does not envisage that the information about participants and winners of auctions must be published”. The head of the department on economy of the Baranavichy city executive committee **Raisa Ulasovich** also refused to say any information in this regard, because all what she “wanted to say, she said to the newspaper *Nash Kraj*” (the local state-run newspaper).

On May 22 the independent journalist and BAJ member Alina Skrabunova was summoned to the Kastychnitski district police department of Mahilou. The questioning policeman told her that he had been instructed to hold a questioning in response to a collective complaint of the managers of the agricultural farming complex Lebiadzianka (Bialynichy district) against journalists Alina skrabunova, Yauhen Hlushkou, Barys Vyrvich and civil activist Valery Vusik. The complainants argued that the journalists had distributed false information about the inside situation in the agricultural complex. The policeman asked if Alina was a journalist, if she was accredited, if she had been demonstrating a *Belsat* press-card, and also why a report had been made in Lebiadzianka on February 12. The journalist refused to answer, referring to article 27 of the Belarusian Constitution.

As became known on **May 23**, a shooting team of **Belsat** was **denied accreditation** to a **rock-concert** of the Belarusian band N.R.M. The producer of the concert Pavel kashyryn explained that it was a decision of the owner of the club Goodwin where the concert was arranged **to ban all video recordings**. So, the ban concerned not only *Belsat*, he said.

We remind that a similar conflict happened last year when the same organizers denied accreditation to Belsat for a concert of the signer Aliaksandr Kulinkovich.

On May 23 the **Minister of Information Aleh Praliaskouski** claimed that there were no problems with freedom of expression in Belarus, and the press corresponded with the world standards. He said there were more than 1.5 thousand registered print editions, almost 300 online media and informational agencies. Also the Minister called the Law on Mass Media of Belarus “very democratic”.

“We are an open space. There are no serious claims for me as a Minister of Information. We have a very simple form for registering mass media, even our colleagues have it more complicated. We are open for a dialogue,” claimed Aleh Praliaskouski at the opening of the **Belarusian International Media Forum**.

On May 23 residents of Slonim district launched a **public petition** to get back the non-state newspaper *Hazeta Slonimskaya* into kiosks of *Belsazyudruk* and catalogues of *Belposhta*. The petition is going to be sent to the President’s Administration, the Ministry of Information, and the enterprises *Belposhta* and *Sayuzdruk* and others.

We remind that a similar petition with more than 300 signatures was sent to the same institutions. Belposhta replied that it was unreasonable to include the newspaper into their catalogue – the answer has stayed all the same for many years.

On May 24 the chairperson of a branch of BAJ in the Homel region **Anatol Hatouchyts** was **summoned** to the regional **prosecutor’s office** to give explanations about a video report broadcast on April 24 on *Belsat*. The video report “People on water” covered the spring flood in a village on the outskirts of Homel. A rescuer named Aliaksandr said several words in the video report. And it was Aliaksandr who **sent a complaint to the prosecutor’s office** on May 20 claiming “his rights were violated because he did not want to give any interviews to some foreign channel *Belsat*”. Anatol Hatouchyts explained that he had prepared the report as a correspondent for *BelaPAN*, presented as a correspondent for *BelaPAN*, and did not send any materials for *Belsat*.