

## THE BELARUSIAN ASSOCIATION OF JOURNALISTS

### Mass Media Week in Belarus

Info-posting March 18 – 24, 2013

**There will be no criminal case against the magazine *Arche. Beginning*, the results of the half a year's check-up showed. The editorial office hopes to resume publishing the magazine after the bank account is unblocked.**

**This piece of news came just a week after the criminal libel case against Andrei Poczobut was closed. "I suppose that nobody has any illusions about independence of decisions in my case and in the case of *Arche. Beginning* – it is a direction in the state policy," said Poczobut. "It is obvious that some backstage negotiations to improve relations between the European Union and Belarus are underway."**

**On March 18 in Barysau district court the first hearing took place in a libel case between an editor of the local state newspaper and a correspondent of an independent newspaper.**

The chief editor of the state-run newspaper *Adzinstva Vera Pratasevich* filed a suit against the correspondent of the regional non-state newspaper *Borisovskiye Novosti Valery Nitski*, saying he repeatedly libeled her during a year. She says Valery Nitski allowed intentionally false and defaming statements regarding her in a written address to the head of Barysau department of the State Control Committee.

The case was filed as a private lawsuit by the aggrieved person herself. Now Valery Nitski is under recognizance, forbidden to leave the country. He had already been convicted under article 188 of the Criminal Code.

**On March 18 in Krychau Uladzimir Kudrautsau, the founder of the small-circulation newspaper *Volny Horad*, and its chief editor *Siarhei Niarouny* were summoned to the local district police department to give explanations.** The journalists were informed that a communal unitary enterprise of Cherykau accused the newspaper of libel.

The accusations appeared after a small article *Krepostnyje* (Serfs) in a February issue of the newspaper. The article said that the administration of the enterprise failed to pay three months' salaries to its workers. However, the accountant of the enterprise filed a complaint to the district prosecutor's office, claiming that the information was untrue. She did not demand any financial compensation, but demanded to refute the information. Now the complaint is being handled in the police.

The article recounts words of a wife of an employee from the enterprise; she phoned to the editorial office and complained that her husband had not received salary for three months, and asked for help. According to the article, the wife was advised to address the inspection of protection of labor.

**On March 19 the correspondent of *Radio Svaboda Mikhail Karnevich* was denied access to the building ground of a nuclear station in Astravets, Hrodna region.** Although he provided all required documents to the Management of the worksite, he was not allowed to enter the site. The journalist first addressed the Ministry of Energetics, from which he was referred to the Directorate of building nuclear stations. There he was offered to fill in a standard form for the special security body, and a typical request with the letterhead of the editorial office, aimed for the head of the worksite of the nuclear station. Having received a positive reply after two weeks' consideration, the journalist arrived in Astravets only to hear that one more paper from the Ministry of Energetics was missing.

The journalist was going to report about the progress of the construction work and to talk to people working on the site.

**On March 20, 2013** the court of Maskouski district in Brest **dismissed the lawsuit** of BAJ member **Milana Kharytonava** against another journalist. *We remind that Milana Kharytonava was offended by an anonymous comment published on a regional website in her regard in March 2012, and she filed a complaint to law enforcement agencies who then found the offender, who turned out to be Uladzimir Minevich, a journalist of the state-run newspaper Brestskij Vestnik . Milana Kharytonava filed a suit in which she demanded excuses and compensation of moral damages and court expenses (a sum of 3 mln rubles, or around 290 euro). The defendant skipped the first court hearing because of some urgent business; then he offered amicable settlement. However, Milana Kharytonava insisted on bringing the case to court, as she had already wasted means on legal proceedings and treated it as a matter of principle.*

A linguistic examination of the comments was assigned. Milana remarks that instead of an independent expert, with appropriate license and experience, the examination was conducted by a teacher from the philology department of the Brest State University, where earlier the defendant Uladzimir Minevich also studied. The results of the examination stipulate that there was no insult in the comments – the journalist Uladzimir Minevich only expressed his negative opinion, and this is not forbidden by the Constitution and laws of Belarus.

Based on the results of the examination, the judge **Tatsiana Isayeva** ruled that the suit must be dismissed and the plaintiff must pay legal expenses (1.5 mln rubles). Milana Kharytonava disagrees and is going to appeal the decision to Brest regional court.

**On March 20** BAJ member **Anton Surapin** told in an interview that he **hoped charges against him would be dismissed**. The Swedish prosecutor's office started an investigation into the last summer's **teddy bear landing**. "Perhaps, a confrontation will be organized, and the Swedes will say I have nothing to do with it, and we don't know each other," says Anton. He is still under recognizance forbidding him to leave Minsk, where he is studying in the journalism institute. "I am not summoned to the KGB, nobody phones me, and I still don't have my equipment, seized during searches."

**On March 19** the prosecutor's office of Sweden **started an investigation into unlawful border crossing** by a single-engined aircraft on July 4. The plane spent nearly an hour and a half over Belarus and dropped teddy bears with pro-free speech placards over a town of Ivianets and Minsk. We remind that Anton Surapin published first photos of the teddy bears on his website Belarusian News Photos. He was detained on July 13 and charged with assisting to illegal border crossing under art. 16.6 (assisting to a crime) and art. 371.3 (trespassing); the same charges were brought against a realtor **Siarhei Basharymau** who had let a flat to the Studio Total who performed the stunt. Anton Surapin spent a month in the KGB detention center and then was set free under recognizance.

**On March 20** the Investigative Committee in Hrodna region **completed the inquiry** into the fact of death of the journalist, poet and BAJ member **Yury Humianiuk**. Criminal prosecution was denied, since the cause of death was determined as the mental condition of the deceased and the incident was determined as **suicide**.

**On March 22** the lawyer of the editorial office of **Arche. Beginning** was informed that, after the half a year check-up of the outlet's accountancy reports, **criminal prosecution was denied**. The Investigative Committee and the Committee of State Control did not give any additional commentary to the press-service of BAJ for that moment.

**On the evening of March 22 in Bialynichy** district the local **police inspector** Siarhei Karytkin **visited** the house of the **independent journalist Barys Vyrvich**. The policeman **questioned** the journalist about the small-circulation newspaper *Mahilouski Vybar* – how it was published and distributed. The policeman said the information was needed for an objective consideration of the protocol of administrative

violations against the ex-deputy of Bialynichy local council **Valery Vusik**: he allegedly violated article 17 of the Law on Mass Media (on distribution).

Barys Vyrvich remarked that at the end of the questioning protocol he had indicated that he had not been informed about his rights and obligations. He underlined that the newspaper was published according to all norms of the law and the Constitution of Belarus.

**On March 24** the cameraman of the newspaper *Nasha Niva* **Tatsiana Haurylchyk** was **detained** near the Akademija Navuk underground passage. The journalist was detained because she was recording policemen in the passage, which they did not like. Her credentials were checked, and an hour later she was set free. The procession celebrating the **Freedom Day** took place in Minsk to mark proclamation of the Belarusian People's Republic on March 25, 1918.