

MASS MEDIA

in Belarus

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Post-election Situation in Belarusian Media Field January – March 2011



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“The authorities continue to intimidate and harass critical media. This worrisome trend, which strengthened after the 19 December 2010 presidential election, has reached a critical point. These actions are a flagrant violation of Belarus OSCE commitments...”

Dunja Mijatović, the OSCE Representative on Freedom of the Media

“Belarus has become an information battlefield. We were opposed by well-trained domestic, Western, and, unfortunately, Russian ill-wishers... At the same time, the state-owned printed and electronic media confirmed their maturity and responsibility, since they managed to ensure praiseworthy coverage of political campaign. The President of Belarus Alaksandr Lukashenka gave high praise to their work.”

Aleh Pralaskouski, Minister of Information of Belarus

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Publisher: Belarussian Association of Journalists (BAJ) PL Svabody 17-304, 220030 MINSK, Belarus
Phone: +375 17 203-63-66, 226-70-98 Fax: +375 17 203-63-66., 226-70-98 E-mail: baj@baj.by Web: www.baj.by

Contact: Mr. Andrei Bastunets, BAJ Deputy Chairman



MASS MEDIA IN BELARUS: BEGINNING OF THE YEAR

The first months of 2011 were characterized by the growing pressure of governmental authorities on independent media and journalists that dramatically increased in the aftermath of the Presidential election on December 19, 2010.

The most blatant violations of journalists' and media rights within the period were as follows:

- continuation of criminal and administrative prosecution of journalists in connection with the Presidential election;
- institution of criminal proceedings against a journalist, allegedly, for 'defaming the President of Belarus';
- KGB searches at editorials and journalists' private apartments, seizure of professional technical equipment;
- issuance of letters of caution to independent media by the Ministry of Information of Belarus that endanger their existence;
- revocation of "Autoradio" broadcast license;
- return of "black lists" of actors, literary men, and musicians to Belarus (i.e., their concerts and presentations are banned and their mentioning in the state-owned media is forbidden);
- detentions and arrests of journalists on the eve of the Liberty Day, celebrated on March 25th

Continuation of criminal and administrative prosecution of journalists in connection with the Presidential election 2010

Alaksandr Atroshchankau, a journalist and a spokesman for a former presidential candidate Andrei Sannikau was sentenced to four years of imprisonment in a reinforced regime colony on *March 2, 2011*. He had contributed to the DELFI Web-portal (Lithuania). The Frunzenski City District Court of Minsk found him guilty of taking part in “mass riots” (part 2, article 293 of Belarus’ Criminal Code). The court of appeal left the initial verdict in force.

Six journalists and members of Belarusian Association of Journalists are still regarded as the alleged offenders. The list includes **Iryna Khalip**, a “Novaya Gazeta” (Russia) newspaper correspondent, **Natallia Radzina**, the “Charter’97” Editor, **Siarhei Vazniak**, the “Tovarisch” newspaper’s Editor-in-chief and a BAJ Board member as well as a columnist **Alaksandr Fiaduta**, a BAJ Council member **Pavel Seviarynets**, and **Dzmitry Bandarenka**.

The charges in relation to five media workers, mentioned above, apart from N. Radzina, were mitigated at the beginning of April 2011. Currently, they are accused of “arranging and preparing the actions that blatantly violate the public order” (article 342, part 1 of Belarusian Criminal Code). They are threatened with up to three years of imprisonment.

A.Fiaduta, P. Seviarynets, and D. Bandarenka were kept in custody within the reporting period. N. Radzina was released from the KGB investigatory isolation ward on *January 28, 2011*. She had been forced to sign a recognizance not to leave the place of her permanent residence in Kobryn, Brest region, located in more than 300 km from Minsk. (N. Radzina managed to flee Belarus at the end of March 2011. Reportedly, she has entered one of the EU member-states and begged for asylum there.)

S. Vazniak was released from pre-trial custody on signing a recognizance not to leave the place of his permanent residence on *March 29, 2011*. On the same day,



I. Khalip was placed under house arrest with severe conditions. (Two KGB officers are constantly present in the journalist's private apartment. She is banned to leave the flat, to meet people, to approach windows, and use her PC.)

Prosecution of journalists for coverage of events during a protest action on December 19, 2010 continued with application of administrative law. (It is worth reminding that 21 journalists had been detained on the Election Day. 11 of them were taken into custody for 10 – 15 days on administrative charges at once.) **Barys Haretski**, a journalist from Minsk, was sentenced to 14 days of custody under the administrative law on *January 18, 2011*. **Andrzej Paczobut**, a journalist from Hrodna and a correspondent of "Gazeta Wyborcza" (Poland) was sentenced to 15 days of custody on *February 13, 2011*, i.e. two months after the polling day and the mass protest actions. Prior to the arrest, A. Paczobut had been fined, but the punishment was toughened, following the public prosecutor's objection.

V. Marozau, the Public Prosecutor for Hrodna region, initiated criminal proceedings against A. Paczobut on charges of 'Defamation of the President of Belarus' (article 368, part 1 of Belarus' Criminal Code) on *March 18, 2011*. According to the Public Prosecutor's office, A. Paczobut offended the head of state in his publications, contributed to the "Gazeta Wyborcza" daily (Poland) and "*The Belarusian Partisan*" Website as well as in his articles at paczobut.livejournal.com in the years of 2010 – 2011. The officers from KGB Department for Hrodna region attached A. Paczobut's property and seized his PC on *March 29, 2011*. It was the third computer, seized from the journalist after the Presidential election 2010.

KGB searches at editorial offices and journalists' private apartments. Seizure of professional technical equipment

According to the BAJ media monitoring results, the KGB has conducted searches at least at three editorial offices and at 12 journalists' private apartments since the Presidential election 2010. Consequently, the special services seized no less than 114 items of professional technical equipment, not to mention the information carriers, as of February 2011.

The seizure of information carriers and professional technical equipment from journalists testifies to the attempts of official authorities to restrict dissemination of unbiased information about the dramatic events that have been taking place in Belarus since December 19, 2010 by means of complicating the professional activity of mass media and journalists.

Thus, the police conducted a search at the "Borisovskiye Novosti" newspaper editorial and at the private apartment, owned by Anatol Bukas, the newspaper's Editor-in-chief, on *January 10, 2011*. According to the Editor's calculations, the law enforcement officers seized all office equipment, including 12 PCs with monitors and even mice, 3 fax machines, a scanner, 3 photo cameras, A. Bukas' personal laptop etc. A kettle pot was the only electrical appliance, remaining in the newspaper's office after the search.



According to the KGB Department for Minsk region, the abovementioned searches were conducted in the framework of investigative actions within a criminal case on “mass riots” in Minsk on December 19, 2010 with the aim of revealing “the instruments of the crime”. The following issue of “Borisovskiye Novosti” was published only due to the kind assistance, rendered by colleagues and readers, who lent their PCs to the newspaper editorial.

Independent media outlets warned by the Ministry of Information of Belarus. “Autoradio” deprived of a broadcast license

The Ministry of Information of Belarus issued the third letter of caution within a year’s course to the “Narodnaya Vola” newspaper editorial on *January 14, 2011*. (According to the Belarus’ Media Law, the Ministry of Information can lodge a claim to terminate functioning of a media outlet that received two letters of caution within a year.) The warning was issued to the newspaper editorial for distribution of information on behalf of a non-registered organization. (Such publications are banned by the Belarus’ Media Law.) Particularly, the Ministry of Information accused the newspaper editorial for publishing an extract from an interview with Zmitser Dashkievich, “The Young Front” leader. The editorial took efforts to contest the warning. However, the Supreme Economic Court of Belarus dismissed the appeal on *March 28, 2011*.

On the same day of *March 28, 2011*, the Supreme Economic Court of Belarus dismissed another appeal, submitted by “Autoradio” against the Ministry of Information of Belarus. In particular, “Autoradio” requested the court to cancel an official warning, issued by the Ministry of Information on *January 10, 2011*. The letter of caution was used by the National Committee on TV and Radio Broadcasting at the Ministry of Information of Belarus as a cause to deprive the FM radio station of its broadcast license and suspend its work. Particularly, the Ministry accused the “Autoradio” editorial of disseminating information that allegedly “contained public appeals to extremist activities.”

To be more precise, the Ministry of Information considered an expression by a presidential candidate Andrei Sannikau – “the fate of your country is not decided in the kitchen, it is sealed in the Square” – delivered in his campaigning radio presentation to be a call to extremist activity. (It is extremely significant that for the first time, political advertizing was permitted in Belarusian media during the Presidential election 2010 with the purpose of showing the liberalization of electoral procedures.)

The “Autoradio” Ltd. contested the resolutions, taken by the Ministry of Information and the Committee, on *March 9, 2011*. Consequently, the judge of Supreme Economic Court Uladzimir Shobik satisfied the appeal. Particularly, he cancelled the Ministerial warning and found the Committee’s decision invalid. However, the Board of Appeal at the Supreme Economic Court cancelled this decision and forwarded the case for revision later on. Finally, the Supreme Economic Court dismissed the appeal, submitted by the “Autoradio” FM station.

“The issued decisions mean to all independent media that it is possible to close down any periodical edition within one-two days. And the court will disregard all your arguments at that, Yury Bazan, the “Autoradio” Editor-in-chief said. (http://naviny.by/rubrics/society/2011/3/29/ic_articles_116_173023/). Thus, e.g., linguists conducted an analysis and arrived at the conclusion that there weren’t disseminated any calls to extremist activities at all. However, the judge Dzmitry Alaksandrau simply disregarded the experts’ findings. Presently, it appears that the mere mentioning of the word “Square” equals to extremism.

Return of “Black Lists” of the banned performers and literary men

Another alarming indicator of the real state of affairs with freedom of expression in the country was connected with the appearance of “a list of people of Arts and creative groups,” banned for mentioning in the state-owned media and in the programs of FM radio stations (http://gazetaby.com/index.php?sn_nid=34858&sn_cat=32) in Belarus. The unofficial ‘black list’ was published in the Internet. It contained Belarusian and foreign musicians, artists, writers, and painters, including “DDT” and “Pet Shop Boys”, the fiction writers Andrei Bitov and Eduard Uspienskiy, a playwright Tom Stoppard, the actors Jude Low and Kevin Spacey and others.

Some of them stood up in support of political prisoners in Belarus. Others took part in the [Global Artistic Campaign of Solidarity with Belarus](#) etc.

The Belarusian governmental officials deny the existence of any “black lists”. However, a series of bans for performances of music groups and musicians, mentioned in the list, including “Liapis Trubetskoy”, “Neuro-Dziubel”, “Krambambula”, D. Vaytsiushkievich and others, confirms the existence of secret bans.

It is worth mentioning that similar “black lists” of the banned musicians used to exist in Belarus within the period after the previous Presidential election since 2006 till 2008. Presently, the lists have been broadened. Obviously, it is enough to share



your views about the current socio-political processes in the country in order to get into the list, to be compared with the period in the past, when it was enough to take part in opposition actions in order to be mentioned there.

Administrative detentions and arrests of journalists on the eve of the Liberty Day

Another round of escalation of tension in relations with independent media was connected with the events on the eve of the Liberty Day, traditionally celebrated by Belarusian democratic forces on May 25th. The journalists and BAJ members from Mahilou – **Uladzimir Laptsevich**, **Ales Asiptsou**, and **Dzmitry Salauyou** – had been detained on the eve of this date in their native city and sentenced to 3 – 7 days of custody on administrative charges. **Alaksandr Lashmankin**, the officially accredited Russian journalist and the “Svoboda” HR News Agency’s Editor (Samara, Russia) was detained by transport police in Vorsha, while travelling by train to Belarus. The journalist was detained on suspicion of “transportation of drugs.” However, he was sentenced to 3 days of custody as if for “hooliganism” instead. Consequently, the journalist was deprived of his press credentials, issued by the Ministry of Foreign Affairs of Belarus. A TV reporter **Vladimir Staroverov** was detained for a couple of hours in Vitsiebsk. All detentions were conducted on farfetched charges.

On March 29, 2011, the Belarusian Association of Journalists <http://baj.by/m-p-viewpub-tid-1-pid-10289.html> stated that “the events had to be regarded as a hunt for media workers. The state demonstrated its complete disrespect for the journalists’ professional rights, the freedom of expression, and the freedom of the press.”

The Belarusian Association of Journalists expressed a vigorous protest against prosecution of colleagues and urged the official authorities to terminate immediately their pressure on journalists and mass media in the country.