

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting – November 21 – December 4, 2011

A lot of violations of journalists' rights were registered within the reporting period. The list of violations included detentions and trials, restriction of access to information, prevention from communication between independent journalists and government officials. Also, new facts of the compulsory subscription to the state-owned media appeared.

To make matters worse, at the end of November Ales Bialatski, FIDH Vice-president and Head of the unregistered *Viasna* human rights center was convicted of large-scale tax evasion and sentenced to 4 ½ years imprisonment in a high-security colony, with property confiscation and a huge fine.

As reported on **November 21**, a civil activist from Vitsebsk Tamara Kandakova had a police report drawn up against her for unlawful dissemination of the *Vitsebski Kuryer* newspaper. She had been detained on November 17.

Vitsebski Kuryer, registered in Russia, is disseminated for free in Vitsebsk with the help of enthusiasts because it turned out impossible to get the right to sell the newspaper in *Belasayuzdruk* newsagents or send it through *Belposhta* catalogue.

Hrodna police detained journalists who were heading for the border control point Bruzgi to make a report about the new rules of crossing the border in the evening of **November 22**. The car with the cameraman Andrey Fralou was stopped by road police (Uladzimir Dzemianchuk and Aliaxey Antanovich) on the outskirts of the city.

Having checked the driving license, the policemen asked to show documents for the camera in the car boot. Fralou didn't have the necessary documents, so he offered to bring them from his home. The policemen answered that there had been increasing number of stealing video cameras in the city, so he had to stay there, after which they started talks on the police radio.

In the meanwhile colleagues of the detainee, Yan Roman and Grazhyna Pashtsepa arrived. In a while, a car of the riot police arrived, together with the head of Hrodna road police department Aliaxandr Lents. The journalists were taken to the police department, under threat to use force. They gave explanations and showed documents until 1am, when finally Fralou managed to confirm that the camera belonged to him (his colleagues brought him the documents). In the end, the journalists were released.

As reported on **November 22**, Pukhavichy District Executive Committee sent official letters to the heads of all local factories and organizations, demanding to "fulfill the plan on subscription to the controlled printed media". The list of the newspapers obligatory for subscription included state periodicals – *Respublika*, *Minskaya Prawd*a, *Pukhavitskiya Naviny*, *Planeta*, *Belaruskaya Dumka*etc. A peculiar emphasis was placed on the "controlled republican newspaper *Sovetskaya Bielorusiya*".

On November 23, Deputy Heads on Ideological Work in Barysau warned their managers during operational meetings at factories that they were banned to communicate with independent journalists. The list of banned independent newspapers included local *Barysau News*, *Homan Barysaushchyny*, the nationwide newspapers *Nasha Niva* and *Narodnaya Volia*, and Russian *Komsomolskaya Pravda v Belarusi* and *Arguments and Facts in Belarus (AiF)*. The list was read out loud during the meetings.

On November 23, the publicist and politician Aliaxandr Fiaduta had a police report drawn up against him on an administrative offense – refusal to give his finger prints. Now he is awaiting the trial. Fiaduta explains that he had done the fingerprinting twice during the previous year. “Since, by law, the country must have a common single system of fingerprints of the Belarusian population, I think that’s enough.” He also wonders why in Maskouski district local police the department on sentence enforcement, situated on the 4th floor, cannot send his fingerprints to the expert department, situated on the 2nd floor.

As reported on **November 24**, Yauhen Vaskovich, a journalist of *Bobruyskiy Kuryer*, was released from solitary confinement where he had been kept for a month. It was reported by his lawyer who visited him in Mahilow prison No 4. According to the lawyer, Yauhen Vaskovich was given a pack of newspapers and letters addressed to him. There was a letter from Pavol Seviarynets, also a BAJ member who serves a sentence in an open-type colony for December 19th demonstration. The letter contained only a white paper symbolizing that correspondence between the two of them is prohibited.

Yauhen Vaskovich was charged with attacking a KGB building in Babruysk during the night on October 16 – 17, 2010. Nobody was injured and real damages amounted to Br 253 thousand (around \$84), and the damages were paid. However, Yauhen Vaskovich was sentenced to seven years imprisonment in a high security colony.

On November 24, Ales Bialatski, FIDH vice-president, head of the closed human rights center *Viasna* and BAJ member, was sentenced to 4 and a half years of maximum security colony imprisonment with property confiscation. The decision was announced by the judge of Pershamayski District Court in Minsk Siarhey Bandarenka.

The term of pre-trial detention will be included into the imprisonment term. Bialatski will have to pay 721 Br mln and 36 Br mln of legal expenses.

He was convicted of large-scale tax evasion under Art. 243 (2) of the Criminal Code. According to the court’s ruling, Bialatski intentionally evaded paying taxes from the money he kept in the bank accounts in Poland and Lithuania. The court disregarded the attempts to prove that the money wasn’t Bialatski’s personal income.

The prosecutor Uladzimir Saykouski had asked 5 years imprisonment for the defendant.

On December 1, Ales Bialatski was transferred to prison No.8 in Zhodzina from the detention center in Valadarski str. in Minsk. His wife Natallia found it out by chance,

when she came to visit him in the detention center. In the meanwhile, the defense lawyer Dzmitry Layeuski appealed against the sentence to Minsk city court.

On November 25, the *Belarusian Association of Journalists* expressed strong protest against the court decision and the sentence, returned to BAJ member and human rights defender Ales Bialatski. In the statement BAJ called the decision politically motivated and urged the Belarusian court to cancel the conviction. BAJ expressed solidarity with Bialatski's family, his colleagues and friends and called other citizens of Belarus, foreign colleagues and partner organizations to support the protest.

On November 26, the road police stopped the car of the Belarusian human rights defender Viktor Sazonau. The police officers conducted the car inspection and took away the advertising products of Radio Racyja – calendars, T-shirts and the like in Leninski City District Police Department of Hrodna. The policemen made up the report and questioned Viktor Sazonau about where he had taken the items and where he was heading for, and also about his participation in any political parties. He told them that he had been given the products by his acquaintance, as New Year gifts. After that Victor Sazonau was released, however the advertising products were taken for checks.

As reported on **November 28**, Dzmitry Bandarenka, coordinator of the civil campaign *European Belarus* and BAJ member, informed in his letters that his health was deteriorating. He asked to conduct medical inspection of his health with *Médecins sans frontières*, otherwise he might become disabled, as in the colony he was not given proper treatment. First several weeks he was allowed to take the after-operation recovery procedures lying on the prison bed, but then it was regarded as misconduct. After the operation the prisoner finds it hard to move, he even takes painkillers. Though at present he is exempt from work, he has to fulfill all other prison activities.

As reported on **November 28**, RUE Beltelecom imposed restrictions on the use of the Internet in state agencies and organizations, "pursuant to the Decree of the President of the Republic of Belarus No 60 of 01.02.2010 «On the Measures to Improve the Use of the National Segment of the Internet Network». The press service representative of Beltelecom said to Euroradio that they hadn't seen the black list. According to Yury Zisser, the general director of the popular Belarusian portal tut.by, the list includes 35 websites most of them have terrorist or sex content, except *Partisan*, *Charter-97* and Yauhen Lipkovich blog.

As reported on **November 29**, Radio Racyja website was hacked, and was able to resume its work only on November 30. "The aim of the attack was to take control of the server in order to make changes in the content of our materials. When the security of the servers was guaranteed, another attack was undertaken, which induced spreading the false information from our website that we sent viruses," said the chairman of Radio Racyja board Yauhen Vapa.

On **November 29**, Anatol Hatouchyts, chair of the Homiel branch of BAJ, gave explanation to the deputy of the regiment commander of patrol police Mikhail Lapitski, concerning the complaint on his November 12th detention during the People's Assembly in Homiel. Neither during the detention nor later in the police department where he spent several hours, he was given none explanations about the reasons for

his detention. The journalist thinks that he was detained only for to erase photos from his camera, though there were no photos of the street action. On releasing, Hatouchyts wrote a complaint in the book of complaints, and now it is being checked.

The Ministry of Information held an off-site session in Pinsk (Brest region) on **November 30**. According to the Brest Executive Committee website, Deputy Chairs of executive committees in cities and districts of the region, together with heads of Ideology departments and heads of printed and electronic mass media took part in the meeting. At the same time, many heads of non-state sociopolitical media were not invited to the meeting.

“It is common practice when we are ignored,” comments Viktor Marchuk, Editor-in-chief and director of *Brest Newspaper*. “The Ministry of Information must cooperate with all mass media, regardless of the kind of property. But it seems not to notice that alongside with the state media, there are also independent media, whose circulation, by the way, is sometimes higher than that of the state local papers.”

On November 30, the judge of Babruysk City and Babruysk District Court Tatsiana Tarabuyeva banned Anatol Sanatsienka, Editor-in-chief of *Bobruyskiy Kuryer*, and his colleague Viktor Kachan to attend an open trial. The court was to consider the case of four young city-dwellers who were accused of an attempt to proceed with burning candles from an Orthodox church to the monument, dedicated to victims of political repressions. It happened on the day of Ancestors' Remembrance Day (Dziady), a traditional national holiday in Belarus.

Before the trial the accused made a request for a larger courtroom (instead of the judge's cabinet), so that all people eager to attend the proceeding were able to come. The deputy of the court chairman accepted the request and sent his decision to the judge.

However, the judge made a decision to hold the trial behind closed doors. Having seen the journalists of BK, she demanded the court policeman to take them out. After the incident Anatol Sanatsienka addressed the court chairman, and the latter supported the journalists and ruled to put off the court trial on some other day and to hold it in the court hall.

On December 1, a trial on administrative charges against George Stankievich, editor and publisher of samizdat small circulation *Kryvinka* newspaper was started in Beshankovichy District Court. He is accused of unlawful dissemination of an unregistered printed periodical edition. The case turned out to be filed by two female city-dwellers, 25. They said they didn't subscribe to the newspaper, but found it in their mailboxes. Stankievich was detained by police on November 5. The police officers stressed that they “had got a notification” and had to make up a report.

As reported on **December 2**, Babruysk City and Babruysk District court closed the case of Viktor Kachan, the journalist of *Bobruyskiy Kuryer* due to the absence of constituent elements of the administrative offense. As a result of the second hearing, the court decided that Viktor Kachan acted as a journalist in Lenin square of Babruysk on July 6, 2011. The first hearing of the case took place on July 7. Then Viktor Kachan was found guilty of violating the law on mass actions and sentenced to a fine equal to 5 base amounts.

Previously the court also closed a similar case of another journalist of *Bobruyskiy Kuryer* Viktor Masalovich, with the same decision.

In the morning of **December 3**, three young people poured a bucket of noodle soup at the entrance to the office of the Belarusian National State TV and Radio Company and also spread leaflets which said that “the primary task of journalists is to guarantee delivery of truthful information by means of honest reflection of reality /.../ It’s a pity that workers of the Belarusian Television and Radio Company have never known these principles. The Belarusian television has always been “famous” for obviously ordered, politically engaged reports, which cause sometimes laughter, sometimes incomprehension.”

Prepared by BAJ Monitoring Service