

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

September 22 – October 5, 2014

The main issue discussed within the reported period was prosecution of journalists without accreditation and increasing use of article 22.9 – illegal production and distribution of mass media products. We saw another fine under the article, and received a formal reply from the Parliament's lower chamber saying they would reply later.

On September 23 the Babruysk city and district court started hearing the case of **Maryna Malchanava**, who had been accused of violating **art. 22.9** of the Administrative Code – illegal production and distribution of mass media products. The journalist motioned to postpone the hearing and drew attention to the fact that the materials of her case included copies of materials from another similar case: in May, an anchorman of Belsat TV Ales Zaleuski was fined for 30 basic amounts under the same charges. It looked that his case materials had been copied and sent by the Karelichy district court. Such actions could be regarded as pressure on the judge, said Maryna Mauchanova. The journalist had filed a complaint to the Ministry of Justice concerning the fact of pressure on the Babruysk district court, and had motioned twice to postpone the hearing until the Ministry of Justice give a reply.

The accusations were based on the testimony of a police officer who had found Malchanava's text on the website «while monitoring online news concerning anti-police comments”.

On September 25, Judge Natallia Charapukha **fined** Maryna Malchanava for 32 basic amounts (which is 4 800 000 rubles, or around \$500) for **contributing to a foreign mass medium without accreditation**. The journalist appeals against the decision.

On September 24 the Ministry of Foreign Affairs for the seventh time **denied accreditation** to Viktor Parfionenka, journalist of the **Radio Racyja**. The documents for accreditation were filed on July 16. The journalist learned about the refusal from the press service of the MFA.

Belarusian Radio Racyja and Belsat TV broadcast from the territory of Poland, mainly for Belarusian audience. They regularly file documents for official accreditation, but get only refusals from the Belarusian MFA. The restrictive legislation on accreditation has turned the mass media into outlaws in Belarus.

On September 25 the Mahilow regional court **dismissed the appeal** of Ihar Barysaw, editor of the non-state newspaper *Nash Mahilow*. We remind that earlier Mahilow district court fined the editor for 4.5 million rubles for violating the procedure of distributing mass media, and ruled to confiscate the Social Democrats Party bulletins that the editor transported together with his newspapers in his personal car.

On October 2 an activist from Salihorsk **Aliaksandr Malochka** reported that the **Ashmiany customs office** was unwilling to return the book **“Alexander Lukashenko. Political Portrait”** confiscated from the activist a year ago, so Malochka said he wanted to leave the book for the customs office as a gift. We remind that one copy of the book was seized on September 14, 2013 by Ashmiany customs office and sent for examination in search for extremist contents. First the book was sent to the executive committee of Hrodna region, ideological department; then sent back, without claims; then it was sent to the KGB, and that was the last mention of it.

The book by Valery Karbalevich was published in 2010, on 720 pages, and presented in many Belarusian cities.

On October 2 Aliaksandr Navumovich, the chairperson of the Permanent commission on human rights, national relations and mass media of the House of Representatives, replied to **BAJ statement** regarding administrative prosecution of journalists under article 22.9. He wrote that BAJ would receive the reply regarding the demand “within the terms as envisaged by legislation”.

We remind that **on September 26** BAJ sent a statement to the Permanent commission, to the Supreme Court and to the General prosecutor's office demanding to stop administrative prosecution of freelance journalists and stop pressurizing them if they publish their materials in foreign mass media; to bring protests against the judicial decisions delivered against journalists under part 2 of art. 22.9 of the CoAV; and to bring legal acts related to the sphere of free with the Constitution and the ICCPR.