



THE BELARUSIAN
ASSOCIATION
OF JOURNALISTS

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MASS MEDIA IN BELARUS

E-NEWSLETTER

JANUARY-MARCH 2015



The Internet sphere has come under state control. It is required to bear responsibility for the dissemination of information. Some people don't like it, for obvious reasons.

*Liliya Ananich,
Minister of Information of Belarus*

I would not advise anyone to take pictures of units, buildings, structures, facilities, weaponry and personnel of law-enforcement bodies and internal troops, soldiers, representatives of other law enforcement agencies and courts.

*Ihar Shunevich,
Minister of Internal Affairs of Belarus*



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SITUATION IN THE BELARUSIAN MASS MEDIA FIELD IN JANUARY-MARCH 2015 (SHORT SUMMARY)

The situation in the Belarusian media field was characterized by further tightening of state control over the national information space in the first quarter of 2015.

A number of amendments to the Belarusian law 'On Mass Media' came into force within the period under review. They had been adopted in December 2014. The amendments tightened the state regulation of dissemination of information on the Web and in the traditional media.

Also, the Presidential Decree No.6 of December 28, 2014 "On Urgent Measures to Counteract the Illegal Drug Trafficking" came into effect in the first quarter of 2015. Among other, it provided for total control of Internet users. Also, there were adopted by-laws, which prescribed a procedure for limiting access to Internet resources and monitoring the behavior of citizens on the Internet.

The access to several news Websites was disabled again for several days within the period under review.



Also, there was continued persecution of freelance journalists for cooperation with foreign media without press credentials.

The Ministry of Information of Belarus increased the flow of official warnings to media outlets for insignificant reasons within the reporting period.

The Ministry of Internal Affairs issued internal regulations on paying special attention to the people, who film or take pictures of administrative buildings.

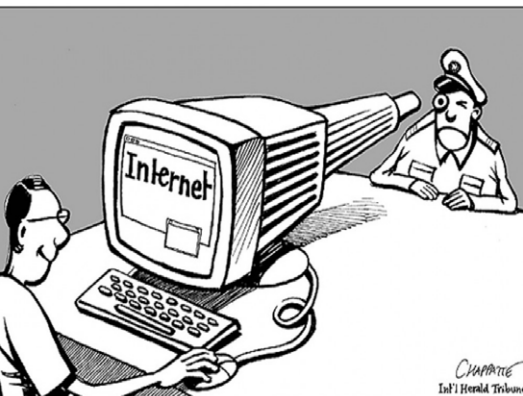
Basing on these regulations, the police started detaining journalists and common citizens for their identity checks and footage examination.

The activity of expert committees on examination of informational materials on the presence/absence of extremist content became more intensive in the first quarter of 2015.

MAIN EVENTS IN THE BELARUSIAN MASS MEDIA FIELD IN JANUARY-MARCH 2015

LEGISLATIVE RESTRICTIONS ON INTERNET USE

A range of amendments to the Belarusian law 'On Mass Media' came into force **on January 1, 2015**. They had been adopted in the abrupt manner by two chambers of Belarusian parliament in December 2014. In particular, these amendments extended legal responsibility on Web-media and obliged the owners to follow their Web-visitors' comments. The Ministry of Information acquired the right to block access to online resources (including foreign Websites) out of court.



Also, the Presidential Decree No.6 of December 28, 2014 "On Urgent Measures to Counteract the Illegal Drug Trafficking" came into effect at the beginning of 2015.

Among other, it concerns the activity of "informational Websites on the Internet". The Decree contains legal norms that endanger free dissemination of information and free access to it. In particular, according to its norms:

- the owners of Web-resources are obliged to follow their Web-content;
- the public access to informational Websites can be restricted on the initiative of the Ministry of Internal Affairs of Belarus;
- there's established the administrative liability of the owners of Web-resources for non-compliance with the requirements of the Ministry of Information of Belarus on the need to remove posts and / or materials, aimed at illegal drug trafficking;
- there has to be introduced control over Web-visitors.



In accordance with paragraph 9 of the Decree, all Web-providers will be obliged “to ensure the creation and storage of relevant databases about the Web-resources, visited by the users of the provided Web-services” since January 1, 2016.

The procedures on controlling the activity of Belarusian citizens on the Internet have been elaborated by the Ministry of Communication and Informatization of Belarus (Ordinance No. 6 of February 18, 2015).

On February 19, 2015, the Ministry of Communication and Informatization of Belarus and the Operational and Analytical Centre under the President of the Republic of Belarus adopted '[Provisions on the procedure of limitation of access to Information Resources \(and their components\), located on the Internet](#)'.

This document was adopted in pursuance of Decree No.6 and the amendments to the Belarus law 'On Mass Media'. It repeats their provisions in many respects. The newly adopted legal norms provide for the possibility of disabling access to Web-resources and anonymizers (proxies, Tor etc.) that secure Web-users' access to the blocked Web-pages.

According to the adopted Provisions, it is impossible to appeal against the ministerial decisions on disabling access to Websites in court.

In contrast to the previous order, when the black-listed Websites couldn't be accessed from state institutions as well as educational and cultural establishments, the present order provides for the possibility of disabling access to the banned Websites for all Web-users in Belarus.

The former 'black list' of banned Web-resources, including such popular Websites as www.charter97.org, www.belaruspartisan.org, <http://spring96.org/>, has been cancelled. However, some Belarusian Web-providers kept disabling access to their Web-pages for 2-3 days, until they received a new list of Web-resources where the previously banned Websites weren't mentioned any longer.

PROSECUTION OF FREELANCE JOURNALISTS

The official authorities reinforced a wave of prosecution of journalists for their cooperation with foreign media without press credentials in the first quarter of 2015. [Seven journalists in Brest and Homiel were fined](#) 20-40 base amounts (approx. EUR 225-450 in equivalent).



As before, the freelance journalists were penalized 'for illegal creation of mass media production' (article 22.9 p. 2 of Belarus Code on Administrative Offenses). As before, the authorities repressed the independent media workers for the mere appearance of their materials in foreign media. Surprisingly, they were not interested in the content of publications at that.

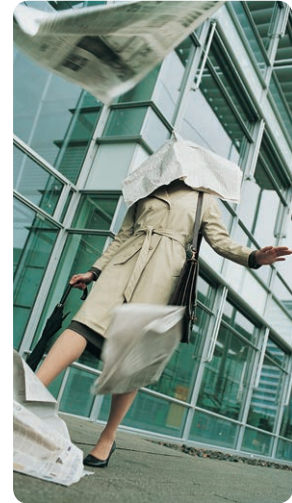
NUMEROUS OFFICIAL WARNINGS TO MEDIA OUTLETS FROM THE MINISTRY OF INFORMATION OF BELARUS

Several independent periodicals received simultaneously official warnings from the Ministry of Information of Belarus at the beginning of 2015. In particular,

the warnings were sent to 'Intex-Press' (Baranavichy, Brest region), 'Hantsavitski Chas' (Hantsavichy, Brest region), 'Barysauskiya Naviny' (Barysau, Minsk region), 'Reklamny BarZhoMi' (Barysau, Minsk region), and the national 'Novy Chas' weekly for 'distorting' the title of their registration body in the output data lines. ('The Ministry of Information of RB' was mentioned their instead of 'The Ministry of Information of the Republic of Belarus'). As soon as journalists drew the ministerial officials' attention to the fact that numerous state-owned periodical editions indicated their registration body the same way, 'Vozhyk' and 'Nash Kray' state-owned periodicals received official warnings, too.

The non-state 'Gazeta Slonimskaya' (Slonim, Hrodna region) received an official warning for non-mentioning the newspaper print-run, despite the fact it was mentioned on the other newspaper page.

All in all, the Ministry of Information of Belarus issued **27 official warnings to 26 media outlets** within the first quarter of 2015.



According to the Belarus law 'On Mass Media', the Ministry of Information of Belarus can file a claim on closing down a media outlet to court, having issued two and more official warnings to the editorial within a year's course. Obviously, the mass issuance of official warnings to media outlets in the Presidential election year may result in the rise of self-censorship in the media.

OBSTACLES DURING PHOTO AND VIDEO REPORTING

The cases of detention of people for taking pictures of administrative buildings, including the Academy of Sciences of Belarus and Civil Registry Offices, became more frequent at the end of February and at the beginning of March 2015.

At least three journalists faced this kind of obstacles to their professional activity within the period under review. The police officers explained their actions by the received 'internal instruction', issued by Mikalay

Melchanka, Deputy Minister of Interior of Belarus on February 25, 2015. According to the document, police officers were obliged to check the purposes of photo- and video-recording of administrative buildings and policemen themselves. Also, they were instructed to detain the people, who make the footage, for the period of up to three hours and examine the shot materials.



The Ministry of Internal Affairs refused to provide the Belarusian Association of Journalists with the text of the arbitrary instruction, referring to its 'internal' character and the absence of bans on photo- and video-recording of administrative buildings in its content. In particular, it was mentioned that the instruction 'regulated exclusively the activity of law-enforcement officers'.

However, according to the Belarusian law, all legal acts that restrict public rights must be published officially before the entry into force. The ministerial instruction creates obstacles to journalistic activities and restricts the right to free receipt and dissemination of information, guaranteed by the Constitution of Belarus. Moreover, it contains certain norms that contradict to the Procedural Executive Code on Administrative Offences. In particular, it violates the specified lawful aims of detention.

MORE THAN 100 PUBLICATIONS EXAMINED ON THE PRESENCE/ABSENCE OF EXTREMIST CONTENT

The Minister of Information Liliya Ananich presented the statistics at the ministerial Board meeting on February 5, 2015.

Among other, it was noted that the expert committees found signs of extremist content, such as 'propaganda of Nazi ideas, promotion of racial or religious intolerance' as well as 'pro-terrorism literature' in 25 of these materials.

The First Deputy Minister of Information Uladzimir Matusievich noted in his reply to the BAJ inquiry as fol-

lows: “Among the examined materials with signs of extremism, there appeared books by A. Hitler, D. Rockwell, A. Al-Badr, books on the military science etc.”

At the same time, there weren't found signs of extremism in 20 books by Zianon Pazniak as well as in a report by Belarusian and English human rights defenders “Half an Hour to Spring: Addressing Discrimination and Inequality in Belarus”, in the “Palitviazni. info” book about political prisoners in Belarus, in separate issues of ‘Niva’ weekly for Belarusians (Poland), in the Polish – Belarusian dictionary and other editions, which had been previously seized by the Belarusian customs officers and submitted for examination.



The national and regional expert committees on examination of informational production on the presence/absence of signs of extremism were created on the grounds of Ordinance No.810 of the Council of Ministers, adopted on August 21, 2014. The members of the National Examination Committee were approved by this document.

RATING LISTS, INDEXES, STATISTICS

“REPORTERS WITHOUT BORDERS” LEFT BELARUS ON THE 157TH POSITION



“Reporters without Borders” left Belarus on the 157th position among 180 countries of [the world in their annual Press Freedom Index](#). The country had taken the same position a year before.

According to the ‘Reporters without Borders’, the Press Freedom Index “reflects the degree of freedom that journalists, news organizations, and netizens enjoy in each country, and the efforts made by the authorities to respect and ensure respect for this freedom.”



THE AMNESTY INTERNATIONAL: ‘THE RIGHT TO FREEDOM OF EXPRESSION SEVERELY RESTRICTED IN BELARUS’

The ‘Amnesty International’ international human rights defending organization spread a report on the situation with human rights in 160 countries of the world in the first quarter of 2015.

Concerning the situation in the field of freedom of expression in Belarus, the ‘Amnesty International’ experts noted that the freedom had been restricted considerably in 2014. ‘Independent media started facing obstacles; administrative and criminal proceedings were started against bloggers, Web-activists, and journalists’.

Among other, it was noted that the Belarusian authorities applied article 22.9 of Belarusian Code on Administrative Offences (i.e., the norm about illegal production and distribution of media production) for persecution of freelance journalists, who cooperate with foreign media.



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Publisher: Belarussian Association of Journalists (BAJ)

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