



THE BELARUSIAN  
ASSOCIATION  
OF JOURNALISTS

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# MASS MEDIA IN BELARUS

E-NEWSLETTER

SEPTEMBER-OCTOBER 2014



*As far as I know, none of reporters can be found in Belarusian prisons at the moment. However, it is insufficient for saying that we are moving forward. I don't see any intention to loosen the strictly regulated media legislation.*

*Dunja Mijatović,  
OSCE Representative on Freedom of the Media*

*The Committee members believe that none of changes in the Belarusian legislation in the field of freedom of expression are required nowadays.*

*Andrei Naumovich,  
Head of Standing Committee  
on Human Rights, National Relations,  
and Mass Media at the Chamber of Representatives  
of the National Assembly of Belarus*



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## SITUATION IN THE BELARUSIAN MASS MEDIA FIELD IN SEPTEMBER-OCTOBER 2014 (REVIEW)

Since the beginning of the autumn 2014, special concern has been caused by persecution of Belarusian journalists for publication of their materials in foreign mass media. Among other, the reporters are fined the sums that equal the average monthly salary in Belarus.

Among other, it is necessary to underscore the following events that exerted influence on the freedom of mass media in Belarus in September-October 2014:

- **a court verdict, depriving the 'Belsat' TV channel of the right to use the title on the territory of Belarus;**
- **arbitrary detentions of journalists.**

## MAIN EVENTS IN THE MASS MEDIA FIELD IN SEPTEMBER-OCTOBER 2014

### FINES TO JOURNALISTS FOR PUBLICATION OF THEIR MATERIALS IN FOREIGN MASS MEDIA

**On September 16, 2014**, the police conducted examination of apartments, owned by an independent journalist Aliaksandr Burakou and his parents, in the city of Mahilou. (The inspection had been sanctioned by the local public prosecutor.) Consequently, the police officers seized the computers and system units, belonging to the reporter and his relatives. These actions were reasoned by the appearance of an article on "[Deutsche Welle](#)" Web-site, signed by the journalist.



It's worth mentioning that the examination of private apartments, the seizure of computer equipment as well as the arbitrary detention of three journalists in Minsk happened, when Dunja Mijatovic, OSCE Representative on Freedom of the Media, paid a visit to Belarus.

**On September 30, 2014,** two confiscated laptops and one computer system unit were returned to the journalist. However, the other system unit remained in the police.

**On October 8, 2014,** A. Burakou was fined 6 million Belarusian rubles (around EUR 450) by the Leninski City District Court of Mahilou. The judge found the journalist guilty of breaking the Belarusian Mass Media law by means of publishing his article on the Russian version of "Deutsche Welle" Web-site without press credentials from the Ministry of Foreign Affairs of Belarus.



**On September 25, 2014,** Maryna Mauchanova, an independent journalist from Babruysk (Mahilou region) was prosecuted for her professional activity without valid press credentials. The police regarded publication of her material on the Web-site of 'Belsat TV' channel as 'illegal creation and distribution of mass media production'. Consequently, the journalist was fined 4,800,000 Belarusian rubles (approx. EUR 350).



**On October 7, 2014,** the Kastrychnitski City District Court of Hrodna fined a local independent reporter Andrei Mialeshka 5,250,000 Belarusian rubles (around EUR 400) for his publication on the 'Belarusian Radio Racyja' Web-site (Poland). It was for the second time within the year that the journalist was fined for conducting his professional activities. (In particular, on June 16, 2014, the Leninski City District Court of Hrodna had fined the journalist 4,500,000 Belarusian rubles (around EUR 340) for his cooperation with the 'Belarusian Radio Racyja'.)

**It should be stressed that the mere fact of publication of journalistic materials in the foreign media was regarded as a proper reason for the persecution of the independent reporters by the**



**judicial authorities. The latter were not interested in the content of the publications at that.**

**On September 26, 2014,** the [Belarusian Association of Journalists](#) declared unlawful the persecution of reporters, whose names and publications appeared in the foreign media. According to BAJ, the legal practice violated the domestic legislation of Belarus and the international obligations of the Belarusian state in the field of freedom of expression.

Moreover, Dunja Mijatovic, OSCE Representative on Freedom of the Media and [the Swedish Union of Journalists](#) protested against the persecution of Belarusian journalists for publication of their materials in the foreign media.



## THE SUPREME COURT BANS 'BELSAT TV' SATELLITE CHANNEL TO USE THE TITLE IN BELARUS

**On September 4, 2014,** the Supreme Court of Belarus banned the Telewizja Polska company that founded the 'Belsat TV' channel to use the 'Belsat' trade mark on the territory of Belarus. Thus, the supreme judicial authority satisfied a claim, filed by Andrei Beliakou, the owner of 'BELSATplus' company (Belarus).

It should be reminded that the Board of the Supreme Court on Intellectual Property dismissed A. Beliakou's claim and took a decision in support of 'Belsat TV' channel at the beginning of the year. However, the Presidium of the Supreme Court of Belarus cancelled the initial verdict and sent the case for revision. Consequently, the same Supreme Court issued a contrary verdict and banned the TV channel to use its name, i.e. "Belsat TV", while broadcasting programs to the territory of Belarus as well as mention it on the TV channel's Web-site that can be accessed by the Belarusian Internet users.

The TV channel director Agnieszka Romaszewska-Guza is convinced that the trial against 'Belsat' was politically biased. She believes that the decision to

ban the usage of 'Belsat TV' trade mark in Belarus proves true that the case [was strictly controlled by the Belarusian official authorities](#).

**“Belsat” is an independent satellite TV channel. It was founded on agreement between the Ministry of Foreign Affairs of Poland and the Polish TV (Telewizja Polska) in 2007. The TV broadcasting is aimed at the Belarusian audience. Since the moment of “Belsat” foundation, the Polish TV management has had several attempts to obtain legal status for the TV channel in Belarus. However, all these efforts were in vain. The Belarusian journalists, who cooperate with the TV channel as well as the journalists, who contribute their reports to other foreign media, have received a number of official warnings from the public prosecution bodies and the KGB. Since the spring of 2014, they have been repeatedly fined for conducting journalistic activity without valid press credentials, issued by the Ministry of Foreign Affairs of Belarus.**

## ARBITRARY DETENTIONS OF JOURNALISTS

The Belarusian Association of Journalists registered 7 cases of arbitrary detention of journalists by police officers in September-October 2014. Three of them were detained on the days, when Dunja Mijatovic, OSCE Representative on Freedom of the Media, paid a visit to Belarus. (It is worth mentioning that a special OSCE seminar on coordination of activities between mass media and law enforcement agencies was arranged by Ms Mijatovic in Minsk in the framework of her visit to Belarus.)

All in all, the BAJ has registered 26 short-term detentions of journalists since the year start. In all the cases the media workers were released from custody within three hours since the moment of their detention without making police reports. The number is a bit less than in the previous years. (Over 50 and 60 cases of detention of journalists were registered in Belarus in the years of 2013 and 2012 correspondingly.)



## RATING LISTS, INDEXES, STATISTICS

Belarus continues to hold the last position in the Mass Media Freedom rating list for the Eastern Partnership states.

According to the report for the first half-year 2014, Belarus and Azerbaijan have the worst situation in the mass media freedom field for the EaP states. (The document was published in September 2014.) Georgia continues to keep leadership in the list. The second position is held by Moldova. [The third position is held by Ukraine](#) that has changed position with Armenia.

The experts believe that a range of continuously poor indexes prevents Belarus from leaving the last position in the rating list. In particular, it concerns the repressive Mass Media law, the absence of public TV broadcasting as well as total state control over TV and radio broadcasting in the country.



**Presentation of quarterly Indexes on Mass Media Freedom in the EaP region is a part of the EaP Media Freedom Watch project, implemented by “Internews-Ukraine” International Public Organization in cooperation with NGOs from other five EaP states. The index is calculated by means of summing up the scores from the participating states within four categories: ‘Policies’, ‘Implementation practice’, ‘TV and Radio broadcasting’, and ‘Internet and new media’. Around 60 media experts take part in preparing the rating list.**

### EXPRESSION OF OPINION GETS MORE FREQUENTLY VIOLATED BY BELARUSIAN AUTHORITIES

The Belarusian citizens are more and more frequently persecuted by national authorities for expression of their views and opinions. This conclusion has been drawn by [the Centre for Strategic Litigations \(Homiel\)](#), following their analysis of all decisions on





Belarusian cases, taken by the UN Human Rights Committee.

The Center's Head Leanid Sudalenka noted that every second Belarusian case, regarded in Geneva, had relation to persecution of citizens for their expression of opinions. By now, the UN Committee for Human Rights has taken 68 decisions on Belarusian cases. The applicants' right to freedom of expression was found violated in 34 of them.



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