

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Fortnight in Belarus

January 16 – February 06, 2011

Three members of Belarusian Association of Journalists – Natallia Radzina, Iryna Khalip, and Siarhei Vazniak – were released from the KGB investigative isolation ward until trials within the period under consideration. All of them had been preliminary charged with arrangement and participation in “mass riots” in Minsk on December 19, 2010. Natallia Radzina and Siarhei Vazniak were obliged to give recognizance not to leave their permanent places of residence. Iryna Khalip was placed under house arrest. Before Iryna’s liberation, her mother Lutsyna Bialzatskaya had been granted the right to guardianship of her 3-year-old grandson Danik, the son of Iryna Khalip and Andrei Sannikau, a former alternative candidate at the recent Presidential election 2010. The decision of guardianship bodies in relation to Daniel Sannikau was expected with great tension and concern both in Belarus and all around the world.

The majority of analysts are inclined to explain the recent moves of Belarusian authorities with their fear of the EU sanctions. The European Parliament adopted an utterly harsh resolution on the situation in Belarus on January 20, 2011. Symptomatically, several prisoners of conscience were released until trials on January 28-29, 2010. (The EU Council of Ministers was planning to look into the Belarusian issue a couple of days later.)

Moreover, civil protest actions with the demand to release the political prisoners have been regularly arranged in Belarus and in different countries of the world since December 19, 2010.

At the same time, the repressions against journalists continued. A number of our colleagues got prosecuted on far-fetched grounds. Thus, a *Radio Racyja* correspondent Barys Haretski was detained close to the KGB HQs a month after the dramatic events in Independence Square. Consequently, the reporter was sentenced to 15 days of custody for taking part in the protest actions on the following day.

A journalist from Hrodna Andrzej Paczobut was initially fined within the reporting period. He was charged with participation in the “mass riots” on December 19, 2010. However, the Public Prosecutor’s Office considered the sentence to be too weak and lodged an objection. Consequently, the case was sent back for revision to the court of original jurisdiction.

The Ministry of Information of Belarus delivered a number of statements and took a number of steps, confirming the assumptions that the governmental policies were aimed at curtailing the processes of liberalization in the national media field. In particular, the Ministry of Information issued official warnings to “Narodnaya Vola” and “Planeta M” independent newspapers. Also, the Minister Praliaskouski promised to speed up elaboration of by-laws and provisions, regulating the procedure of official registration of on-line media in the country.

The “**Narodnaya Vola**” independent newspaper received another official warning from the Ministry of Information of Belarus on **January 17, 2011**. The Minister Aleh

Pralaskouski accused the editorial of breaking the law, pointing at the publication of “Who will hear the slogan “Depart!”” article in September 2010. The article announced the beginning of a public campaign, initiated by the “Young Front” NGO, registered outside Belarus. The official authorities blamed the newspaper editorial for “distributing information on behalf of a non-registered organization,” despite the fact it had been mentioned in the article that the “Young Front” NGO wasn’t officially registered in Belarus. It was the third official warning to the “Narodnaya Vola” editorial within a year’s course.

As reported on [January 17, 2011](#), the “*Znamya Yunosti*” state-owned newspaper editorial strived to institute criminal proceedings against their former correspondent in Brest *Ales Liauchuk*. The journalist learned the news, being interrogated by the police. The corresponding documents were presented to him. The newspaper editorial accused the former reporter of defaming the media outlet (“*Libel*”, article 188.2 of Belarus’ Criminal Code). The newspaper editorial got angry with A. Liauchuk, since the journalist had told about his dismissal and described the working conditions in “*Znamya Yunosti*” in his personal blog as well as on the Belarusian Web-pages of “Radio Liberty/RFE” (www.svaboda.org). Among other, the journalist noted that the newspaper editorial had obliged him to write a condemnatory article about the events in Independence Square in Minsk on December 19, 2010 and that he refused to obey.

The initial hearing of the case was held in Maskouski City District Court of Brest on [January 26, 2011](#). The “*Znamya Yunosti*” editorial lawyer urged Ales Liauchuk to refute his statement about the reasons of his dismissal and publish a disclaimer at his own expense. The main court session was scheduled for [February 18, 2011](#).

On [January 17, 2011](#), the Belarusian Association of Journalists received a letter from the Ministry of Internal Affairs of Belarus in reply to the Association leaders’ appeal of December 24, 2010 to the Minister of Justice, the Minister of Internal Affairs, and the Public Prosecutor General with a request to draw attention to the recent severe violations of journalist rights and make the guilty accountable for their illegal actions. It was reported that the police in Independence Square had acted “within legal boundaries” on December 19, 2010 and that the journalists “had a possibility to leave the site of the unauthorized event or withdraw to a safe distance.”

As reported on [January 17, 2011](#), “Reporters without Borders” (RSF) had nominated the “Charter’97” Web-site Editor *Natallia Radzina* for the **Netizen Prize-2011**. The annual award is presented to the bloggers, on-line journalists, and cyber-dissidents, facilitating the freedom of speech development on the Web.

It is worth mentioning that *Natallia Radzina* was detained at the “Charter’97” office between December 19 and 20, 2010 and sent to the KGB pre-trial isolation ward. The journalist was preliminary charged with arranging and taking active part in “mass riots” on December 19, 2010 (article 293, parts 1 and 2 of Belarus’ Criminal Code). She is threatened with up to 15 years of imprisonment.

Mausun Gadziev, a correspondent of “**Kommersant**” Publishing House (Russia) learned on **January 17, 2011** that the Ministry of Foreign Affairs of Belarus had rejected to accredit him as a journalist on the territory of Belarus. Reportedly, the ministerial officials expressed their discontent with the journalist’s work in 2010 this way.

The police detained a “**Bobruyski Kuryer**” journalist and a BAJ member *Yauhien Vaskovich*, 19, on **January 17, 2011**. A police search was conducted at the place of his permanent residence at the same time. Consequently, Y. Vaskovich was arrested for 10 days for committing “an act of hooliganism”. Reportedly, the media worker was charged with an attack on the KGB premises in Babruysk on October 16, 2010. The time of his detention in custody was prolonged in connection with the criminal case for two months on **January 27, 2011**. The journalist had been detained as a participant of mass protest actions in Independence Square in Minsk on December 19, 2010. Initially, he was sentenced to 12 days of custody then and served the term in Minsk Detention Center in Aksrestin Street then.

A well-known journalist and a BAJ member *Vital Taras* died of cancer on **January 18, 2011**. As usual, the dead body was examined by medics and policemen. A junior lieutenant, who dealt with composing the inspection report, took V. Taras’ finger prints, disregarding the protests of his family members.

Andrei Aliaksandrau and *Alina Suravets*, Deputy Chairs of Belarusian Association of Journalists were examined at the KGB on **January 17, 2011** and **January 18, 2011** as witnesses in the criminal case on “mass riots” in Minsk. Another Deputy Chairman of BAJ *Andrei Bastunets* and the Chairperson of BAJ *Zhanna Litvina* had been interrogated as witnesses to the case on **January 12** and **January 13, 2011** correspondingly.

Barys Haretski, a **Radio Racyja** correspondent and a BAJ member was sentenced to 14 days of custody under the administrative law on **January 18, 2011**. The media worker was accused of taking part in the unauthorized mass protest actions on December 19, 2010. The radio journalist had been detained, while interviewing people at the walls of Akrestsina police prison in Minsk on January 17, 2011, i.e. nearly a month after the protest actions. Moreover, police searches were conducted at the journalist’s private apartment as well as at his brother’s flat.

Barys Haretski was released from jail on **January 31, 2011**. He served the whole term in prison, since the reviewing court had rejected his attorney’s appeal to cancel the initial verdict.

Lutsyna Belzatskaya, mother of *Iryna Khalip*, was officially informed on **January 20, 2011** that she had been recognized as the guardian of her grandson Daniel, the son of Iryna Khalip and Andrei Sannikau, kept in KGB prison since December 19, 2010. She was given the necessary documents for guardianship and an excerpt from the decision of Partyzanski City District Administration of Minsk.

On [January 19, 2011](#), the BAJ Chairperson *Zhanna Litvina* and her Deputy *Andrei Bastunets* sent a letter of appeal to Minsk City Department of Internal Affairs at the City Executive Committee with a request to release a journalist Iryna Khalip from jail before trial. The BAJ leaders noted that they were ready to stand bail for Ms. Khalip, if required.

Aleh Gruzdzilovich, a **RL/RFE** correspondent was detained for 15 minutes, while filming a civil solidarity action in support of the political prisoners, held at the entrance to the KGB prison in Minsk on [January 19, 2011](#). The journalist's press card was verified. Moreover, the KGB officers obliged the media worker to erase the video files with the KGB premises from his camera.

On the same evening, *Vladimir Chudentsov*, a correspondent of "**Russkaya Sluzhba Novostei**" radio station was detained together with the protest action participants and taken to the Central District Department of Internal Affairs of Minsk. The journalist was released from custody only as soon as the Press Service of Minsk City Department of Internal Affairs at the City Executive Committee interfered.

Siarhei Darafeyeu, "The Choice" talk show presenter on the **ANT** state-owned **TV channel** was removed from his position on [January 20, 2011](#). Still, the journalist continued to work for the Belarusian National State TV and Radio Company. The journalist had been urged to take a month's holiday after his TV program, dedicated to the outcome of the Presidential election on December 19, 2010. The Chairperson of Central Election Committee Lidziya Yarmoshyna left the TV studio, feeling reluctant to answer the journalist's inconvenient questions. The presenter's work was severely criticized by A. Lukashenka on the following day.

The European Parliament adopted a rigid resolution on the situation in Belarus on [January 20, 2011](#). In particular, the European Parliament called on the Council, the Commission and the EU High Representative to review EU policy towards Belarus, including consideration of targeted economic sanctions as well as to support with all financial and political means, the efforts of Belarusian civil society, independent media (including TV Belsat, European Radio for Belarus, Radio Racja and others) and non-governmental organisations in Belarus to promote democracy and oppose the regime.

The Board of Minsk City College of Advocates proposed its lawyers to adhere to a new style of relations with mass media on [January 20, 2011](#), as it was noted in the article "On Adherence to Legislation by Separate Attorneys of Minsk", published on the Web-site of the Ministry of Justice of Belarus.

In particular, the attorneys were advised "to verify the interviewers' professional status," "record the media representatives' questions" as well as "respond in the written form, demanding the right to the final editing", in order "to avoid the ambiguous interpretation of information."

Reportedly, the College of Advocates took the decision on checking the "false facts", published in the media on behalf of attorneys. It concerned the reports on the KGB prisoners, accused of arranging mass riots in Minsk on December 19–20, 2010.

A BAJ member *Andrei Liubianchuk* was invited for “a talk” to the KGB Department for Brest region on **January 20, 2011**. The journalist was informed that there was evidence available he had been present in Independence Square in Minsk during mass protest actions on December 19, 2010. A. Liubianchuk was released as soon as he made use of his constitutional right not to testify against himself and his family and refused to provide any explanations on the subject matter.

A **Radio Racja** correspondent *Hienadz Barbarych* was detained for nearly an hour, while interviewing the KGB prisoners’ relatives at the KGB HQs in Minsk on **January 24, 2011**. The journalist’s press card was verified. Moreover, the KGB officers asked the reporter to erase all audio-records with the interviews and tell his colleagues it was banned to take audio and video records close to the controlled-access state institutions.

The Ministry of Information of Belarus issued an official warning to the “Intex-press” Publishing House (Baranavichy, Brest region), the publisher of “**Planeta M**” independent newspaper on **January 24, 2011**. The Ministry blamed the publisher for failing to inform the official authorities of changes in the newspaper specialization from the “mass political and leisure” focus to the “literary and art” focus as well as of another change in the newspaper language use from “Russian and Belarusian” to “Belarusian” only.

Particularly, the Ministry referred to the “Planeta M” issue of December 10, 2010, presenting the poems, written by Alaksey Biely, a BAJ member and the Editor-in-chief of “Gantsavitski Chas” and “Niasvizhski Chas” weeklies.

The KGB Department for Homiel Region officers conducted a search at the private apartment, belonging to *Leanid Sudalenka*, a media lawyer and a member of BAJ on **January 26, 2011**. Two PCs were seized from him and his children. Another KGB search was conducted at the private apartment, belonging to *Vasil Palakou*, Head of the UCP Branch in Homiel region as well as the Editor of “**The Civil Initiatives**” newsletter. The KGB agents seized the civil activist’s PC, laptop, digital photo camera, and mobile phone.

Anatol Kulyashou, the Minister of Internal Affairs of Belarus stated during his press-conference **on January 26, 2011** that his subordinates hadn’t attacked journalists during the mass protest actions on December 19, 2010. He claimed the police had acted in compliance with the law. Also, the Minister noted that one of policemen had been beaten cruelly by media workers “with the use of a photo camera and with the use of a video camera.” However, all further attempts of BAJ to clarify the personalities of the claimed offenders were in vain. Moreover, reportedly, there haven’t been initiated any criminal proceedings, related to the case.

The Belarusian independent journalists passed a group appeal to the Minister Kulyashou during the press-conference. They asked the governmental official to provide official explanations on how the media workers should identify themselves in order to avoid assaults and detentions, while implementing their professional duties. Also, the media workers called on the Minister to prevent violations of journalist rights in the future as well as to charge the guilty of attacking the reporters on December 19, 2010.

The *“Tovarisch”* newspaper’s Editor-in-chief and a BAJ member *Dzmitry Yanienka* was interrogated at the KGB HQs on **January 26, 2011** as a witness in the criminal case on “mass riots” in Minsk.

On **January 27, 2011**, the PACE condemned the unprecedented wave of violence, intimidation, mass arrests and prosecution of political opponents, human rights defenders, media workers, students and citizens of Belarus that followed the announcement of the results of the Presidential Election 2010. The Parliamentary Assembly of the Council of Europe (PACE) called on the Belarus’ governmental authorities to release all political prisoners and conduct a transparent investigation into the abusive and disproportionate use of force by police and security forces against the demonstrators on December 19, 2010.

Minsk City Court cancelled the initial verdict of Kastychnitski City District Court of Minsk on the case against a “Gazeta Wyborcza” (Poland) correspondent in Belarus and a BAJ member Andrzej Paczobut on **January 28, 2011**. The case was returned for revision to the court of original jurisdiction. Thus, the appellate court lent an attentive ear to the Public Prosecutor’s objection. (The latter considered the initial punishment to A. Pachobut in the form of a fine in the amount of 50 basic amounts (approx. EUR 427) to be too light for the journalist).

A. Paczobut said he disagreed completely both with the fine and the Public Prosecutor’s objection, laying his position before the court. Once again, he stated he had implemented his professional duties of “Gazeta Wyborcza” correspondent in Independence Square in Minsk on December 19, 2010.

It should be reminded that on January 13, 2011 the court of first instance fined the journalist 1 million 750 thousand Belarusian rubles for “breaking the procedure of arranging or holding mass public events”.

Aleh Pralaskouski, the Minister of Information of Belarus stated on **January 28, 2011** that it would be reasonable to introduce a number of changes into the Belarus’ media law, concerning the principles of official registration of on-line media in Belarus. Also, the Minister added that he had been instructed to finalize the elaboration of governmental provisions, regulating the procedure of on-line media registration in the country in the near future.

On **January 28, 2011**, the Public Prosecutor’s General Office replied to the inquiry, submitted by the *European Radio for Belarus* editorial as for the legality of actions of special services that conducted a search at the ERB editorial office in Minsk on December 25, 2010. Practically all technical equipment was seized from the office then. It is worth reminding that the secret services didn’t bother to invite anyone from the radio editorial to attend the search then. The Public Prosecutor’s General Officers noted that the secret services had acted in strict compliance with the law and that the presence of the ERB editorial members had been dispensable.

Natallia Radzina, the Editor of Charter'97 Web-site (www.charter97.org) and a BAJ member was released from custody on **January 28, 2011**. However, she was obliged to sign a recognizance not to leave her permanent place of residence in the town of Kobryn (Brest region), located in more than 300 km from Minsk, before trial. It is worth reminding that the journalist spent one month and a week in the KGB pre-trial jail in Minsk.

The journalists and BAJ members *Iryna Khalip* and *Siarhey Vazniak* were released from the KGB pre-trial prison on **January 29, 2011**. Iryna Khalip was placed under house arrest before trial. She is banned to speak over the phone, use her PC, and even come to the windows. Two KGB agents guard the media worker inside her private apartment. Siarhei Vazniak has been forced to sign a recognizance not to leave his permanent place of residence before trial. As before, the media workers are preliminary accused of arranging and taking part in mass riots in Minsk on December 19, 2010 (article 293 of Belarus Criminal Code). They are threatened with up to 15 years of imprisonment.

On **January 31, 2011**, the EU Council of Ministers decisively condemned arrests of numerous presidential candidates, journalists and civil society activists as well as persecution of independent media workers after the Presidential election 2010 in Belarus. The Foreign Minister of the EU member-states adopted a list of more than 150 Belarusian state officials and executives, who violated human rights in the country during the presidential election campaign and participated in the election fraud. Their property and banking accounts will be blocked. The EU has abstained from introducing economic sanctions for the time being.

The United States introduced political and economic sanctions in relation to the incumbent regime representatives in response to the large-scale election fraud, the use of severe force against peaceful protesters and continuing repressions and attacks on civil society in Belarus.

On **January 31, 2011**, the Ministry of Justice of Belarus sent a letter in reply to the BAJ appeal of December 24, 2010 with a request to prosecute the police officers, who detained journalists and prevented them from implementing their professional duties during the mass protest actions on December 19-20, 2010. The Ministerial officials claimed that the Belarusian Association of Journalists violated two clauses of its Statutory Notes, having stood up "in defense of Belarusian and foreign journalists, who didn't have any relation to BAJ."

The "Inform-progulka" newspaper (Luninets, Brest region) received a letter, signed by the Chairman of Luniniets District Council Vital Adzishchau on **January 31, 2011**. The latter informed the independent newspaper editorial of necessity to get his prior permission for the coverage of local events, arranged by Luniniets District Council in each concrete case. The local self-governmental official referred to article 35 of Media Law ("Accreditation of Journalists of Mass Media").

"Thus, following the example of Luniniets District Executive Committee, Luninets District Council would like to restrict the independent journalists' access to information," the newspaper editorial representatives noted.

Mikalay Aliaksandrau, the Editor-in-chief of “**Brestskiy Kuryer**” independent newspaper received a letter with threats and contumelies on **January 31, 2011**. The envelope was signed by some “Patriots of Belarus”. The senders informed the editor that they had submitted an official request to Minsk to close down the newspaper.

On **February 1, 2011**, the OSCE Representative on Freedom of the Media, **Dunja Mijatović**, called once again on the Belarusian government to stop harassing independent journalists and media outlets. She also said she regretted that the authorities did not make her proposed visit possible in January.

“The Belarusian government’s decision to release Radzina and Khalip from custody is far from enough. To live up to their OSCE media freedom commitments, the Belarusian authorities should clear the two journalists of all charges and set them free. They should also put an end to detentions, searches and all other forms of harassment of the media,” Mijatović said.

“I wrote to Belarusian Foreign Minister Sergey Martynov twice in January, asking him to facilitate my visit by the end of the month. It is unfortunate that this was not made possible despite the Belarusian authorities’ earlier assurances that they are committed to continue working with OSCE institutions. My office always stands ready to assist Belarus in implementing its OSCE obligations,” Mijatović added.

Sviatlana Kalinkina, the Chief Editor of **Narodnaya Vola** newspaper was interrogated at the KGB HQs on **February 1, 2011**. The examination lasted for several hours in a row. It concerned the criminal case on “mass riots” in Minsk on December 19, 2010. Firstly, the journalist had been interrogated as a witness in the case on **January 14, 2011**. The special interest of special services to S. Kalinkina is highly surprising, since the journalist wasn’t in Independence Square on December 19, 2010.

The materials, relating to the criminal case on “mass riots” in Minsk on December 19, 2010, were partially handed over to the allegedly accused civil activists and journalists on **February 2, 2011**. In particular, they were passed to **Alaksandr Atroshchankau**, the spokesman for a former presidential candidate Andrei Sannikau. The case has been passed to court. A. Atroshchankau’s attorney thinks that the trial may take place either at the end of February or at the beginning of March 2011. A. Atroshchankau has been preliminary accused of breaking article 293, part 2 of Belarusian Criminal Code (“Participation in mass riots”). He is threatened with up to 8 years of imprisonment.

Prepared by the BAJ Monitoring Service