

BELARUSIAN ASSOCIATION OF JOURNALISTS (BAJ)

MASS MEDIA IN BELARUS

2003

ANNUAL REPORT

CONTENTS

BACKGROUND

CHANGES IN LEGISLATURE

1. Legal Control of Media Activities
2. Legal Control of Access to Information

TERMINATION OR SUSPENSION OF MEDIA ACTIVITIES BY AUTHORITIES

WARNINGS

CENSORSHIP

MEDIA PRODUCTION AND DISTRIBUTION CONFLICTS

1. Confiscations and Arrests of Printrun
2. Refusals to Publish Editions
3. Prohibition of Distribution

LIMITATION OF RIGHT TO FOUND MASS MEDIA

VIOLATION OF EDITORS' PROFESSIONAL INDEPENDENCE

INFORMATION ACCESS VIOLATIONS

1. Information Denials
2. Accreditation Limitations

DISTRIBUTION OF INFORMATION FROM ABROAD

CRIMINAL PROSECUTION OF JOURNALISTS

ATTACKS ON JOURNALISTS AND MEDIA

1. Confiscation of Property
2. Attempts on Life and Health of Journalists
3. Arrests of Journalists

TRIALS

ECONOMIC POLICY IN MASS MEDIA

CONCLUSIONS

BACKGROUND

According to the official statistics, 1,492 printed periodicals were registered in Belarus on November 1, 2003. 902 out of them were newspapers, 502—magazines, 3—catalogues, 2—literary miscellanies and 8—news agencies.¹

Despite the fact that most of the registered mass media is private, the governmental press has a leading position in the field of news media. The research of mass media market, which the monitoring service of the Belarusian Association of Journalists carried out in August 2003, showed that in July–August only 250 news editions were issuing. About 80 of them belonged to private persons and institutions, while among the founding members of 150 editions there were legislative and executive bodies of different levels.

Out of 182 TV and radio programs registered on November 1, 2003, 120 were state owned.²

93 organizations had cable-broadcasting licenses of the Ministry of Information.³

CHANGES IN LEGISLATURE

Normative documents in mass media field, which appeared in 2003, fixed a preceding tendency of strengthening the authorities' control over the production and distribution of information and future limitation of the citizens' access to uncontrolled information sources. In accordance to their specification, these normative documents can be divided into two groups: 1) regulation of the medias' activity as the entities of information field; 2) regulation of access to information.

By the end of last year, the draft law on mass media, which was on the agenda of the spring session of the Chamber of Representatives in 2003, wasn't submitted for consideration.

1. Legal Control of Media Activities

January 15 Council of Ministers published the Resolution "On Electronic and Network Mass Media Sources."⁴ The Council of Ministers gave the Ministry of Information the right to render TV and radio frequencies to mas media and obliged the ministry to rewrite telecasting and broadcasting licenses.

¹ <http://mininform.gov.by/data/main/massmedia/publishing/stats>

² <http://mininform.gov.by/data/main/massmedia/digital/stat>

³ <http://mininform.gov.by/data/main/massmedia/digital>

⁴ The Decree of the Council of Ministers of the Republic of Belarus #1826 dated December 2002. National Register of Normative Documents of the Republic of Belarus 2003 #5. 5/11747.

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January 15 the Ministry of Information approved the Decree on Republican TV and Radio Broadcasting Commission.⁵ One of the commission's goals is

to provide for preservation of common information space and realization of state policy in the field of TV and radio broadcasting development.

The commission is responsible for consideration of applications for relay TV and radio broadcasting.

According to the decree, the Minister of Information, the committee's chairman, approves the members of the commission.

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February 27 Council of Ministers decreed to continue the program of support to a centralized system of city and rural newspaper publishing in 2003–2004. The program was started in 1999.⁶ The decree provides for financing the program from both local and national budgets. The document was enforced immediately.

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April 24 the Edict of the President of the Republic of Belarus #174 “On Some Issues Concerning National State TV and Radio Company of the Republic of Belarus” was issued.⁷

The edict ratified a new Statute of National State TV and Radio Company. According to the Statute, the company received the status of national public administration body.⁸ By stating that the drafts of all normative documents in the field of TV and radio broadcasting must be approved by the National State TV and Radio Company, the edict allowed the company to influence the documents' content.⁹ The edict was enforced immediately.

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May 27 Minister of Information signed the order “On Personal Register of Ministry of Information of the Republic of Belarus.”¹⁰

Among others, the list of persons, whose designation is possible only by the order of Minister of Information includes: directors (general) and deputy directors (general) of the enterprises “Bielsajuzdruk” [Белсаюздрук], “Dom presy” [Дом прэсы], “Palihrafmateryjaly”

⁵ The Decree of the Ministry of Information of the Republic of Belarus. #1 dated January 15, 2003. National Register of Normative Documents of the Republic of Belarus. #16 8/9051.

⁶ The Decree of the Council of Ministers of the Republic of Belarus #265 “On Prolonging in 2003–2004 the Activities to Support the Centralized System of Publishing of City and District Newspapers in 1999–2000.” February 7, 2003.

⁷ National Register of Normative Documents of the Republic of Belarus. 2003. #50. 1/4572.

⁸ April 14, 1995. the Constitutional Court of the Republic of Belarus analyzed a similar norm of the Regulations on National State TV and Radio Company of the Republic of Belarus, approved by the order of the President September 28, 1994. The court ruled that the combination in one agency of the functions of central organ of public management and the source of mass communication contradicts Article 13 of the Constitution” and decided that this act will lose its force July 1, 1995.

⁹ For other aspects of the order see Chapter “Violation of Editors' Professional Independence.”

¹⁰ The Decree of the Ministry of Information of the Republic of Belarus #94 dated May 27, 2003. National Register of Normative Documents of the Republic of Belarus 2003 #69. 8/9632.

[Паліграфматэрыялы], “Termaskan” [Тэрмаскан], “Mižnarodny centr intehracyjnaj infarmacyi. Hramadski pres-centr Doma presy” [Міжнародны цэнтр інтэграцыйнай інфармацыі. Грамадскі прэс-цэнтр Дома прэсы], “Nacyjanalnaja Kniznaja Palata Bielarusi” [Нацыянальная кніжная палата Беларусі], holding company “Litaratura i mastactva” [Літаратура і мастацтва], as well as the number of governmental newspapers.¹¹

Besides, the appointment of the director general and deputy director of the publishing house “Bielaruski Dom druku,” as well as the heads of executive committees, editors-in-chief of regional newspapers, directors of regional publishing houses, editors-in-chief of the editions published by “Dom Presy” and some other governmental medias must also be submitted for the approval to the Minister of Information.

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May 30 the Council of Ministers approved the Decree “On Rates and Procedure of Registration Tax Collected for Registering Mass Media Sources in the Republic of Belarus.”¹² The fee for registering periodical printed medias increased by 66%.

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May 30 the Council of Ministers approved the Regulations “On Entitlement of Relay TV and Radio Broadcasting on Competitive Basis.”¹³ The requirements for participation in the competition include: availability of registration for the media outlet (TV or radio channel) and detailed “creative concept of Relay TV and Radio Broadcasting with the ratio of the programs’ indicated.” One of the additional requirements for the prolongation of license is the conclusion of the Ministry of Information to the effect that the declarant didn’t violate mass media legislature and fulfilled the declared creative concept of broadcasting.

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June 30 the Council of Ministers approved the Decree “On Receiving Systems of TV and Radio Broadcasting.”¹⁴ The decree gave the Ministry of Information the commission to approve the social package of TV programs, obligatory to all cable network operators.¹⁵ The broadcast of an extended package of TV channels (those not included in the social package) must be coordinated with the Ministry of Information and corresponding executive committees and Minsk City Executive Committee. The agreement between the operator and the owner of every single program is a necessary requirement for the approval of extended TV-package. If there is no agreement, or if the operator violated mass media legislature, the ministry can refuse to approve an extended TV package. Failure to observe the decree can lead to abeyance or cancellation of the license. The decree was enforced July 20.

¹¹ See Chapter “Violation of Editors’ Professional Independence.”

¹² National Register of Normative Documents of the Republic of Belarus 2003 #64. 5/12550.

¹³ The Decree of the Council of Ministers of the Republic of Belarus #726 dated May 30, 2003. National Register of Normative Documents of the Republic of Belarus 2003 #64. 5/12557.

¹⁴ The Decree of the Council of Ministers of the Republic of Belarus #885. National Register of Normative Documents of the Republic of Belarus 2003 #77. 5/12746.

¹⁵ The social package of TV programs, approved by the Ministry of Information January 1, 2004, includes: the First National Channel, ONT, STV, LAD and Russian TV channels RTR and NTV. Source: Ministry of Information.

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October 20 the Council of Ministers approved the Regulations “On Licensing of Publishing and Printing Activity.”¹⁶ The regulations were designed in accordance with the Decree of the President of the Republic of Belarus of July 14, 2003 #17 “On Licensing of Certain Activities”¹⁷ and were enforced November 1.

A five-year publishing license can be issued to legal entities and individual entrepreneurs. Legal entities are required to have a staff member, who has a higher education and passed the qualification exam. Individual entrepreneurs are also required to have a higher education and pass the qualification exam. Ministry of Information can cancel a license in the following cases:

- when licensed activity contradicts the interests of the Republic of Belarus;
- when editions use information, which is forbidden for distribution or has distribution limitations;
- when edition has a low publishing and printing quality;
- when the edition violates copyright;
- when issuing the edition violates normative documents that regulate publishing activity;

A five-year printing license can be issued to legal entities and individual entrepreneurs. Both legal entities and individual entrepreneurs are required to have staff specialists, who have a higher education in the field of publishing and work full-time. Also, the Regulations “On Licensing Publishing and Printing Activities” obliges all regional applicants for a license to receive a proper authorization from a regional information department. Some of the reasons for canceling of the license:

- violation of the procedure of presenting compulsory copies;
- tardy or incorrect reporting;
- acquisition of printing equipment without the permission of the Ministry of Information.¹⁸

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October 20 Council of Ministers approved the Regulations “On Licensing Distribution of Legal Information.”¹⁹

As before, legal information is referred to normative documents. The distribution of legal information, including distribution of information by media, remains a licensed activity. The Ministry of Justice issues five-year licenses. In order to get the license legal entities are required to have a record on the possibility to distribute legal information in the organization’s statute and have staff specialists who have a higher judicial education.

¹⁶ The Decree of the Council of Ministers of the Republic of Belarus #1376. October 20, 2003. National Register of Normative Documents of the Republic of Belarus. #121. 5/13255.

¹⁷ National Register of Normative Documents of the Republic of Belarus 2003 #79 1. 1/4770.

¹⁸ The acquisition of the following equipment must be submitted for the approval of the Ministry of Information:

- equipment for production of photo and printing plates;
- all kinds of binding and stitching equipment.
- paper cutting and cardboard cutting equipment.

¹⁹ The Decree of the Council of Ministers of the Republic of Belarus #1363. October 20, 2003. National Register of Normative Documents of the Republic of Belarus 2003 #121. 5/13248.

Individual entrepreneurs who want to distribute legal information are required to have a higher judicial education.

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October 20, according to the Decree #17 of the President of the Republic of Belarus,²⁰ the Council of Ministers declared mail services a licensed activity.²¹ December 15 the Law “On Mail Service” was issued. According to this law, subscription and delivery of printed mass media were given a status of mail services.²²

In March 2004 the Ministry of Communication stated that from May 1, 2004 editorial offices that carry out the subscription and delivery of printed media would be outlawed.

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October 30 the Ministry of Communication approved the Decree “On Approval of Rates of TV and Radio Broadcasting Services.”²³

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November 4 the Ministry of Information approved the Instruction “On the Procedure of Acquiring Printing Equipment.”²⁴ The instruction allows to buy printing equipment only on approval of the Ministry of Information. Within one month, after considering the substantiation of buying the equipment, the ministry can decide whether to give such a permission. The permission is valid for 6 months.

At the same time the Ministry of Information approved the instruction on the procedure of qualification exam, necessary for receiving the publishing license, as well as the list of literature that can be published without the publishing license.

2. Legal Control of Access to Information

On June 16 information-consultative groups²⁵ created in 2002 were turned into national information-propagandistic groups.²⁶ The groups operate

in the context of common days of informing the population on the third Thursday of every month on the topics defined by the Administration of the President of the Republic of Belarus.

²⁰ The Decree of the President of the Republic of Belarus of July 14, 2003 #17 “On Licensing Certain Activities.” National Register of Normative Documents of the Republic of Belarus 2003. #79 1/4779.

²¹ Regulations on Licensing the Activity in the Field of Communication, approved by the Decree of the Council of Ministers of the Republic of Belarus #1387. October 20, 2003. National Register of Normative Documents of the Republic of Belarus. #122. 5/13297.

²² The Law on Mail Service dated December 15, 2003 #258-3. National Register of Normative Documents of the Republic of Belarus 2004 #2. 2/1007.

²³ National Register of Normative Documents of the Republic of Belarus 2003 #128. 8/10191.

²⁴ The Decree of the Ministry of Information #29. November 4, 2003. National Register of Normative Documents of the Republic of Belarus 2004 #27. 8/10552. The decree was enforced in February 2004.

²⁵ The Decree of the President of the Republic of Belarus dated January 9, 2002 #21 “On Creation and Activity of Information-Consultative Groups.”

²⁶ The Decree of the President of the Republic of Belarus #254 “On the Activity of Information-Propagandistic Groups and Participation of Leaders of Republican and Local State Organizations in Ideological Work.” National Register of Normative Documents of the Republic of Belarus 2003 #69. 1/4692.

The same presidential order obliged the Council of Ministers to create information-propagandistic groups subordinate to various ministries

to explain inner and foreign affairs of the state to working collectives and inform them of economic issues.

Besides, governmental mass media were ordered to “broadly cover the activity of information-propagandistic groups.” The Administration of the President controls the execution of the order.

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July 9 the President signed the Order #300 “On Approving the Census of Governmental Bodies and Organizations Authorized to Classify the Information and Protect State Secrets.” The order increased the number of governmental institutions that have a right to limit access to information about their activity to 62. Among other organizations, for the first time such right was given to the Ministry of Culture, Ministry of Information and regional executive committees. The order was enforced July 11.

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July 25 Ministry of Defense approved Instruction “On Procedure of Usage of Global Computer Network (Internet) in the Armed Forces of the Republic of Belarus.”²⁷

TERMINATION OR SUSPENSION OF MEDIA ACTIVITIES BY AUTHORITIES

According to art. 16 of “The Law on Press and Other Mass Media,”

The activity of a media outlet can be suspended by decision of the founder, registering body or court for a three-month term in case the editors of the media violated the requirements of the present Law.

In 2003 the Ministry of Information for the first time used its right to suspend the activity of medias for the term of 3 months, which had negative outcomes for economic situation of these medias and limited the field of their information influence. In almost all cases the notices of violation of the Law on Press preceded the suspension of newspapers’ activity. By the end of the year, most of the suspended newspapers were not able to resume publishing.

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On February 26 the Ministry of Information suspended the activity of a regional newspaper *Vecherny Stolin* [Вечерний Столин] (Brest region) for the term of three months. Besides two publications,²⁸ the reason to suspend the issuing of the newspaper was “the

²⁷ The Order of the Minister of Defense #29. July 25, 2003. National Register of Normative Documents of the Republic of Belarus 2003 #92. 8/9868.

²⁸ Walkout // *Vecherny Stolin*. 2003. #5. February 1; There is no Mafia in Stolin! We Have Vertical... // *Vecherny Stolin*. 2003. #6. February 8.

change of topics covered from industrial and practical to political” without making appropriate changes in the registration certificate. On February 24–25 the newspaper received two notices of violating art. 5 of the Law on Press.

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On April 18 the Ministry of Information suspended issuing of a regional newspaper *Provintsialka* [Провінціалка] sine die, “until violations are eliminated.” The grounds for suspension were the change of subject matter and judicial address, as well as the excess of the allowed amount of ads content (30%). By the end of the year the issuing of the newspaper didn’t resume.

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May 22 Ministry of Information imposed a three-month suspension on the newspaper *Navinki* [Навінкі] (Minsk). The suspension of the newspaper concurred with two notices of violation of art. 5 of the Law on Press (May 21, 22). It is indicative that the editors found out about the suspension of the newspaper only on June 3, when “Bielsajuzdruk” distribution network refused to distribute the newspaper referring to the minister’s order. By the end of the year, the newspaper hadn’t manage to resume regular issuing.

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May 28 Minister of Information Michail Padhajny signed the order to impose a three-month suspension on two other national newspapers: *Belorusskaya Delovaya Gazeta*²⁹ [Белорусская деловая газета] and *BDG. Dlia Sluzhebного Polzovaniya* [БДГ. Для служебного пользования], both founded by Marat publishers. The suspension grounded on the report of the Prosecution of the Republic of Belarus, which uncovered the violations of mass media legislature in the newspapers’ articles.

The articles “Lordly Image” (#57, April 18, 2003) and “Where are Leonov’s Millions?” (#62, April 29, 2003) became a formal reason for suspension of *Belorusskaya Delovaya Gazeta*. Earlier, the newspaper received two notices concerning the same articles. *BDG. Dlia Sluzhebного Polzovaniya*, a weekly supplement to *Belorusskaya Delovaya Gazeta*, was suspended for “distribution of doubtful information” in the articles “System Doesn’t Count Victims. Disgrace Drove Former Minister to Suicide” (#4, April 2003) and “Magic Crystal” (#3, April 2003). In the first half of 2003 the Ministry of Information warned the newspaper 4 times.

One of the above articles became the ground for criminal prosecution of the editor-in-chief of “Vecherny Stolin” Aliaksandr Ihnaciuk. For more details, see Chapter “Trials”

²⁹ After the issue of *BDG* was suspended, a number of editions started the action of solidarity and were publishing the articles by the journalists of the disgraced newspaper. The newspapers that participated in the action were: *Ekho* [Эхо], *Predprinimatelskaya Gazeta* [Предпринимательская гаета], *Salidarnaść* [Салідарнасць], *Mestnaya Gazeta Shag* [Местная гаета Шаг]. All these editions faced various problems, from a three-month suspension (*Ekho* and *Predprinimatelskaya Gazeta*) to failure to publish in Belarus (*Mestnaya Gazeta Shag* and *Salidarnaść*) to fines in inadequately high amounts (*Salidarnaść*). In June the Committee of State Control in cooperation with the Ministry of Information carried up the inspection of financial and economic activities of the newspaper *Salidarnaść*. As a result of the inspection, the newspaper was fined about USD 2,000 for violation of the date-line standard.

When the suspension was over, a number of printing houses refused to print the newspaper. The newspaper was forced to start publishing in Russia. By April 2004 the editors were not able to resume issuing of *BDG. Dlia Sluzhebnogo Polzovaniya*.

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On July 4 the Minister of Information ordered the newspaper *Ekho* [Эхо] (Minsk, Marat publishers) to suspend issuing for three months. The newspaper was charged with violation of Art. 11 of the Law on Press (the change of subject matter, judicial address and title of the edition without re-registering). By the end of the year the newspaper hadn't manage to resume publishing.

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On June 19 the Ministry of Information suspended the issue of *Predprinimatelskaya Gazeta* [Предпринимательская газета] (Minsk, Marat publishers) "due to the editors' violation of mass media legislature, which came out in the publication of incorrect information." Twice, June 11 and 19 the ministry warned the newspaper for changing "subject matter and judicial address of the edition" and publishing the article "Legal Lawlessness." June 25 the Minister of Information canceled the notice of June 11—however, this didn't influence the decision to suspend the newspaper; formally, the issuing was suspended for publishing incorrect information.

In July the Prosecution of the Republic of Belarus officially admitted that an actual reason for the suspension of the newspaper's activity was edition's participation in the action of solidarity with *BDG*:

The newspaper Predprinimatelskaya Gazeta (##17, 18) issued under the subheading "For Belorusskaya Delovaya Gazeta"; at the same time, private publishers Marat directly realized the issuing of the above numbers. The Ministry of Information warned the co-founders of the newspaper of violating mass media legislature.

For these violations, the Ministry of Information suspended the activity of the newspaper Predprinimatelskaya Gazeta for 3 months.³⁰

After a three-month term was over, *Predprinimatelskaya Gazeta* was able to issue three numbers by April 2004.

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July 28, among 34 other printed medias that didn't issue for more than a year,³¹ the Ministry of Information groundlessly cancelled the registration certificate of the newspaper *Den* [День]. Despite the fact that as early as July 30 the editors of *Den* requested the ministry to cancel an unlawful order and submitted the evidence of the newspaper's issuing, the order was cancelled only August 25.

³⁰ From the text of the official warning which the Prosecution of the Republic of Belarus issued to the editor-in-chief of *BDG* Sviatlana Kalinkina.

³¹ Art. 11 of the Law on Press declares that "if a media outlet didn't issue for more than 1 year, it must re-register." The Ministry of Information considered the registration certificates of the editors who didn't apply to the ministry for registration by the end of a year invalid.

After the order was cancelled, the editors failed to sign a publishing agreement with any Belarusian publishing house. From the beginning of 2004, the newspaper is published in Russia.

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October 7 the Minister of Information recalled the registration certificate of the newspaper *Holas Pružany* [Голас Пружаны] considering that the newspaper didn't issue for one year. The editor-in-chief of the edition Iosif Maškala [Іосіф Машкала] disagreed with such decision and argued that less than a year passed since the issue of the last number. Mr. Maškala requested the ministry to cancel the termination order. However, March 24, 2004 Ministry of Information refused to renew the registration certificate, stating that the newspaper's founder didn't submit the founding documents and the newspaper's statute.

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On October 2 the Minister of Information Uladzimir Rusakievič [Уладзімір Русакевіч] signed the order to suspend the issue of *Novaya Gazeta Smorgoni* [Новая газета Сморгони] for the term not exceeding 3 months, "until the violations are eliminated." The Ministry of Information stated that the founder of the newspaper Ramuald Ulan [Рамуальд Улан] doesn't have an agreement with a legal entity, which statute envisages publishing activity and which can register an editorial office. By March 2004 the newspaper wasn't able to resume the issue.³²

WARNINGS

Unlike 2001–2002, when the dynamics of violation notices passed by the Ministry of Information went down,³³ 2003 was noted for a growing number of notices.

According to official statistics, in the first 5 months of 2003 the ministry passed 37 notices to 25 editions. The ministry was specially concerned about the violations of registration procedure: 16 notices of violating Art. 11 of the Law On Press. 7 notices concerned violation of Art. 5 of the Law on Press (Inadmissibility of Abuse of Mass Media Freedom). The issue of ¾ of editions that received the notices was suspended for a three-month term (for more details, see Chapter "Termination or Suspension of Media Activity by the Authorities" and "Trials"). Besides notices to newspapers, the Prosecution also warned single journalists. Also, in some cases the Prosecution called journalists for "individual talks."

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On May 15 the Prosecution of the Republic of Belarus officially warned the journalist of the newspaper *Narodnaja Volia* [Народная воля] Aliaksandr Silič [Аляксандр Сіліч] for publishing the article "This Night Saddam Hussein Landed in National Airport Minsk" (#59, April 1, 2003). Despite the fact that the same issue of the newspaper contained the disclaimer

³² Also, see Chapter "Trials."

³³ In January–February 2002 the Ministry of Information issued 27 warnings. Source: N. Podgornaya. Press as the Mirror of Society // Minsky Kuryer. 2003. #28. April 15.

that the article was a fools' day joke, the Prosecution considered the article to be a "misinformation" and "political provocation."

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In July the Prosecution warned the director general of Marat publishers Piotr Marcaŭ [Пётр Марцаў] and the editor-in-chief of *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета] Sviatlana Kalinkina [Святлана Калінкіна]. The warnings were based on the check-up of the activity of Marat and *BDG*, requested by the Ministry of Information. Prosecution stated that:

*despite the decision of Ministry of Information of the Republic of Belarus ...to suspend the activity of the newspaper Belorusskaya Delovaya Gazeta, the editors of the newspaper actually kept issuing the newspaper under other titles.*³⁴

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On April 29 the journalist of an independent newspaper *Narodnaja Volia* [Народная воля] Maryna Koktyś [Марына Коктыш] was summoned to the Prosecution for "an explanatory talk." The Prosecutor Stanislaŭ Novikaŭ [Станіслаў Новікаў] stated that by publishing in *Narodnaja Volia* the excerpts from the court speech of a former director of Minsk Tractor Plant Michail Liavonaŭ [Міхаіл Лявонаў], Ms. Koktyś violated several articles of the Law on Press. For this article the Ministry of Information passed the notice of violation of Art. 5 of the Law on Press.

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In September–October the founder and the editor-in-chief of Baranavičy [Баранавічы] (Brest region) newspaper *Mestnaya Gazeta Shag* [Местная газета Шаг] Anatol Vajciachoŭski [Анатоль Вайцяхоўскі] was summoned to Baranavičy City Prosecution three times. The investigators were asking about the articles written by the journalists of the suspended newspaper *BDG*, which were published in two July numbers of the newspaper. The assistant prosecutor Zoja Žuk [Зоя Жук] justified the Prosecution's action by inquiring the Citizens' Rights Department of the Prosecution of the Republic of Belarus.

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October 15 the Prosecution of the Republic of Belarus demanded explanations from the journalist Iryna Chalip [Ірына Халіп] on the account of two articles,³⁵ published in Moscow newspaper *Novaya Gazeta* [Новая газета].

CENSORSHIP

The Law on Press of the Republic of Belarus recognizes and forbids only the following kind of censorship. According to Art. 4 of the Law on Press, censorship is

the demand of state structures, organizations, institutions and their officials to submit

³⁴ The text of the warning.

³⁵ "Saddam can be Hiding in Belarus" and "Belarusian Bluffer Pretended to be a Girl."

reports and articles for approval, as well as the demand to remove from print (air) either an article or a report.

In 2003 state structures implemented both an advance censorship and post-censorship, when authorities traced already published information in order to limit the journalists' activity in future.

In 2003 there was more than one report about the cases when executive committees summoned journalists of governmental mass media on the account of "harmful" articles.

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In the beginning of August Niasviž [Нясвіжскі] Aggregative Publishing House named after S. Budny (Minsk region) refused to print the issue of the newspaper *Niasvižski Čas* [Нясвіжскі час] dated August 8. The decision was made after the head of Information Department of Niasviž District Executive Committee Aliaksandr Karniuškin [Аляксандр Карнюшкін] familiarized himself with the content of the number. The official scraped the content of the article, which contained a quote from the U.S. Ambassador in Belarus Michael Kozak on arms trade between Belarus and Iraq and a report on dismissal of Aliaksandr Ladziata [Аляксандр Ладзята]—the director of Niasviž publishing house who was released after the house had published *Mestnaya Gazeta Shag* [Местная газета Шаг] with the articles by the journalists of a suspended BDG. As a result, the owner of *Niasvižski Čas* refused services of Niasviž publishing house.

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In June the Ministry of Information, which periodically traced broadcasts of commercial radio stations but didn't have technical means for regular control, started a purposeful examination of FM reports. All FM stations were obliged to send printouts of their news programs and playlists to the ministry by the end of every workday. The collection and analysis of FM broadcasting material is the responsibility of Main Analytic Department of the Ministry. The leading expert of the department Dźmitry Konanaŭ [Дзмітрый Конанаў] commented on the innovation: "a lot of things happen in mass media, and sometimes it is necessary to have proof."

In the beginning of January the Department of Information and Publishing of Homiel Regional Executive Committee summoned the reporter of *ONT* channel Alena Klimava [Алена Клімава]. The officials were displeased by the report shown in *ONT* news on January 2. Ms. Klimava reported that postmen in Vietka District practically force pensioners to subscribe for the newspapers, threatening them that they will be deprived of pension. To illustrate this, the journalist showed an illiterate 82 year old lady who was forced to subscribe for a childrens newspaper *Zorka* [Зорька].

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After the newspapers *Gomelskiye Vedomosti* [Гомельские ведомости] and *Vecherny Gomel* [Вечерний Гомель] published articles about collective farmers who leave kolkhoz and get the work at the farm of Michail Šrub [Міхаіл Шруб] (Žytkavičy District of Homiel region) the Department of Information and Publishing summoned the authors of the articles Vijaleta Draliuk [Віялета Дралюк] and Ruslan Praliaskoŭski [Руслан Праляскоўскі].

Almost at the same time, the department summoned the editors-in-chief of these newspapers Mikalaj Dziaščuchin [Мікалаі Дзямчыхін] and Aliaksiej Kanavalenka [Аляксей Канаваленка]. As a result, the editor-in-chief of *Vecherny Gomel* told the editorial staff that the newspaper wouldn't publish the articles about Michail Šrub's farm anymore.

Unlike *Gomelskiye Vedomosti*, which was found by City Executive Committee and City Council, *Vecherny Gomel* is a private edition.

MASS MEDIA PRODUCTION AND DISTRIBUTION CONFLICTS

The most indicative conflicts with distribution and production of non-governmental mass media concerned:

- confiscation of newspapers by law-enforcement officers;
- groundless refusals of publishing houses to publish the newspapers;
- prohibition of newspapers' distribution.

1. Confiscations and arrests of print-runs

Unlike 2002, in 2003 militia often confiscated newspapers' print-runs.

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On January 9 in Homiel two militia sergeants beat the distributor of the newspaper *Zubr*, the activist of an unregistered youth movement *Zubr* Dzianis Čykaliou [Дзяніс Чыкалёў]. Several hundred copies of the newspaper were confiscated.

The newspaper *Zubr* is not registered in the Ministry of Information.

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On June 11 the officers of Inner Affairs Department of Minsk Regional Executive Committee confiscated 8 packages (about 1600 copies) of the newspaper *Predprinimatelskaya Gazeta* [Предпринимательская газета] that contained the articles by the journalists of a suspended *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета]. The confiscation took place in the office of Marat publishers, which owns the newspaper; militia didn't show any documents authorising them to carry out the confiscation on the publishers' territory. Later on the same day, the officers of Criminal Investigation Department confiscated 3 500 copies of *Predprinimatelskaya Gazeta* in Minsk Post Office #60. It not known whether the investigators had any documents allowing to carry out the confiscation.

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On June 18 in Dubroŭna District [Дуброўна] (Viciebsk region) militia confiscated the whole print-run of *Predprinimatelskaya Gazeta* [Предпринимательская газета] (5 000 copies). The print-run was confiscated when it was transported from a polygraphic center in Smolensk. Militia also confiscated the originals of the agreement between Marat publishers and Smolensk Polygraphic Center.

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In December the newspaper *Belorusskaya Gazeta* [Белорусская газета] and few other editions appeared on the market one day late after the officers of the Economic Crimes Department detained the forwarder's car. The car was stopped in Minsk on December 15 and detained for about three hours. The inspectors failed to find any violations and released the expeditors.

2. Refusals to publish editions

In 2003 the Ministry of Information of the Republic of Belarus officially stated that *all periodicals without exception shall be granted access to state polygraphic resources and state system of press distribution.*³⁶

However, in 2003 the number of cases when polygraphic centers terminated their agreements with non-governmental editions or refused to sign new contracts significantly increased. In some cases the editions were forced to sign the agreements with Russian enterprises which significantly increased the costs of publishing.

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On June 4 in Minsk the polygraphic enterprise Čyrvonaja Zorka terminated publishing contracts with the newspapers *Ekho* [Эхо] and *Predprinimatelskaya Gazeta* [Предпринимательская газета] due to “unsatisfactory technical condition of the printer.” The incident occurred after the mentioned editions published the materials by the journalists of the suspended newspaper BDG. On June 5 the director of Čyrvonaja Zorka [Чырвоная зорка] Uladzimir Cieleš [Уладзімір Целеш] was sacked. The official reason for the dismissal was “not meeting the conditions of contract.”

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On June 11 Čyrvonaja Zorka [Чырвоная зорка] refused to print the newspaper *Salidarnaść* [Салідарнасць], which also published BDG articles. After the incident the editor-in-chief of *Salidarnaść* Aliaksandr Starykievič [Аляксандр Старыкевіч] told that all Belarusian publishing houses which he offered to sign the publishing agreement, refused to cooperate with the newspaper. As a result, the issue of the newspaper stopped for a while and resumed only in October. Unable to sign an agreement with Belarusian publishing houses, in December the newspaper turned to a publishing house in Smolensk (Russia). As of March 2004 the newspaper kept issuing in Smolensk.

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On July 18 Slonim publishing house (Hrodna region) canceled the publishing agreement with Baranavichy non-governmental newspaper *Mestnaya Gazeta Shag* [Местная газета Шар], referring to technical reasons, such as “insufficiency of facilities.”³⁷ A state check-up of

³⁶ Ministry of Information. Internet site <http://mininform.gov.by/data/main/massmedia/publishing>

³⁷ The letter of the director of the polygraphic firm Slonim Publishers A.A. Lahucik [А. А. Лягуцік] dated 18.07.2003 #01-05/285.

the publishers' activity and the dismissal of the head of marketing service preceded cancellation of the agreement. The director of the publishing house got a heart attack.

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On July 30 Niasviž [Нясвіжскі] publishing house named after S. Budny (Minsk region) refused to publish the same newspaper, referring to “malfunction of technologic equipment.” July 28 it was announced that the director of the publishing house Aliaksandr Ladziata [Аляксандр Ладзята] was fired. According to the head of the Department of Information of Minsk Executive Committee Tacciana Dzieduch [Таццяна Дзедух], the cancellation of treaty was grounded on the newspaper's failure to fulfill the plan and protracted move of the publishing house to a new building.³⁸ Same as Slonim publishing house, the enterprise in Niasviž is attached to the Ministry of Information.

Mestnaya Gazeta Shag [Местная газета Шар] faced difficulties with printing after publishing the articles by the journalists of the suspended *BDG* newspaper. The newspaper's editor-in-chief Anatol Vajciachoŭski reported that by the end of the year the editors were unable to sign a treaty with any Belarusian polygraphic enterprise and, as a result, stopped issue. By March 2004 the issuing of the newspaper didn't resume.

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In the beginning of August Niasviž publishing house refused to publish a local non-governmental newspaper *Niasvižski Čas* [Нясвіжскі час] due to censorship considerations—June 8 the newspaper published the report about the dismissal of Aliaksandr Ladziata [Аляксандр Ладзята] (for more details, see Chapter “Censorship”). As a result, the owner of the newspaper was forced to stop cooperation with the publishing house and to publish the edition at another facility.

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From August 25 and by the end of the year the publisher of the newspaper *Den* [День] wasn't able to sign a publishing agreement on the territory of Belarus. The issuing resumed only in January 2004, when the newspaper started to publish in Smolensk (Russia).

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In the beginning of September, after a three-month suspension of *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета] was over, the editors were forced to print the circulation in Smolensk (Russia). According to unofficial information, the directors of state-owned Belarusian publishing houses receiving warnings “from above” that their contracts might be terminated if they sign publishing agreements with any newspaper owned by Marat.³⁹ Private enterprises refused to cooperate with Marat, fearing cancellation of publishing licenses and inspections.

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From September 14, Rečyca [Рэчыца] publishing house Tytul [Тытул] (Homiel region) cancelled the agreement to publish *Svietlahorsk* [Светлагорск] independent newspaper

³⁸ Track Leads to *BDG?* // *Niasvižski Čas*. 2003. #32 (38) June 8.

³⁹ Marat is the owner of *Belorusskaya Delovaya Gazeta*.

Region-Vesti [Регион-вести], referring to overloads related to “seasonal issue of calendars.” According to the edition’s editor-in-chief Mikola Pasiedzka [Мікола Паседзька], all editors’ attempts to arrange publishing of the newspaper in Žlobin [Жлобін], Babrujsk [Бабруйск], Mazyr [Мазыр] and Svietlahorsk failed. The editors were forced to start publishing in Minsk, which significantly increased the costs of publishing.

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On November 23 a publishing house in Lida (Hrodna region) refused to publish an issue of the non-governmental newspaper *Telescope* [Тэлескоп] without informing the editors.

3. Prohibition of distribution

In 2003 there were some cases when the distribution and sale of non-governmental mass media was prohibited. Most of such prohibitions were oral directions of local officials.

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In April, during the visit to Orša [Орша] (Viciebsk region), the Minister of Culture Leanid Huliaka [Леанід Гуляка] visited Central Library; after noticing the filings of the newspapers *Narodnaja Volia* [Народная воля] and *BDG*, the minister stated that “harmful oppositional editions have no place in a cultural center.”⁴⁰ As a result, all city libraries removed these newspapers, as well as a non-governmental periodical *Vitebsky Kurjer* [Віцебскі кур’ер]. Moreover, all governmental institutions of Orša which had subscribed for *Vitebsky Kurjer* cancelled their subscription.

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On June 6, during a joint action of solidarity with the suspended newspaper *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета],⁴¹ the vice-president of Belarusian Concern for Material Resources A.S. Radkevič [Радкевіч] issued a written order to the heads of enterprises and public corporations within his concern:

*...a private responsibility of the leaders is to avoid selling of the following newspapers: Salidarnaść, Mestnaya Gazeta Shag, Predprinimatel', Belarus Segodnya, Belarus Today.*⁴²

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June 5–10 in Baranavičy (Brest region) 12 trade outlets refused to sell the newspaper *Intex-Press*. The owners of trade outlets refused to motivate their decision. According to unofficial information, a local executive committee warned the managers by phone. The editors reported that they had proper agreements with all twelve.

In the middle of August Viciebsk firm Ablknihandal refused to put on sale 25 copies of the magazine *Arche*. Local observers relate that incident to the visit of Deputy Minister of Information Liliya Ananič [Лілія Ананіч] to Viciebsk.

⁴⁰ Radio Liberty, June 2, 2003.

⁴¹ For more details, see Chapter “Termination and Suspension of Media Activities by Authorities.”

⁴² The order was probably given by phone. The names are listed inaccurately: the newspaper *Predprinimatel* doesn’t exist, *Belarus Segodnya* is Russian translation of the title *Belarus Today* and the slogan for the newspaper *Sovetskaya Byelorussiya*, published by the Administration of the President.

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In the end of September Pinsk branch of Brestabsajuzdruk refused to put on sale the newspaper *Miascovy Čas* [Мясцовы час], issued by the publishing house Intex-Press. The justification was “overload of the trade network.”

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In November Svietlahorsk District Consumers Association cancelled the agreement to sale a local non-governmental newspaper *Region-Vesti* [Регион-вести] in the shops owned by the association, after the chairman of District Executive Committee Baliaskaŭ Pirštuk [Баляслаў Пірштук] visited one of the shops. During an informal talk, the directors of the association told that they were forbidden to sell *Region-Vesti* and advised to sell state-owned *Sovetskaya Byelorussiya* [Советская Белоруссия] and *Homielskaja praŭda* [Гомельская праўда] instead. As a result, *Region-Vesti* lost about 30 trade outlets.

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At the end of the year the administration of Круцаў [Крычаў] (Mahilioŭ region) lyceum forbade the students to distribute local non-governmental editions *Maladziožny Kurjer* [Маладзёжны кур’ер] and *Kryčaŭlianka* [Крычаўлянка] issued by the social information center Kantakt in a small number of copies (299). The penalty for distribution was a send-down.

LIMITATION OF RIGHT TO FOUND MASS MEDIA

The limitation of right to found mass media was one of the most vital problems in 2003. According to Art. 3 of the “Law on Press and other Mass Media,”

citizens of the Republic of Belarus have the right to found mass media, own them, use them and manage them.

In practice local authorities often limit this right by forbidding to have editorial offices on the premises within their jurisdiction.⁴³ The lack of legal procedure of allocation of editorial offices results in practically groundless refusals to approve the location of new media outlets.

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February 26 Круцаў [Крычаўскі] District Executive Committee (Mahilioŭ region) refused to approve the office of the newspaper *Volny Horad* [Вольны горад]. The justification was that the newspaper’s founder, an individual entrepreneur Siarhiej Niaroŭny [Сяргей Няроўны] doesn’t own the premises of a future editorial office.

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May 28 Круцаў District Executive Committee refused to approve the office location of *Novaya Gazeta Kricheva* [Новая газета Кричева] on the grounds that the newspaper’s

⁴³ The requirement to attach a registration certificate to the application for local authorities’ approval was introduced in 1998.

founder, individual entrepreneur Andrej Kuźmin [Андрэй Кузьмін] didn't submit the publishing license.

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May 28 Kryčau District Executive Committee refused to approve the office location of the newspaper *Sobstvennyy Kommentary* [Собственный комментарий] on the grounds that an individual entrepreneur can't perform the functions of editorial office. The newspaper's founder Uladzimir Kudraŭcaŭ [Уладзімір Кудраўцаў], who has a status of individual entrepreneur, appealed the refusal in Mahilioŭ Regional Executive Committee. The latter considered the decision of Kryčau District Executive Committee unlawful. However, the decision wasn't cancelled. Kryčau authorities still refused to approve the editorial office without motivating their decision. January 10 2004 the Supreme Economic Court considered the refusal of Kryčau authorities to be in contradiction with legislature. However, local authorities still didn't approve the office location of the newspaper.

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From April advertising and publishing agency Palard (Svietlahorsk, Homiel region) four times applied to Svetlahorsk District Executive Committee for the approval of the office for the newspaper *Nasha Gazeta* in Svetlahorsk. Two times the agency applied for the office location for the *Aktivist* magazine. A formal reason for refusals was the violation of legalization procedure. The Economic Court of Homiel Region, where Palard was trying to appeal the decision of executive committee, stated that the case was not within the authority of the Economic Court.

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For the whole year closed JSC Byelorussky Rynok wasn't able to register a new edition *Europeysky Vybor* [Европейский выбор]. The reason was the refusal of Minsk City Executive Committee to approve the office location.

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In another case, private publishing firm Volnitsa-Media has managed to register a newspaper only after starting legal proceedings against the Ministry of Information and the Ministry of Finances in the amount of more than USD 1,000. The suit was based on an unmotivated protraction of registration of the media outlet in the Ministry of Information.

VIOLATION OF EDITORS' PROFESSIONAL INDEPENDENCE

According to the Law on Press, interference in the activity and violation of professional independency of the editors is considered infringement of mass media freedom and is punishable by Law (Art. 48). In practice this norm was broadly violated. The decisions made on the highest level in the course of the year promoted interference of executive authorities both in creative and economic activities of the editors. Besides, the practice of submitting staff appointments in medias for the approval of executive authorities at different levels continued.

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April 14 Aliaksandr Lukašenka [Аляксандр Лукашэнка] gave a whole range of instructions concerning functioning of mass media. Among others, the Ministry of Information was ordered:

in cooperation with the executive committees and Minsk City Executive Committee, to provide for the increase of ideological and content level and improvement of printing quality of the periodicals subsidized from the funds of local budgets.”⁴⁴

At the same time, National State TV and Radio Company was ordered:

to update the interior of news studios and TV headbands so they include state symbols.⁴⁵ starting from September 1 2003, to organize the series of TV and radio programs covering patriotic, moral and spiritual subjects addressed to schoolchildren and students.⁴⁶

Among other mass media structures that received direct orders from A. Lukašenka, there were the *Second National TV Channel* and *Metropolitan TV* [Столичное телевидение], which in new season had to create

socially and politically oriented programs which would reveal the essence of Belarusian state ideology,⁴⁷

as well as *BelTA* news agency and the newspaper *Sovetskaya Byelorussiya* [Советская Белоруссия]. The latter was obliged to increase circulation to 500.000 copies in the course of 2003–2004.

The Administration of the President controls execution of the above instructions.

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On April 24 the President approved the Statute of the National State TV and Radio Company.⁴⁸ According to the Statute, the President of the country designates and dismisses the head of the company.

Moreover, the same order defines the number of employees paid from the Republican budget, as well as the number of state apparatus employees working for the company.

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On May 27 the Minister of Information signed the Order on Staff Register of the Ministry of Information of the Republic of Belarus.⁴⁹ Among other leaders, the list of positions

⁴⁴ The record of orders that the President gave March 27–28, 2003 at the seminar for the officials of national and local state structures “On the Level of Ideological Work and Ways to Improve It” April 14, 2003 #15 // Information booklet of the Administration of the President of the Republic of Belarus. 2003 #4 (83). P. 68–72. S. 3.6.

⁴⁵ The record... S. 14.1.1.

⁴⁶ The record... S. 14.2.

⁴⁷ The record... S. 15.

⁴⁸ The Order of the President of the Republic of Belarus #124 “On Some Issues Concerning National TV and Radio Company of the Republic of Belarus. April 24, 2003. National Register of Normative Documents of the Republic of Belarus 2003 #50. 1/4572.

appointed by the Minister of Information contains editors-in-chief of some governmental editions:

Newspapers:

Belorusskaya Niva [Белорусская нива] (founder—Council of Ministers);

Naša Dolia [Наша доля] (founder—Central Board of Directors of the Belarusian Association of Disabled People);

Narodnaja Hazieta [Народная газета] (founder—public corporation Narodnaja Hazieta);

Magazines: *Alesia* [Алеся], *Vožyk* [Вожык], *Biarozka* [бярэка], *Viasiolka* [Вясёлка].

The appointment of assistant editors-in-chief of the above editions must be submitted for the approval of the Minister of Information.

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June 16 the Order of the President of the Republic of Belarus #254 “On the Activity of Information Propagandistic Groups and Participation of Leaders of Republican and Local State Bodies and Other Governmental Organizations in Ideological Work.”⁵⁰ was issued. The order directly obliges governmental medias to cover the activity of information-propagandistic groups.

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In August Homiel Regional TV studio refused to cooperate with the journalist Aliaksandr Škut [Аляксандр Шкут] after the broadcast of the first program of the series “Dobry Večer!” with the participation of the journalist. The producer of the program Liudmila Šastakova [Людміла Шастакова] said that the directors of TV channel approved the candidature of A. Škut; however, after the program was broadcasted, the board of directors received “a phone call from above” and forbade to invite A. Škut to future programs.

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November 1 Chojniki district newspaper *Leninski Sciah* [Ленінскі сцяг] (Homiel Region; founded by Choyniki [Хойнікі] District Council of Deputies, Chojniki Regional Executive Committee, the editors’ of the newspaper) published a note that

the chairman of District Executive Committee approved the appointment of Natalya Vasilyevna Stasko as reporter of social issues department of the editorial office of the district newspaper Leninski Sciah.

INFORMATION ACCESS VIOLATIONS

Limitation of access to information is the most widespread kind of violation of press legislation. In 2003 this violation accepted the forms of denials to access information and restrictive accreditation of media by governmental bodies.

⁴⁹ The Order of the Ministry of Information #49 dated May 27, 2003. National Register of Normative Documents of the Republic of Belarus 2003 #69. 8/9632.

⁵⁰ National Register of Normative Documents of the Republic of Belarus 2003 #69. 1/4692.

1. Information denials

Article 33 of the “Law on Press and Other Mass Media” states that a journalist can be denied information only in cases that concern

commercial classified information, State secret or any other specially registered secret.

In practice, journalists were often facing groundless information denials. A general situation with access to information was rather similar in every region, so the cases recorded in Homiel Region can be considered typical.

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April 5, 2003 the head of Homiel Standardization and Meteorology Center Liuboŭ Karniejkava [Любоў Карнейкава] denied information to the reporter of the newspaper *Vecherny Gomel* [Вечерний Гомель] Sviatlana Smirnova [Святлана Смірнова]. Initially, Mrs. Karniejkava agreed to give an interview to the journalist; however, at the appointed meeting the journalist found out that she could not receive the information, since the newspaper *Homielskaja praŭda* [Гомельская праўда] has already inquired about the same topic. The official explained that *Homielskaja praŭda* is the organ of Homiel Regional Executive Committee, and besides, the newspaper had a small circulation. The question *Vecherny Gomel* was interested in concerned the cases when Homiel shops and cafes sold low-quality food. *Homielskaja praŭda* had the circulation of 20.000 copies, and *Vecherny Gomel*—17,500 copies.

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In April the director of Homiel Chemical Plant I. I. Antochaŭ [І.І. Антохаў] denied a regional reporter of *Narodnaja Volia* [Народная воля] Anatol Hatoŭčyc [Анатоль Гатоўчыц] the information on the funds of phosphoric fertilizers industry. The director explained that he “didn’t recognize any other press than a governmental one.”

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May 3 a governmental newspaper *Homielskaja Praŭda* [Гомельская праўда] reported that the enterprise “Homiel'avija” [Гомельавія] refused to provide information about the crash of the enterprise’s plane in Nigeria. The acting director of “Homiel'avija” Jury Dzieravianka [Юры Дзеравянка] motivated his refusal to contact with journalists by the fact that “mass media reported too much doubtful information about the airplane.”

• • •

In October the deputy chief of Homiel Regional Department of the Ministry of Emergency Situations ordered the employees of the department's press center not to provide any information to ONT channel. The report of ONT regional reporter Alena Klimava [Алена Клімава] for ONT news, broadcast October 17, displeased MES officials. The report was dedicated to the residents of multistorey apartment houses in Bragin who started to store up the firewood and build their own heating sources in flats, waiting for a cold winter.

2. Accreditation limitations

The existence of accreditation institution implemented by police authorities and executive committees of different levels significantly affected the right of non-governmental medias to receive and distribute information. In 2003 the authorities continued to use accreditation procedure as an instrument of limiting media access to official information.

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A special reporter of *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета] Iryna Makavieckaja [Ірына Макавецкая] can't restore her accreditation at the Inner Affairs Department of Homiel Executive Committee. After unknown persons have stolen Ms. Makavieckaja's documents (including accreditation certificate) in 2001, the newspaper started to correspond with the press service of Homiel IAD. By March 15 2004 no progress was achieved in this case.

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In July the journalist of a governmental newspaper *Narodnaje slova* [Народное слова] Tacciana Pasternak [Таццяна Пастэрнак] didn't get the accreditation to the musical festival "Slavianski Bazar." It was reported that the journalist was crossed out of accreditation lists at the initiative of the Information Department of Viciebsk Regional Executive Committee. Moreover, the newspapers' editors stopped sending Ms. Pasternak to official meetings. Local observers connect these facts with a critical article Tacciana Pasternak wrote about the chairman of Viciebsk Executive Committee Aliaksandr Aciasaŭ [Аляксандр Ацясаў]. *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета] published the article on the eve of March elections to local councils.

In comparison with 2002, the number of cases when local authorities used the absence of accreditation as grounds for limiting journalists' presence at local official meetings significantly increased.

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On June 25 during the session of Smarhoń [Смаргонь] District Council, the police removed the head of Smarhoń office of the Belarusian Association of Journalists Alina Suravieć [Аліна Суравец] from the session hall. The council chairman Mikalaj Šyš [Мікалай Шыш] proposed to remove the journalist since she didn't have a written invitation to the sittings. However, the session was public—a governmental newspaper *Svietly Šliach* [Светлы Шлях] published the invitation addressed to the leaders of all organizations and enterprises. When the journalist brought the action against the Council, it was discovered that the session minutes of June 25 contain the decision to bar the journalists of *Novaya Gazeta Smorgoni* [Новая газета Сморгони] from participation in future sessions (the court hearing is covered in detail in the Chapter "Trials").

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July 2 during the session of Horcki [Горкі] District Council (Mahilioŭ region), the deputies removed from the hall the journalists of local non-governmental editions *Regionalnye Vedomosti* [Региональные ведомости] and *Dziadzka Taras* [Дзядзька Тарас]. The deputies

grounded their action on the fact that the journalists didn't receive an official accreditation from a local Council.

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In 2003 Hancavičy [Ганцавічы] District Executive Committee (Brest region) twice refused to accredit the journalists of the newspaper *Hancavički Čas* [Ганцавіцкі час]. August 30 the newspaper's reporter Piotr Huzajeŭski [Пётр Гузаеўскі] was removed from a district teachers' conference after the chairman of the Executive Committee Uladzimir Stoliar [Уладзімір Столяр] said that the information he was going to present "was not for the newspaper *Hancavički Čas*."

• • •

In November Niasviž District Executive Committee (Minsk region) didn't allow the editor of the newspaper *Niasvižski Čas* [Нясвіжскі час] Volha Varenik [Вольга Варэнік] to be present at the sitting of the local Council of Deputies since Regional Council didn't accredit her.⁵¹ In his letter the head of executive committee H. A. Janovič [Г. А. Яновіч] directly connects the newspaper's content with the chances for accreditation:

*In future, I would like Volha Varenik to publish objective articles about the life of the region, without any bias—than the question of her participation in socially significant events in the region will be answered affirmatively.*⁵²

Considering the complaint of Intex-Press publishers, the Information Department of Minsk Regional Executive Committee didn't find any violations in the actions of local executive authorities, despite the fact that the accreditation to the sessions of local councils is in jurisdiction of legislature, not executive authority.

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In February Slonim District Executive Committee and Slonim District Council refused to accredit the journalist of *Hazieta Slonimskaja* Mikola Kananovič [Мікола Канаковіч] for "inexpediency reasons." The motivation was that the activity of the committee and the council is "widely covered on the pages of the newspaper *Slonimski Viesnik* (the organ of Slonim Executive Committee). Moreover,

*The citizens are being informed about the work of the Executive Committee by education assistants of the directors of enterprises, the information is placed on stands and places of honor at practically all the enterprises, organizations and institutions.*⁵³

In the course of the year there were cases when foreign journalists were deprived accreditation.

⁵¹ In the course of the year the publisher of *Niasvižski Čas* [Нясвіжскі час]—Intex-Press publishing house—twice applied to the Executive Committee for accreditation (the letters dated April 4, 2003 #18 and May 30, 2003 #40).

⁵² The letter of November 2003 #02-9/1049

⁵³ The letter of 30.12.2003 #01-12/142, signed by the head of Slonim District Executive Committee M. B. Kasciuk [М. Б. Касцюк].

• • •

January 28 the Ministry of Foreign Affairs of the Republic of Belarus (MFA) refused to accredit the journalist of Slovak newspaper *SME* L'ubomir Gombaš, who wanted to report on Belarusian regional elections. MFA accredited L'ubomir Gombaš in 2000; however, after September 2001 presidential elections the ministry refused to prolong the accreditation—formally, due to Mr. Gombaš's violation of Belarusian administrative law.

June 27 MFA annuled accreditation of the journalist of Russian NTV channel Pavel Selin. On June 28 the journalist received the order to leave the territory of Belarus “voluntarily.” The reason for deportation was coverage of Vasil Bykaw's funeral. The Ministry of Information considered that “the journalist's report was directed at destabilization of situation in the country and provokes confrontation.”⁵⁴

July 7 the Council of Ministers closed NTV office in Belarus.

The Law on Press doesn't limit journalists' right to obtain information about the activity of the country leader. However, since 1998 the Regulations on Events with Participation of the President of the Republic of Belarus⁵⁵ are implemented to regulate journalists' access to such events.

According to the Regulations, the Press Service of the President in coordinatin with the Security Service defines the reporters and photojournalists who cover the events in which the President takes part. Like in the previous years, the implementation of these Regulations had a restrictive nature and led to violations of journalists' rights to information.

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February 7 the reporter of *Belorusskaya Delovaya Gazeta* [Белорусская деловая газета] Iryna Makavieckaja [Ирына Макавецкая] and Anatol Hatoŭčyc [Анатоль Гатоўчыц] from *Narodnaja Volia* [Народная воля] were not accredited to the meeting with the President in Homiel. The head of Press Service Dźmitry Žuk [Дзмітрый Жук] explained that he didn't notice Mr. Hatoŭčyc's application, while *Belorusskaya Delovaya Gazeta* was turned down due to its “small circulation.”

DISTRIBUTION OF INFORMATION FROM ABROAD

In 2003 the authorities continued their policy aimed at limiting the influence of Russian media.

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On April 25 during his visit to Homiel region Aliaksandr Lukašenka [Аляксандр Лукашэнка] publicly criticized Russian newspaper *Izvestiya* [Известия], which published information on Belarus' possible trade with Iraq.

⁵⁴ *Zviazda*, July 1, 2003 #164-165.

⁵⁵ The Regulations were approved by the Order of the President #19 of January 12, 1998, and were never published.

In May Belarus' Foreign ministry seriously criticized *Izvestiya* for an article about worsening of Belarusian-Russian relations (Article "Lukašenka assumed the position. Official Minsk turned its back on Moscow," dated May 22, 2003). A ministry's representative considered the article offensive and damaging Belarus' reputation, noting that its publication essentially complicated further cooperation with *Izvestiya* correspondent Alena Daneika [Алена Данейка]. On May 29 the Ministry of foreign affairs issued an official warning to Alena Daneika for violation of the Media Law. Belarus' Minister of information Michail Padhainy [Міхаіл Падгайны] asked the Minister of information of Russia Mikhail Lesin to take measures in connection with publication of untruthful information.

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June 28, after the Russian channel NTV broadcast a report on burial of the writer Vasil Bykau, its correspondent Pavel Selin was stripped of accreditation in Belarus' Foreign Ministry and deported from Belarus. The information voiced in the program was verified at the level of the State Secretariat of the Security Council⁵⁶. On July 7 NTV office in Belarus was closed. It was re-opened only in February 2004.

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From *early 2003* measures were taken to promote development of the state regional TV network at the expense of cutting down broadcasting of Russian channels.

From *October 1* regional TV channels in eight regions (Braslaŭ [Браслаў] (Viciebsk region), Brahin [Брагін], Žlobin [Жлобін], Majski [Майскі], Žytkavičy [Жыткавічы] (Homiel region), Slonim [Слонім], Smarhoń [Смаргоń] (Hrodna region) and Kryučaŭ [Крычаў] (Mahilioŭ region)) began broadcasting via transmitters which previously broadcast the Russian channel RTR. Simultaneously, broadcasting of the Russian TV channel "Kultura" was stopped in these regions, and its retransmitters were used for relaying RTR programming.

Relaying of RTR was also stopped from October 1 without preliminary notice in a number of districts in Homiel Region (Brahin, Žlobin and Mazyr). Until then relaying of NTV was also limited—outside Homiel it was available only to owners of satellite dishes and cable network subscribers. According to Siarhiej Puntus, director of the regional communications office, cutting down of RTR broadcasting was made at the instruction of the Belarusian State TV and Radio Company.

CRIMINAL CASES AGAINST JOURNALISTS

In *2003* the number of criminal cases against journalists registered by BAJ monitoring service has fallen to two cases from the last year's seven.

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In March criminal proceedings according to Article 189, Part 2 (Offence) were started following publication in a Brest regional newspaper *Zarya* [Заря] (founders—Brest Regional

⁵⁶ *Zviazda*, No 164–165, July 1.

municipal Committee, Brest Regional Council of Deputies and editorial office of the newspaper) of the article “Fight near a dollar manger” (author—Ivan Bućko [Іван Буцько])⁵⁷. The proceedings were initiated by Viktor Karlinski [Віктар Карлінскі], chair of Baranavičy affiliate of the Belarusian Social-Democratic Party “Narodnaja Hramada.” In June the Court of Baranavičy [Баранавічы] region and the city of Baranavičy held Ivan Bućko guilty, but taking into consideration the age of the respondent and positive job references, resolved to administrative punishment in the form of a fine. Later the Commission on Criminal Cases of Brest Region Court overruled the resolution of the lower court and returned the case for revision. As of January 1, 2004, the case was not revised.

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Starting from May 2003, investigation pursued a criminal case against the founder and editor-in-chief of *Vecherny Stolin* [Вечерний Столин] newspaper Aliaksandr Ihnaciuk [Аляксандр Ігнацюк]. The case was initiated according to Article 369 of the Criminal Code “Insult of a representative of authorities” for publications in issue # 5 dated February 1 “Sign of Protest” and issue # 6 dated February 8 “Stolin region is ready to protest as long as Pashkevich and Protasovitsky retain their positions.” The claimant was Uladzimir Paškievič [Уладзімір Пашкевіч], former chair of Stolin regional executive council. On December 10 the Court of Stolin district of Brest region held Mr. Ihnaciuk guilty and fined him the equivalent of USD 230.

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In 2003 the journalists sentenced after 2001 presidential elections to various terms of imprisonment according to Article 367 (slandering the President of the Republic of Belarus) and Article 368 (offence of the President of the Republic of Belarus) continued to serve their sentence.

In March 2003 Hrodna journalist Paval Mažejka [Павал Мажэйка] who then served his term in Žlobin (Homiel region) was conditionally released pre-term. Also in March Mikola Markievič [Мікола Маркевіч], former Chief Editor of Pahonia newspaper was allowed to return from a correction facility in Asipovičy (Mahilioŭ region) to his home town Hrodna and to continue serving his sentence there. Markevich’s term ended in March 2004.

December 15 Viktor Ivaškievič [Віктар Івашкевіч], editor of Minsk newspaper *Rabočy* [Рабочы], finished serving his term for “attempting to slander and offend the President of the Republic of Belarus.”

ATTACKS ON JOURNALISTS AND MEDIA

1. Confiscation of property

In 2003 three cases of confiscation of equipment and one case of theft of newspaper database were registered.

⁵⁷ See details of another trial triggered by the same publication in the Chapter “Trials”

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On January 2 the State Control Committee confiscated video archives of the film studio “Tatyana” (over 200 tapes). 4 professional video cameras, 6 VCRs Betacam-SP, professional audio equipment and linear video and sound editing suits were also distrained and later confiscated. Part of the confiscated equipment belonged to the Belarusian Union of Cinematographers and another part—to the Moscow-based studio “TV Factory named after D. Kharitonov.” The office of the film studio “Tatyana” remained sealed until February 26.

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In early March the Economic Court of Mahilioŭ region ruled to confiscate over 20 units of technical equipment of a non-state Mahilioŭ TV studio “Channel 2.” The grounds for confiscation were lack of hygiene certificates for the equipment. The claimant in the case was the regional Committee for financial investigations of the State Control Committee.

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In March Economic Court of Homiel region ruled to confiscate 7 units of the studio “Efir,” including a digital video camera and a VCR passed for temporal use by the Belarusian representation of IREX. The case was initiated by the Homiel region State Control Committee. The grounds for confiscation were lack of hygiene certificates for the equipment.

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In the night of March 31 the hard drive of the editorial PC was stolen from the newspaper *Novy Čas* [НОВЫ ЧАС] (Minsk). Nothing else was stolen from the editorial office.

2. Attempts on life and health of journalists

November 21 two journalists of *Hazieta Slonimskaja* [Газета Слонімска́я] Tacciana Plachietka [Тацяна Плахетка] and Volha Šynkievič [Вольга Шынкевіч] were beaten in Slonim by Orthodox Church believers when they tried to take pictures of the conflict between the believers and natural healing session attendees. Both journalists were severely bruised and one of them has received a serious shock. Law enforcers have taken no measures against the assailants.

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No new information was disclosed in 2003 about the fate or whereabouts of Dźmitry Zavadski [Дзмітры Завадскі], missing cameraman for the Russian ORT channel who disappeared in July 2000.

On November 27 the Court of Frunzienski district in Minsk recognized Zavadski dead, following a request of his wife. On December 10 the Prosecutor’s Office resumed investigation into Zavadski’s disappearance. The official letter sent to Sviatlana Zavadskaja [Святлана Завадская] says that the case was resumed “due to necessity of holding investigative activities.” On March 31, 2004 the investigation was stopped for the second time.

3. Arrests of journalists

In 2003 BAJ monitoring service registered one case of detention of a journalist by law enforcement agencies.

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On June 24 Źmicier Dziadzienka [Зміцер Дзядзенка], correspondent of the independent newspaper *Naša Niva* [Наша ніва] was detained on Jakub Kolas Square in Minsk. The detention took place during a street action held by professors and students of the Belarusian State Humanitarian Lyceum in protest against change of management of the lyceum. The journalist was taken to Sovetsky police department, where policemen destroyed a dictaphone recording made during the action and released him without writing a protocol.

TRIALS

As well as in the previous years, the authorities continued to use courts as the tool of oppression of non-state media.

The most demonstrative processes were those where the editions or founders of mass media have managed to appeal the decisions taken by state bodies, as well as the honor and dignity case filed by the head of Belarusian State TV and radio company Jahor Rybakoŭ [Ягор Рыбакоў] against *Narodnaja Volia* [Народная воля] newspaper.

In 2003 Supreme Economic Court refused all appeals against verdicts of the Ministry of Information to suspend publication of newspapers and against all warnings of the Ministry of Information and other non-normative acts of state bodies.

Publication of the following newspapers was suspended: *BDG*—on June 25, *BDG. Dlia Sluzhebnoho Pol'zovaniya* [БДГ. Для служебного пользования]—on July 9, *Novaya Gazeta Smorgoni* [Новая газета Сморгони]—on December 2.

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June 17 Supreme Economic Court upheld the decision of the Ministry of Information to issue warnings to *BDG* for violation of Articles 5 and 40 of the Press Law (article “Grand Image,” # 57, dated April 18, 2003). The article in the newspaper was a mini-poll “Whether Lukashenko has the right to use the plane of the head of state at his own discretion.” The Ministry of Information ruled that the poll violated honor and dignity of the President and disinformed citizens. The warning was issued May 20, triggering suspending of the newspaper publication for three months.

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June 19 Supreme Economic Court refused the appeal of *BDG* against the Ministry of Information and upheld the warning issued May 22 for the article “Where are Leonov’s millions?” The court upheld the decision of the Ministry of Information that the newspaper published the criminal case materials without a written sanction of the judge (Article 5 of the Press Law). The article in *BDG* contained quotes from the statements of then director of

Minsk Tractor Works Michail Liavonaŭ [Міхаіл Лявонаў] in court. The warning was later used for suspending publication of the newspaper.

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July 8 Supreme Economic Court partially overruled the warning issued to *BDG. Dlia Sluzhebnogo Pol'zovaniya* [БДГ. Для служебного пользования] by the Ministry of Information on May 21. The Ministry of Information ruled that the newspaper published false data (violation of Articles 32 and 40 of the Press Law) in the series of publications under the common title “Afghan Greyhounds” and in the article “Magic Crystal” (# 3 (14), March 2003). After journalist Iryna Chalip [Ірына Халіп], author of some of materials of these publications, presented in court proof of their authenticity, some of the charges against the newspaper were dropped.

However, June 9 Supreme Economic Court waived the appeal of *BDG* publisher against the decision of the Ministry of Information to suspend publication of the newspaper for three months.

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July 23 Supreme Economic Court waived the appeal of *Navinki* [Навінкі] newspaper against the Ministry of Information, leaving in force its warning dated May 22. The warning was issued for “attempt on morality of citizens” (Article 5 of the Press Law) for publishing the materials in the section “Opium for People” (# 11 (90), April 17–24, 2003) and for a title on the page “Analysis” (# 8 (87), March 28–April 3, 2003).

May 21 *Navinki* received one more warning of the Ministry of Information for violation of Article 5 of the Press Law (for publication of two pictures of the President “with offensive comments,” # 7 (86), March 20–27, 2003).

These warnings triggered suspending of publication of the newspaper for three months.

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January–September 2003 saw the development of the conflict between “Mestnoye Vremya Press,” the publisher of *Mestnoye Vremya* [Местное время] newspaper and Minsk regional Executive Committee⁵⁸. Despite the courts have taken decisions favorable for the publisher twice, in the end the municipal committee has still managed to close the company.

In January the newspaper appealed to Minsk Municipal Executive Committee against the decision of Minsk Regional Executive Committee to revoke registration of “Mestnoye Vremya Press.” The newspaper also demanded compensation of material damages caused by its closure. In February the court closed the case because “the claimant no longer existed as legal entity.”

After this, three founders of the publisher appealed to court. On April 16 Minsk Municipal Economic Court overruled the decision of Minsk Municipal Executive Committee to strip the publisher of registration. The court rejected compensation of material damages.

⁵⁸ The Ministry of Information closed the newspaper *Mestnoye Vremya* on November 26 2002, after Minsk district executive committee annulled its authorisation for office space for its founder, “Mestnoye Vremya Press” company, allowing Minsk regional executive committee to annul registration of the company. In 2003 the company attempted to appeal the committee’s decision in court.

On May 26 Collegium of Minsk Municipal Economic Court upheld this decision, waiving the cassation appeal of Minsk Regional Executive Committee.

However, on September 23 “Mestnoye Vremya Press” was liquidated by Minsk Regional Economic Court. The suit was filed by the Minsk Regional Inspection on Taxes dated July 21, according to which “Mestnoye Vremya Press” did not amend its statutory documents following change of its legal address.

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A long conflict between Ramuald Ulan, founder and publisher of *Novaya Gazeta Smorgoni* [Новая газета Сморгони] newspaper (Hrodna region) and Smarhoń [Смаргонь] Regional Executive Committee has also resulted in closure of the newspaper⁵⁹.

On February 3 at request of Smarhoń Regional Executive Committee the Economic Court of Hrodna region stripped Mr. Ulan of entrepreneur’s license, as a result of which *Novaya Gazeta Smorgoni* was left without a publisher. All cassation appeals, including one to Supreme Economic Court, have brought no results.

In late February the founder signed an agreement with a farm, which included a new activity “Publishing a newspaper” into its statutes and applied for registration of these changes to Smarhoń Regional Executive Committee.

On March 11 the Prosecutor’s Office of Smarhoń region issued a warning to the farm’s director for illegal enterprise activities, and on April 4 the Prosecutor’s Office instituted an administrative case against him (Article 154 of the Administrative Code “Enterprise activities without proper registration”).

On April 25 Smarhoń Regional Court upheld the decision of the Prosecutor’s Office, fined the farm’s manager and confiscated all profits from selling the newspaper.

By October 2003 the newspaper has changed two more publishers, until its publication was stopped by the order of the Minister of Information on October 2, 2003. According to the Ministry of Information, the founder of *Novaya Gazeta Smorgoni* had to sign a contract with a legal entity authorized to publish printed media and found an editorial office. In December Mr. Ulan tried to appeal the order of the Minister of Information, but the Supreme Economic Court waived the appeal.

Simultaneously with these developments, Hrodna Regional Executive Committee denied request of the private entrepreneur Volha Kuniayuskaja [Вольга Куняўская] to register a private unitary publishing company “Region-Press” (intended to act as a publisher of *Novaya Gazeta Smorgoni*). In February 2004 hearing of this case in Supreme Economic Court ended in favor of the authorities.

⁵⁹ The conflict between the publisher and the authorities emerged in 2001–2002, when Mr. Ulan attempted to register two new publications—*Novaya Gazeta Ostrovtsa* [Новая газета Островца] and *Novaya Gazeta Oshmyan* [Новая гаета Ошмян]. Smarhoń Regional Executive Committee have twice rejected to coordinate location of the editorial office space, which had made their registration impossible. In December 2001 and May 2002 the Economic Court of Hrodna region considered these rejections unjustified. However, Smarhoń regional executive committee still refused to coordinate location of the editorial office spaces. In November 2002 Smorgon regional executive committee filed a suit for stripping Mr. Ulan of entrepreneur’s license for alleged violations of tax legislation in 2000 and 2002, two Procuracy warnings dated 2000 and violations of fire and labour legislation in 2002.

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On November 27 Supreme Economic Court rejected the appeal of *Salidarnasć* [Салідарнасць] newspaper against the fine in the amount of about USD 2,000 imposed in June by the State Control Committee. The newspaper was fined following a joint inspection of the State Control Committee and the Ministry of Information, which revealed irregularities in publishing the dateline.

The court also issued a warning to the Ministry of Information, obliging it to monitor observation of dateline standards by all Belarusian publications.

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The loudest case of the year was against *Narodnaja Volia* [Народная воля]. September 26 Minsk Lenin District Court fined *Narodnaja Volia* newspaper BYR 10 mln (about USD 4,750), in satisfaction of the suit for protection of honor, dignity and business reputation of the chairman of Belarusian TV and Radio Company Jahor Rybakoŭ [Ягор Рыбакоў]. *Narodnaja Volia* journalist Maryna Koktyš [Марына Коктыш] and former Belarusian TV host Eleanora Jazierskaja [Элеанора Язерская] were fined BYR 1 mln (USD 475) each.

Mr. Rybakoŭ's suit against *Narodnaja Volia* was based on the article "Eleanora Jazierskaja: I guarantee five poods of love" which appeared in the newspaper in October 2001.

November 17 Minsk City Court increased the amount compensation of moral damages to BYR 50 mln (USD 23,420) for *Narodnaja Volia* and to BYR 3 mln (USD 1,405) each for journalist Maryna Koktyš and Eleanora Jazierskaja.

As of March 2004 the court verdict was not enforced, because *Narodnaja Volia* was in the process of appealing the decision.

ECONOMIC POLICY IN MASS MEDIA

According to Article 3 of the Law on Press, the state shall:

outline measures aimed at ensuring economic support of mass media.

Within the year the state policy in the economic field has remained principally the same. Like before, the system of state support of mass media was discriminatory toward non-state media.

In 2003 the state budget allocated BYR 61.98 bln (about USD 32.28 mln) for support of state mass media. In comparison with 2002 the total amount of funding was increased by USD 8 mln and was mainly allocated to electronic media (it increased from BYR 26.5 bln in 2002 to BYR 48.3 bln in 2003). Funding of printed media increased from BYR 10.8 bln in 2002 to BYR 12 bln in 2003. The number of periodic publications funded from the state budget dropped from 42 to 37.⁶⁰

The state continued to support unprofitable and economically inefficient projects. According to economic results of 9 months of 2003, only 16% of all local state newspapers

⁶⁰ Zviazda, 2003, # 278, November 5.

were profitable.⁶¹ The program of centralized printing of municipal and local state newspapers continued to operate in 2003.⁶²

In November 2003 there appeared information about possible privatization of state-run printing facilities by 2006. According to the Minister of information Uladzimir Rusakevič [Уладзімір Русакевіч], printing facility named after Jakub Kolas and “Čyrvonaja Zorka” will be privatized. Both are situated in Minsk. According to him, control package of shares will remain with the state and the state will retain its influence on the printer’s production.⁶³

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In Spring 2003 management of the press distribution company “Belsajuzdruk” [Белсаюз-друк] ordered not to return the publications funded from the state budget. At least two such cases have been registered—one in Minsk and one in Viciebsk.

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Forced subscription to state newspapers was practiced very widely. The information indicating facts of forced subscription to *Sovetskaya Belorussiya* [Советская Белоруссия] newspaper emerged during the whole year.

For instance, in early September in Kryčau district of Mahilioŭ region representatives of the Regional Executive Committee obliged all teachers to subscribe to *Sovetskaya Belorussiya*. In the same district the Regional Executive Committee allocated funds for the promotion campaign of its newspaper, and local post defined subscription targets for the newspaper practically for each company in the district.

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In May Polack [Полацк] Municipal Executive Committee sent to the managers of companies based on its territory a letter ordering them to “take the subscription campaign under personal control” and to restore the previous high levels of subscription for the newspapers *Sovetskaya Belorussiya* [Советская Белоруссия], *Respublika* [Рэспубліка], *Zviazda* [Звязда], *Narodnaja Hazieta* [Народная газета], *Znamya Yunosti* [Знамя юности], *Čyrvonaja Žmienia* [Чырвоная змена], *7 Dneŭ* [7 дней], *Narodnaje Slova* [Народное слова], *Viciebski Rabočy* [Віцебскі рабочы], *Polacki Viesnik* [Полацкі веснік] and *Bielaruskaja Dumka* [Беларуская думка] magazine.⁶⁴

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Meanwhile, non-state media faced administrative obstacles in organization of its subscription and promotion campaigns.

For instance, in December Minsk Metro violated its agreement for posting ads of the independent newspaper *Belorussky Rynek* [Белорусский рынок]. As a result of this, posters inside the metro cars lasted one week instead of two weeks, and in a tunnel—six days instead of one month, paid by the newspaper. Metro advertising department refused to give any

⁶¹ Zviazda, 2003, # 296, November 26.

⁶² Regulation of the Council of Ministers No 265, dated February 27, 2003.

⁶³ Zviazda, 2003, # 278, November 5.

⁶⁴ Letter # 664/1-18 dated May 26, 2003 signed by the Chair of Polack [Полацк] municipal executive committee U. Tačyla [У. Тачыла].

explanations. Uladzimir Zubryk [Уладзімір Зубрык], deputy head of the department of information in Minsk Municipal Executive Committee said that the decision to remove the ads was taken, for “artistic reasons” by a Council in the Committee of Architecture, developing general approaches to advertising in the city.

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In late 2003 information agency BelTA (unitary enterprise of the presidential administration informed that it had received exclusive rights for distribution of Belarusian TV channels listings on the territory of Belarus.⁶⁵ From January 5, 2004 the publication of Belarusian TV channels listings is possible only according to a contract signed with BelTA.

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The fact that subscription to periodicals is now considered a post service and introduction of licensing for this activity should also be looked at in the light of strengthening of monopoly position of “Bielpošta” [Белпошта].⁶⁶

CONCLUSIONS

In conditions of overall non-competitiveness of state media, administrative pressure has remained the only effective means of preserving the state monopoly on information. The state impeded with development of the media market by creating unequal playing field, denying registration to new editions, trying to limit as much as possible the influence of non-state mass media by denying information to its journalists and introducing restrictions on printing and distribution of newspapers.

Strengthening pressure on independent publications became a logical continuation of authorities’ policies in the field of mass media, pursued in the previous years. The authorities’ oppression of non-state mass media took place on the background of prosecution of NGOs and private educational establishments.

⁶⁵ Resolution of Presidential Administration board, dated October 27, 2003.

⁶⁶ Law on post communication, dated December 15, 2003. Regulation on licensing in the field of communications, approved by the Regulation of the Council of Ministers of the Republic of Belarus # 1387 dated October 20, 2003.