

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Within the reported period the “travel banned” people, including BAJ members, tried to find out the reasons why their exit from Belarus had been restricted. In the meantime, some other journalists, contributing for foreign mass media, received official warnings from the prosecutor’s office – this time in Minsk.

Info-posting – March 19 – April 1, 2012

On March 19 BAJ received an answer from the prosecutor in Hrodna region, Senior Counselor of Justice **Viktar Marozau** in connection with BAJ’s appeal to withdraw official warnings, given to several BAJ members (Viktar Parfionenka, Aliaksandr Dzianisau, Mikalay Dziatchenia, Grazhyna Shalkevich). The prosecutor says that the PA “Belarusian Association of Journalists” doesn’t have the right to appeal against the act of prosecutor’s reaction - warning”.

“In fact, our letter wasn’t an “appeal against an act of prosecutor’s reaction,” underlines Andrey Bastunets. “We attracted the prosecutor’s attention to the fact that their workers misinterpret many provisions of the “Law on Mass Media”, in particular – regarding the status of a foreign mass media journalist. So, we are going to re-appeal to the prosecutor’s office, once again explaining our demands.”

On March 19 the Editor-in-chief of “Nasha Niva” **Andrey Dynko** got a paper from the Department of Citizenship and Migration confirming that he has been included in the list of citizens banned to leave Belarus because he “was evading the military call-up”. However, Dynko hadn’t received any orders for the call-up. 38-year-old Andrey Dynko is the senior lieutenant in the reserve, that’s why such reason for travel restriction is legally nonsense: a person who has been transferred to the reserve cannot be called up for active military service.

On March 20 a similar note was given to the “Belsat” official representative in Minsk **Mikhail Yanchuk** in the Department of Citizenship and Migration of the Maskouski district in Brest (his place of residence). According to the document, Mikhail Yanchuk was banned to leave Belarus on request of the Ministry of Defense dated March 5, because he “was evading the military call-up, service in the reserve”. The journalist tried to clarify the problem in the military recruitment office. The military commissar in Brest **Sizhuk** said that Yanchuk was not in their data base. Besides, according to Sizhuk, the Ministry of Defense did not impose any restrictions on exit from Belarus on March 5. Mikhail Yanchuk is 39 years old, 12 years overage for conscription. He was not called up for short-term reserve service, either.

On March 20 the same note about “draft-dodging” was given to the human rights defender, BAJ member, 39-year old **Valiantsin Stefanovich**. The district recruitment

office also confirmed that he hasn't been called up, and no papers have been sent in this regard.

Stefanovich is going to appeal against the ban to the Central district court in Minsk. He has sent a complaint to the General Prosecutor's Office, asking to identify the officials who are responsible for the unlawful restriction of his freedom of movement, and also to take immediate actions to restore his rights.

On March 20 the Ukrainian media expert of the Regional Press Development Institute **Oleg Khomenok** was **denied entry** to Belarus. The border guards informed Khomenok that he was on the list of people forbidden entry to Belarus.

On March 21 the independent journalist **Zmitser Krauchuk** received an invitation via phone to appear in the Prosecutor's Office of Minsk. Eventually, **on March 22** he received an official warning against collaboration with foreign mass media without accreditation (Art. 35/4 of the "Law on mass media"). The document was signed by the prosecutor's deputy **Kazimir Kezhun**.

We remind that in 2012 6 journalists have already received written warnings (Zmitser Kisel (Brest), Grazhyna Shalkevich, Aliaksandr Dzianisau, Viktor Parfionenka, Mikola Dziatchenia (Hrodna)).

Also on **March 21** the independent journalist **Volha Chaychyts** was summoned to the General Prosecutor's Office via phone, but she refused to appear there without an official summons.

On March 22 the republican state-public association "Dinamo", founder of the hockey club "Dinamo-Minsk", **denied accreditation** for attendance at some event to sports newspaper "Pressball". "Pressball" editors suppose that "Dinamo" managers might be trying to avoid inconvenient, or, as they say, "wrong" questions.

On March 24 the correspondent for "Radio Racyia" **Aliaksandr Yarashevich** was **detained** by police while covering the concert of the international movement "Food not bombs", staged at the Palace of Culture of Minsk Tractor Factory (he was on assignment). At 7pm special forces burst into the hall; around 100 people were detained and taken to the Partyzanski and the Central district police departments. After giving written explanations, most of the detainees were set free. The official reason for the detention was the police check on drug use and drug trafficking. Aliaksandr Yarashevich was accused of using obscene language.

On March 26 **Aliaksandr Yarashevich** was found guilty of using obscene language in the Central district police department. The judge of the Central district court of Minsk **Valianstina Svistunova** heard the testimony of the policemen. The journalist was **finned** to three base amounts according to Art. 17/1 of the Administrative Code. The journalist spent three days at Akrestsina detention center.

As reported on **March 26**, the Belarusian political prisoner **Ales Bialiatski** – head of the human rights center Viasna and BAJ member - has become the laureate of the **"Freedom of Expression" award**, bestowed by the Norwegian Authors' Union. The

award was handed in to the prisoner's wife Natallia Pinchuk on March 25. According to the "Association Freedom of Expression-Preis" representatives, the award is evaluation of his work and high goals that human rights defenders from "Viasna" aspire for. Also, it is recognition of the Belarusian prisoner's work at the international level.

On March 27 the UN Special Rapporteur on Torture has received a **complaint** with a request to investigate facts of torturing the political prisoner **Zmitser Bandarenka**. Activists of the initiative "Human Rights Activists against Torture" emphasize that Zmitser Bandarenka's health condition is grave after the spine surgery in September 2011, and it is impossible for him to undergo recovery procedures in prison as prescribed by doctors. It is stated that Bandarenka is forced to do movements and actions which can aggravate his health condition, and even cause immobilization (he is forced to stand, march in the ranks, sit for a long time, his spine is overloaded). Besides, it is mentioned that Zmitser Bandarenka had been denied a disability status.

On March 27 it became known that the independent newspaper "**Novy Chas**" **does not reach** its subscribers in prison. In particular, envelopes with newspapers come back to the senders from Mikalay Statkevich (earlier Shklou colony No17, now Mahilou colony No4), Yauhen Vaskovich (Mahilou colony No4), Artsiom Prakapenka and Artur Kisialevich (Shklou colony No17), and Ales Bialiatski (Babruysk colony). According to the editor-in-chief of the newspaper **Aliaxey Karol**, the envelopes are usually sent back with marks "not allowed" or "only by subscription", with reference to **Article 89** of the Criminal Executive Code.

"The Criminal Executive Code does not contain any norms that would restrict prisoners' right to receive news outlets to which they are subscribed by somebody else. Article 89 simply stipulates that they have the right to buy or subscribe to media outlets by themselves. So, the fact of redirecting the newspaper can be regarded as misinterpretation of law," said BAJ chairperson and lawyer Andrey Bastunets.

On March 27 it became known that the "**Vitsebski Kuryer**" print-run has been again **seized** by police. The incident took place on March 22 on M1 motorway. Around 2pm police officer Vasilyeu stopped the car, driven by the newspaper worker. The driver was offered to proceed to the police department. After the procedure of confiscation was made, the police also arrested the car. They referred to some fines to "Vitsebski Courier" that were not paid in 2009. The newspaper workers have already filed a complaint against the police major Stsepankou S.S.

On March 28 the Belarusian Radio-Television Broadcasting Center reported that the on-air program "**Stalitsa**" will be broadcast on the **frequency 105,1 MHz** which had belonged to the closed "**Autoradio**".

We remind that on **January 12, 2011**, the Belarusian "Autoradio" FM radio station received an order from the Ministry of Communications of Belarus, introducing bans for the use of the radio frequencies and radio transmitting devices. The document was based on a decision of the National Committee on TV and Radio Broadcasting

and signed by the Chair of the Committee Aleh Praliaskouski. The official pretext for the decision was “non-compliance with the art concept and dissemination of calls to extremist activities.” In **December 2010** “Autoradio” broadcast campaigning materials of the alternative presidential candidates A. Sannikau and U. Niaklayeu where they called to come “to the square” (after-election demonstration).

On March 28 two independent journalists and BAJ members **Alina Radachynskaya** and **Volha Chaychyts** received **prosecutor’s warnings** against performing journalistic activities with foreign mass media in the territory of Belarus without accreditation (Art. 35/4 of the “Law on Mass Media”). The documents were signed by the prosecutor’s deputy in Minsk **Kazimir Kezhun**. Both of them were accused of contributing for “Belsat” TV-channel. They had been summoned to the prosecutor’s office of Minsk by official summons.

In total, **8 written warnings** have been issued to independent journalists in different regions in Belarus this year.

As reported **on March 29**, the department of **Civil Registry Office** of Baranavichy Executive Committee again **denied information** to the independent newspaper “**Intex-press**”. After several unsuccessful attempts to get an answer about the number of registered marriages in the city of Baranavichy, IP sent a written request to the officials.

The answer shocked even the correspondents of the newspaper who are rather accustomed to refusals. The head of the Registry Office **Sviatlana Valynets** explains that the Office “has no authority to spread the statistics on the number of registered marriages”. She refers not to some legal norms that would ban distributing such information, but to the Presidential Edict (26.08.2008) №445 which empowers the statistical state bodies to gain, process such data etc.

“The answer can be considered as an example of the bureaucratic casuistry. I wonder if S.Valynets thinks there are some documents that empower e.g. the State Auto Inspection with the function of distributing the statistics on the number of accidents, or the doctors – [distributing the statistics] on deceases, etc,” commented editors of IP.