

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting May 27 –June 23, 2013

Within the reporting period probably the whole array of violations occurred in Belarus – warnings to independent TV journalists for work without accreditation, refusals to accredit journalists for official events, preventing journalists from work, detentions, denying information. Also new evidence of compulsory subscription to state-run press appeared.

On May 27 the Belarusian human rights defender **Ales Bialiatski**, who has been in prison since August 4, 2011, was **re-elected as Vice President of the International Human Rights Federation (FIDH)** during its 38th Congress in Istanbul.

50-year old Ales Bialiatski, head of the Belarusian unregistered human rights center Viasna, is serving a four and a half prison sentence in Babruisk colony No2. On November 24, 2011 he was claimed guilty of large-scale tax evasion. He received the imprisonment sentence with property confiscation (the flat where the unregistered human rights NGO Viasna was located). The prosecution was based upon information about bank accounts in Lithuania and Poland; the judge did not take into consideration the fact that the money in the accounts was aimed for Viasna activities.

On May 29 the correspondent of the non-state national newspaper *Narodnaya Volya* **Maryja Malevich** was **denied accreditation for a press-conference** dedicated to the First Cheese Festival near Minsk. She said first she had been invited to the event; then she received a phone call where she was asked not to come because some officials were going to speak at the press-conference, and the organizers were afraid of potential provocative questions.

When BAJ asked for comments to the situation, the organizer of the festival Andrei Kiryjenka called the journalist's actions "inadequate" and held back from more comments. Maryja Malevich said she might sue the organizers in court – both for the denied accreditation and for insult.

On May 30 the independent journalist **Volha Chaychyts** was given a written **warning against work for foreign mass media without accreditation** (p.4 art. 35 of the Law on Mass Media) from the **prosecutor's office in Smaliavichy district**. She was questioned only about her work with *Belsat*. She refused to answer, and then was handed in warning. She said she would appeal against the warning.

In April Volha Chaychyts and her colleague Ales' Silich were present at a public discussion around the project of the Chinese industrial park that is going to be built in Smaliavichy district, not far from Minsk. Then a policeman copied the personal data of the journalists and promised to clear up all things.

On May 31 the judge of the Minsk City Court **Valer Kamisarau** heard the **appeal** of the *Radio Racyja* journalists **Aliaksandr Yarashevich** and **Henadz Barbarych** who were detained on April 27 after the Chernobyl Way demonstration and **got three days' arrest for disobeying police's demands**.

In the appeal (dated April 29) the journalists drew attention to a large number of discrepancies and violations in the police's testimonies and actions. According to the journalists, the policemen did not introduce themselves and did not name any reasons for detention, they did not provide procedural protocol, and in court they were unable to mention exactly the place of detention.

They insisted that the policemen were biased and interested to make the journalists guilty, because otherwise they would have been responsible themselves.

However, the judge found all these arguments insufficient and **upheld the decision of the first instance court**. Now the journalists have only the Supreme Court to appeal to.

Video reports from the court hearing were not allowed.

On June 5 in Minsk policemen **detained** the civil activist of the *Nash Dom* campaign **Natallia Leonava** for distribution of the campaign's newspaper. At 4pm she was taken to the Frunzenski district police department and was set free two hours later. No detention protocol was produced; she gave written explanations only. She was threatened with a KGB isolator.

On June 7 the **prosecutor's office** of Smaliavichy district issued a warning to an independent journalist **Ales' Silich** for contributing to a **foreign mass medium without accreditation** (p. 4 art. 35 of the Law on Mass Media).

Several weeks before he and his colleague Volha Chaychyts (see above) were summoned to the prosecutor's office to give explanations about public discussion over the Chinese-Belarusian industrial park in April. Volha Chaychyts appeared at the prosecutor's office earlier, and was warned, too. Ales' Silich disagrees with the warning, the same as Volha, and is going to appeal against it, as it violates his constitutional right to gather and disseminate information.

On June 7 in Brest independent journalists **Ales' Liauchuk and Milana Kharytonava** were **prevented from work** at the city market of car parts. They were preparing a report how initiators of the campaign "Narodny Referendum" were talking to entrepreneurs and customers at the market.

"Meantime the manager of the market Aleh Dzenisiuk appeared, and claimed recording without permit was forbidden as the market was private property," said Ales' Liauchuk. "Besides, he was interested how the photos would be used further." The journalists argued that the Constitution guarantees freedom to distribute information, to which the manager reacted that the market had its own rules and **called the police**.

The local inspector Aliaksandr Talatynnik copied the personal data of the journalists and warned they might be summoned to the police department for questioning.

The journalist of the *European Radio* for Belarus **Zmitser Lukashuk** has been **denied accreditation** for a **press-conference** in the lower chamber of **Parliament on June 11**. He was informed about it on the phone by the head of the House of Representatives press center **Mikalay Lis**. The official reason for the refusal was that the radio does not have a yearly accreditation from Parliament.

The press-conference was dedicated to considering the draft law on confiscation of cars for drunk driving. The journalist applied for accreditation a week before the conference. The press-service of the House of Representatives first refused to receive the application by fax and "directed us to agree upon the matter with the director, Mr Lis. He first also excused by the fact that we don't have the yearly accreditation, explained that the president's security service might not allow. But finally he allowed that the press-service received our application. And today he informed that the journalist was not allowed to attend the event," says Zmitser Lukashuk.

The *Euroradio* has tried to get accredited at the House of Representatives for the last two years, but unsuccessfully.

On June 12 in Vitebsk policemen and plain-clothed people **prevented journalists** from taking interviews **near a court building**. On that day a hearing of Andrei Haidukou case started: the young man was charged with high treason. The case was heard behind closed doors.

The men shielded the view with hands and popped up in front of cameras, some of them just kept silent, and one of them warned not to shoot, otherwise he was going to call a detention squad. In particular,

the detention threat was addressed to the *Nasha Niva* correspondents **Aksana Rudovich** and **Tatsiana Haurylchyk**.

On June 13 it became known that **officials in Brest prevent journalists** from covering the situation around **non-privatized dwelling**. The first incident took place with the correspondent of non-state newspaper **Yury Shapran**, who is also a BAJ member. After readers alarmed the editorial office of the newspaper that a crowd gathered near the city department of public dwelling and utility services, the journalist headed for the venue to see the situation. However, when he wanted to enter the building in order to take comments from the officials, a man stood on his way. When Shapran mentioned he was a journalist, the man **threatened with physical actions**. “The man tried to close the door in front of my face, when he did not manage, he called the policemen, and they asked me to leave the building,” told Yury Shapran.

On June 13 independent journalists **Milana Kharytonava and Ales’ Liauchuk** also tried to cover the same situation. Their intention to make a video report from the crowd provoked nervous reaction of the officials. “A man came up to us, showed his ID – it was very quickly, we did not manage to see who he was – and asked us to stop recording and called the police,” said Ales’ Liauchuk. The policemen listened to both sides and did not interfere with the journalists’ work.

As reported **on June 14**, Minsk city dwellers started to receive **letters** from the department of public housing services **demanding to dismantle individual antennae** from roofs and facades of apartment blocks. In particular, the demand to do so was distributed in the business and dwelling center Cascade. The demand is based on the **Ruling of the Council of Ministers No384 dated May 16, 2013**. According to the document, physical persons need an official permit from local authorities in case they want to install usual TV and satellite antennae.

Those citizens who have already installed such equipment must also get a permit; to do that they need to make a technical inspection at their own expense to check that it complies with the norms. If it fails to meet the norms, the equipment is to be deinstalled, again at the expense of the applicant.

On June 16 the independent journalist **Ales’ Silich** was **detained** when making a report in Stowbtsy district where a pig epidemic was said to have broken out. The journalist was taken to the local police department. After a protocol was drawn up, a police car took him straight to the railway station. *We remind that several days before he received a warning from the prosecutor’s office for contributing to Belsat without accreditation.*

On June 16 around **10 thousand copies of the newspaper Nash Dom**, a thousand brand envelopes and other print products of the civil campaign *Nash Dom* were **seized** in Minsk. Policemen of the Soviet district police department confiscated the print products from a garage in Minsk. Remarkably, it was a special issue of the newspaper which fully consists of cartoon strips. A little earlier the same issue was confiscated from an activist of *Nash Dom* Natallia Leonava.

On June 17 the court of Krychau district announced the decision in the **lawsuit to defend business reputation** which the public unitary enterprise “Cherykau PMK No 280” filed against the **non-state low-circulation newspaper Volny Horad**. The court found that the facts published in the newspaper No4, dated February 3, 2013 concerning the mentioned enterprise, were **false**. The court obliged the newspaper to publish refutation of the information.

Siarhei Niarouny, editor of the newspaper, disagrees with the decision and is going to appeal it.

The mentioned article was written after a woman phoned to the editorial office and complained that her husband had not received a salary for the last three months. “The judge did not sustain all our major

motions. For instance, the Cherykau PMK should have provided a collective agreement, contracts with workers, paychecks etc in the court hearing. In this case it would have been obvious whether the [enterprise] really pays salaries to its workers,” said Siarhei Niarouny.

On June 17 the portal onliner.by published a photo of the **document** which proves that the **compulsory subscription to state-run newspapers** still exists. The letter was dated June 13 and signed by the head of a housing and utilities sector No8 of the Soviet district in Minsk. It was addressed to a shop in the district.

The document says that the owners of the shop, tenants of the building which belongs to the municipal services, “are obliged” to subscribe to state-run newspapers *Sovetskaya Belorussia, Respublika, Minski Courier* for the second half of 2013 by June 20.

“It is desirable” to subscribe to the magazine *Planeta*, newspapers *Znamia Yunosti, Zvezda, Narodnaya Gazeta, Vechernij Minsk*.

A copy of subscription confirmation had to be sent to the local housing and utilities body.

As the onliner.by user, sender of the photo, calculated, the shop was offered to spend almost 2.8 million rubles to read the newspapers (approx. 270 euros).

In a talk with onliner.by employee, the head of the housing and utilities body confirmed that it was not the first time when such letters were sent – it was done by the order of the administration of the Soviet district; and “most people subscribe, there are practically no refusals”.

As reported **on June 18**, the head of the Baranavichy department on the affairs of the **youth refused to talk** to the independent outlet *Intex-Press* because she “does not want and will not tell anything”.

The correspondent **Natallia Salamianka** asked the head of the department (in the Baranavichy city executive committee) **Ema Zakharava** to tell about the activities of the only local work team organized by the department.

At first Ema Zakharava imitated readiness to communicate, but was always busy, asking to phone later. When the correspondent asked about the obvious attempts to avoid the talk, the head said: “I thought and decided that I shouldn’t meet with you. I don’t want and I will not tell anything to your newspaper at all.”

As reported **on June 19**, the department on trade and services of the Babruysk city executive committee sent “a plan-task” to heads of private businesses of the city – **to subscribe to the magazine of the Ministry of Trade “Hermes”**. In addition to the subscription, the head of the department Aliaksandr Kisialiou offered to buy several tickets to the yearly festival “A wreath of friendship”. The businessmen were asked to send back the confirming receipts for subscription and purchase by fax before June 20.

On June 19 the human rights defender **Valianstin Stefanovich** sent a petition to the head of the *Belteleradiocompany Henadz Davydzka* asking to **prevent discriminatory statements** according to nation in programs of the public TV.

The petition was filed after the TV channel Belarus 1 showed a criminal episode “Secrets of Investigation”. The story reveals circumstances of a cellmate murder, committed by Ryhor Yuzepchuk and his accomplice, repeatedly stating nationality of the person among other negative characteristics. The story used the phrases “it was all clear with the **Gypsy** Yuzepchuk”, “with poorly educated Roma Yuzepchuk”, “according to the words of the Gypsy”, “convicted Gypsy Yuzepchuk” etc. At the same the program did not specify the nationality of his partner Pavel Petrakou and the victim Ihar Khodanau, who also received extremely negative characteristics in the story.

Valiantsin Stefanovich thinks that such indication of the nationality of the perpetrator may contribute to xenophobia and discriminatory behavior in the society, as well as to formation of extremely negative treatment of representatives of the entire Roma minority in our country.

According to the professional code of the Belarusian Association of Journalists and the professional code of the Belarusian Union of Journalists, it is prohibited to disseminate hatred calls in the press.

Valiantsin Stefanovich urges Mr. Davydzka to check on the facts, as well as to instruct the authors of the program on the inadmissibility of such incidents in the future.