

## THE BELARUSIAN ASSOCIATION OF JOURNALISTS

### Mass Media Week in Belarus

February 16 – March 1, 2015

**Law enforcement agencies keep following work of independent journalists contributing to foreign mass media. Besides, a new trend appeared: the Ministry of Information started issuing warnings to independent regional newspapers for minor insufficiencies in publishing data. Editors consider it to be a renewed approach aimed to place newspapers in vulnerable position before the forthcoming presidential elections.**

As became known **on February 18**, political prisoner **Yauhen Vaskovich**, after having a long-term meeting with his mother in Mahilou colony No15 (February 15 – 16) was banned to take along with him legal texts, like the Criminal Code and the Code of Criminal Procedures. The colony guards did not explain why the texts were banned for him.

**On February 19**, the panel on civil cases of the Minsk City Court dismissed the appeal of the human rights defender Elena Tonkacheva. *We remind that the department on citizenship and migration annulled her residence permit and ordered to leave Belarus within a month. After the decision of the Minsk City Court, the decision came into legal force.* She had to leave the country before February 21, with the ban to enter the country for three years.

**On February 20**, the photographer for *Nasha Niva* **Siarhei Hudzilin** was **detained** in Minsk. He was detained together with activists who were sticking out placards dedicated to the Mother tongue Day. The journalist was set free three hours later without procedural reports.

**On February 20**, the Barysau district court held the first hearing into the **case to defend business reputation** filed by a nurse against the independent newspaper ***Borisovskiye Novosti***. The grounds for the suit was the article *Who is guilty of death of a patient in the 2nd polyclinique?* published on December 24, 2014. The article was a letter of a reader whose husband died after visiting the clinique. The same article also had an answer of the doctor-in-chief of the clinique stating that a check-up found no confirmation to the facts alleged by the woman. The plaintiff, a nurse of the clinique, demands refutation and 50 million rubles of moral compensation. The defendants are the chief editor of the newspaper and the reader, author of the letter. The next hearing is scheduled for March 11.

**On February 23** **Siarhei Niarouny**, the editor of the low-circulation newspaper ***Volny Horad***, reported that the Ministry on Taxes and Duties demanded that he **file a tax declaration** for 2011 – 2014 as late as February 24. The editor thinks the authorities would want to press on the independent outlet to silence the too critical view of the local vertical. Last time the Ministry on Taxes disturbed the editor in 2011. The newspaper *Volny Horad* has been published since 2009, with circulation less than 300 copies, because the editor is denied the registration of the mass medium, although it is quite popular in Mahilou region.

**On February 24** BAJ member Pavel Seviarynets received a **reply** from the **Hrodna customs office** stating that **none of the books** seized from him earlier had any signs of **extremism**.

On October 13, 2014 the customs office seized 20 books by Zianon Pazniak, including “Hard time – continuation”, “Independence of Belarus. 20 years”, “Declaration – the first step to independence”, “Mensk city council in the period of the national revolution (1990 – 1991)”, “Terra

Dei", "Parsival", "Meditations" etc.

**On February 25** a civil activist from Hrodna Pavel Sevastian also received a letter from the Hrodna region customs office stating there were no signs of extremism in the books seized from the activist on July 27 on the Belarusian-Polish border (these were newspapers, magazines about political prisoners, and a Belarusian-Polish dictionary).

**On February 25**, the National legal portal published the ruling of the **Operative Analytical Center** introduced Ruling No6/8 dated February 19, **establishing the procedure of restricting access to websites** of mass media. The ruling envisages procedures on how to restrict or unblock websites. Now not only a state body, but also any citizen will be able to submit requests to enter any website into the black list. The lawyer and deputy chair of BAJ Andrei Bastunets draws attention that the procedures are all extra-judicial, and the ruling does not envisage an appeal to court against the decision to block a website. Also, the ruling envisages blocking anonymizers. The lawyer underlines how different the terms are for restricting a website and lifting the ban. "The restriction can be applied within three days or even 24 hours (this is the time given for a provider to block a website). As for restoration of access to the website, the Ministry of Information has a whole month to consider the request. It illustrates vividly the approach to regulation of the issue."

As became known **on February 25**, Belarusian authorities **denied entry visa** to David Crawford, a correspondent of *The Wall Street Journal Europe*. The journalist was going to take part in a lecture of the Press Club Belarus. The topic of the lecture and a seminar was journalistic investigation and work of Berlin-based CORRECT!V, among all their participation in investigation of the shooting down of the Malaysian plane over Ukraine last summer.

As reported **on February 25**, several **regional newspapers received warnings** from the Information Ministry for minor insufficiencies. *Hazeta Slonimskaya* received the warning for missing figures of circulation in the publication data of two February issues. Meantime, as seen from the PDF, the circulation number was presented on the first page of the newspaper, however, it was really missing from the publication data usually situated at the bottom of the last page.

The newspaper *Hantsavitski Chas* and *Intex-press* (in Baranavichy) were warned for cutting the name the *Republic of Belarus* to abbreviation RB in the publication data.

"We will surely appeal against the warning, at least because we had no issue on the day that the warning mentions. Secondly, some state outlets fail to mention not only the Republic of Belarus, but also the Information Ministry in their publication data," said Piotr Huzayuski, chief editor of the newspaper.

Note that two warnings within a year give grounds for the Information Ministry to initiate court proceedings to close down a mass medium.

**On February 25** BAJ member and lawyer from Homel **Leanid Sudalenka** filed a request to the police of the city executive committee asking to identify the legal or physical person administering the website gomelbest.com. The lawyer says he was subject to threats and physiological pressure in an article on the website dated February 20 and named *Stars for a human rights defender*. He says the article was aimed to threaten him, including threat to the safety of his children, and such actions fall under art. 186 of the Criminal Code (threat with murder). He asks to hold an inquiry and bring the author to responsibility.

**On February 26** a photojournalist of *Komsomolskaya Pravda v Belarusi* **Dzmitry Lasko** wanted to take a photo of the Academy of Sciences in the evening, but was **detained** at 8 pm, and spent around 4 hours at the police department while the officers inspected his ID, personal belongings

and information carriers. The officers referred to an internal ruling issued by the Deputy Minister of Home Affairs enumerating public places that can be photographed only with a special permit. Later *Komsomolka* found out that the ruling dated February 25, 2015 listed railway stations, airplanes, etc. as banned for photographs. Interesting enough is that the document is internal and will not be published.

**On February 26 Alina Litvinchuk**, journalist from Brest and member of BAJ, found out that she had been **fined** for the second time this year for work without accreditation. She learnt about the trial only when received the **court decision by post**.

The court ruling of Lenin district court of Brest, dated **January 8**, states that Alina Litvinchuk took an interview from the chairperson of the regional Belarusian Peace Foundation; the interview was published on the **Belarusian Radio Racyja**, so Alina violated the Law on Mass Media by preparing an illegal mass media product.

Judge Aliaksandr Semianchuk found the journalist guilty of administrative violation and fined to 40 basic amounts (which is 7.2 million rubles, or around 480 USD).

The journalist says the case has been a surprise because she had not been informed either about the police's report or about the trial. She will file an appeal soon. This has been the second fine for Alina Litvinchuk this year; on **January 13** she was fined to 30 basic amounts under the same charges (article 22.9 of the Code of Administrative Violations).

**Tamara Schapiotkina**, from Biaroza town, Brest region, has been accused of work without accreditation for foreign mass media. The grounds for prosecution was an interview with a traffic officer made on January 8 and later published on the *Radio Racyja*. Allegedly, it was Tamara who had taken the interview.

The case was sent to court, but **on February 27**, the Lenin district court of Brest sent the administrative protocol for completion. Tamara Shchapiotkina [was already fined](#) on December 17 for 30 basic amounts under similar charges.

**On February 27**, a police inspector gave a visit to the journalist, BAJ member from Brest **Ina Khomich**. Before that, she had had a phone call with invitation to come to a talk, but she demanded an official summons. The inspector asked her about her trip to Motal town, Ivanava district, on February 5. It turned out that Ivanauski district police department started a case involving the journalist. She was questioned about where she had been to, who she had talked to, and if she was working for the Polish **Radio Racyja**.