

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

November 3 – 23, 2014

One of the most alarming tendency of the month was massive administrative prosecution against journalists for contribution to foreign mass media without accreditation. Besides, there were several incidents of detaining journalists at work.

As became known on **November 3**, the independent journalist from Brest **Alina Litvinchuk** was accused of violating **art. 22.9** of the Administrative Code. On October 29, the journalist was summoned to the police station in Brest as an accused person. The protocol was compiled upon application of A. Krupenkin, deputy head of the KGB department in Brest region dated October 1. He informed that on October 25 the Belarusian *Radio Racyja* website had published [a quote from an interview](#) about work with school pupils on the issue of using drugs, and according to the KGB official, this way she violated art. 22.9 because *Radio Racyja* did not have accreditation here in Belarus.

Alina Litvinchuk read the case materials and refused to testify against herself. After that, she received a summons to court for November 6. It should be mentioned that in the protocol, the entries for the aggrieved person and witnesses were left empty.

The story had a sudden turn on October 31 when policemen, using threats, attempted to enter the journalist's flat to re-write the protocol, as the judge had sent the case materials for completion. She again refused to testify against herself and to sign the protocol.

On November 5, Belarusian law-enforcement bodies took a decision to **deport human rights defender Elena Tonkacheva** without the right to return to Belarus for three years. She was given a month to leave Belarus. She was informed on October 30 that her residence permit in Belarus was annulled. The formal reason was several fines for exceeding speed limit, the offense registered with a photo radar.

Elena Tonkacheva, being a citizen of Russia, has lived in Belarus for 30 years. She graduated from the Belarusian University's faculty of law, was married here, and has a daughter of Belarusian citizenship, she has work and property here in Belarus; all these arguments were provided for consideration of the citizenship and migration officers. She also underlined that the cameras registered the car number, and not the driver, so the photos could not be regarded as sufficient to prove her guilt.

Elena Tonkacheva is Chairperson of the Board of the Legal Transformation Center (Lawtrend) dealing with freedom of associations, freedom of information, and human rights education.

On November 8, in the evening, police **detained a music band Dzeziuki** and their team, shooting a video for a song near a town of Zaslauje, Minsk region. Together with them, BAJ member from Hrodna Ales Dzianisau was detained, as well as a history scientist Ihar Melnikau. They were taken to the local police department. The police was worried about the requisites used for the video: historical military costumes, white-red-white flags. They were detained under the pretext they had no papers sanctioning the shootings (in the field), and the actions could be regarded as an unauthorized mass event. They were released three hours later, the video was seized for ten days to clarify its contents.

On the morning of **November 10**, TV journalists **Viachaslau Piashko** and **Ales Bondarau** were **detained** while they were recording a talk with a trade union activist near the Tractor Parts and Units Plant in Babruysk.

According to the journalists, the policemen announced that taking the interview was against the

law and took away everybody' ID cards. The activist was taken to the police car, and the journalists were ordered to follow the police in their own car.

In the police department, the journalists were questioned about the earlier interview with the activist; the questioning report was compiled. Around three hours after the incident at the factory, the journalists were set free. They were recommended not to write about the hunger strike and the protest actions, otherwise all participants of the protest would be prosecuted under administrative law.

On November 11 it was reported that **accreditation** for the *European Radio for Belarus* has been extended for one more year by a ruling of the Council of Ministers No1046 – until November 10, 2015. The *Euroradio* has operated since 2005, and has had its correspondent point in Belarus since 2009. Currently it has 10 accredited journalists, with chief editor Vital Zybliuk.

On November 12, a civil activist from Slonim **Pavel Sevastian** reported that he had received a letter from the customs office in which he was informed that the print products seized from him last summer had been sent as examples for examination to the special **commission on revealing extremism**.

On July 27, 2014, at the Belarusian-Polish border point Berastavitsa customs officers seized magazines, newspapers and books from the activist, including a publication Palitviazni.info, a weekly of Belarusians in Poland *Niva*, and a Polish-Belarusian dictionary.

We remind that in 2013 – 2014 there were at least seven incidents of seizure of print products by Belarusian customs officers on the border.

On November 13, the editorial office of non-state newspaper *Intex-Press* in Baranavichy reported that the reply to the newspaper journalist's request had been published in the state newspaper *Nash Kray*. The correspondent Alena Zalianko wanted to clarify questions on construction of rent flats with the head of the dwelling and communal facilities enterprise of the Baranavichy City Executive Committee. Andrey Siamashka **refused to answer questions** because he was busy and asked to file a written request. On October 17, the journalist sent him a list of 17 questions. On November 12 the state-run newspaper *Nash Kray* published an article where Andrey Siamashka answered the questions and informed the journalist about it. "We regard this as **unfair competition** for two economic entities," said representatives of *Intex-Press* editorial office.

On November 18, the civil activist from **Hrodna Volha Krapotsina** was fined by the Lenin district court for 30 basic amounts under **art. 22.9** of the Administrative Code. Judge Zmitser Bubenchyk considered that **distribution of political leaflets** was a violation of the Law on Mass Media. The activist was detained on September 19 when she was distributing leaflets in the city center calling for giving back the Crimea to Ukraine. 16 leaflets were confiscated, then the activist's house was searched, with seizure of a laptop and two flash-cards. The examination of the leaflets concluded they were of "mass political nature". The seized equipment was given back.

We remind that in September in Orsha a civil activist Tatsiana Siachko was fined for 40 basic amounts under the same charges for distributing leaflets for a popular referendum. She failed to overturn the court decision although she had a conclusion of the Ministry of Information that leaflets were not regarded as mass media.

On November 20, the Mahilow region court **upheld** the court decision to journalist **Ales Burakou** who had been **fined** for 40 basic amounts (six million rubles) for violating administrative art. 22.9 (illegal production of mass media products, which police use for prosecuting journalists contributing to foreign mass media without accreditation) for his publication on the Russian version of DW.de. The journalist intends to appeal further.