

# E-NEWSLETTER: MASS MEDIA IN BELARUS

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**“A BLACK SQUARE”:** In June 2008, the Belarusian Parliament almost unanimously adopted a regressive draft bill “On Mass Media”, despite numerous public appeals to hold a broad discussion of this document beforehand. In protest, dozens of Internet resources placed black square banners on their pages “as a symbol of the buried freedom of speech” in the Parliament



Belarusian Association of Journalists

[www.baj.by](http://www.baj.by)

"It is gloomy that the on-line media activity will be regulated by laymen  
in the field..."

**Andrei Bastunets**, Deputy Chairman of Belarusian Association of Journalists  
(a quotation from the speech during a Journalist Club's session  
on media problems in Minsk)

Cover Photo: In June 2008, the Belarusian Parliament almost unanimously adopted a regressive draft bill "On Mass Media", despite numerous public appeals to hold a broad discussion of this document beforehand. In protest, dozens of Internet resources placed black square banners on their pages "as a symbol of the buried freedom of speech" in the Parliament.

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## 1. Statistics

1270 printed periodical editions (692 newspapers, 536 magazines, 38 newsletters, and 4 catalogues) as well as 9 news agencies had the official registration certificates in the Republic of Belarus on *June 1, 2008*.

The Ministry of Information of Belarus cancelled 15 certificates of media outlets and issued 12 registration papers to periodical editions in May 2008. All in all, the Ministry has nullified 1251 registration certificates of media outlets since 1996.



The number of registered state-owned printed periodical editions totals 395 publications, including 217 newspapers. The number of non-state printed periodical editions amounts to 875 publications, including 475 newspapers.

It has been repeatedly stated by the Belarusian Association of Journalists that the numerical prevalence of non-state media outlets is reached due to taking into consideration the periodicals in the specialized, entertaining, and advertising fields.

According to the BAJ analysis, the number of social and political non-state printed media outlets does not exceed 30 publications in Belarus these days. Nearly a half of them have been excluded from the state-owned monopolist systems of press distribution by subscription and through the news-stalls. Several officially registered periodical editions are made to get printed in Russia, as printing houses in Belarus refuse to cooperate with them, being pressurized by the state authorities.

221 broadcasters (including 65 TV and 156 radio broadcasting media outlets) had the officially registered status in Belarus on *June 1, 2008*.

## 2. Development of Situation in the Media Field (May – June 2008)

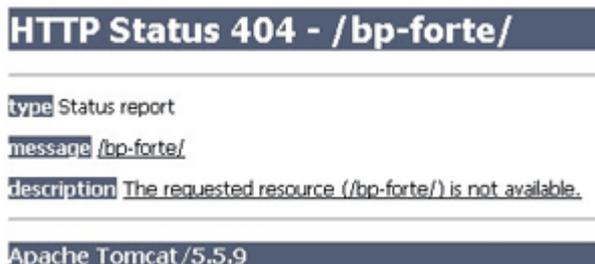
A number of targeted attacks against the Belarusian media took place in *May and June 2008*.

Some of them were initiated inside the country. Others were generated, owing to certain global problems and trends.

Since late April 2008, the Web-site of Belarusian Service of **Radio Free Europe/Radio Liberty** has faced problems in its operation. It was cleared out that some unknown hackers attacked a large range of RFE/RL Web-resources all around the world. The radiostation management delivered a statement, regarding the accident on *April 26, 2008*. “The Belarusians, the Iranians - they all have basically the same objective. They see free information - flowing information of ideas and so forth - as the oxygen of civil society. They’ll do anything they can to cut it off. If it means jamming, if it means cyberattacks, that’s what they’ll do”, the **RFE/RL** President **Jeffrey Gedmin** emphasized.

The Belarusian Ministry of Foreign Affairs retorted the statement. In particular, Deputy Head of MFA Information Department **Maryja Vanshyna** told during a press conference on April 30, 2008 that Jeffrey Gedmin’s statement had been “emotional and unfounded” and reminded about “responsibility for libel in the media”.

A couple of other popular Belarusian on-line media faced rigid cyberattacks approximately at the same period of time – “**The Belarusian Partisan**” ([www.belaruspartisan.org](http://www.belaruspartisan.org)) and



“**Charter’97**” ([www.charter97.org](http://www.charter97.org)). It should be emphasized that the cyberattack against “The Belarusian Partisan” continued several days in a row.

(Surprisingly, the problems with access to the informational Web-resources coincided in time with public protest actions, commemorating the consequences of Chernobyl disaster, in Minsk on April 26, 2008.)

The same problem of access to Web-sites was observed in the beginning of May 2008 as well. Thus, e.g., the Belarusian Web-site of **RFE/RL** was blocked again *in the evening of May 1, 2008*.

Due to corporative solidarity, the journalists were able to inform their audience in advance about the possibility of reading the “RFE/RL” articles on the **Clique of ‘Svaboda’** Web-page in **Livejournal**.

The second issue of “**Vitsiebskiy Kuryer M**” non-state social and political weekly appeared on *May 3, 2008* this year.



Reportedly, unlike the first issue, it safely reached the readers. It should be reminded that the first issue got printed in Smolensk (Russia) after the almost one-year break (see “*Mass Media in Belarus*” No.2 – *March-April 2008*) on April 24, 2008. However, the print-run was detained by the police in Vitsiebsk immediately upon arrival.

The Ministry of Information of Belarus issued an official warning to the “Vitsiebskiy Kuryer M” newspaper on *May 30, 2008*. The periodical’s legal advisor **Mr. Pavel Levinau** told to the BAJ Press Service that the periodical was officially warned for presenting the wrong legal address in the output line. However, in reality it appears that the warning has been caused by a collision, created by the state authorities. Starting from the year of 2007, Vitsiebsk Regional Executive Committee has been refusing to re-register the editorial that may lead to the closure of “Vitsiebskiy Kuryer M” weekly for administrative reasons.

In spite of all, the newspaper’s editorial team attempts to defend its right to existence in courts.

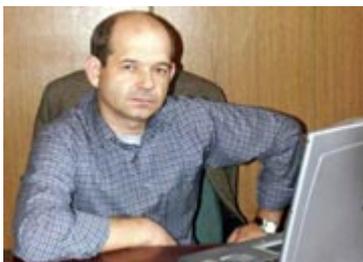
It has been for several years already that “Vitsiebskiy Kuryer M” hasn’t had an opportunity of regular publishing and duly delivery to its readers. The “Belposhta” and “Belsayuzdruk” state-owned monopolist press distributors refused to distribute the periodical by subscription and through the news-stalls in 2006. All printing houses in the Vitsiebsk region refused to print the periodical in 2007. Following a number of completely unexpected refusals of renters to provide premises for the newspaper editorial, the “Vitsiebskiy Kuryer M” editorial team had to move from one place to another several times.

The attention of Belarusian and international media community was focused on the acute problems of “**Gazeta Slonimskaya**” non-state social and political weekly in *May-June 2008*.

On *June 6, 2008*, the newspaper editorial was made to leave the editorial premises they had been renting for 7 years in a row from a local service center. On *May 29, 2008*, the Head of the service enterprise **Stanislau Ivanashka** told to **Viktar Valadashchuk**, the “GS” Editor-in-Chief that he was breaking all previous agreements, following “an instruction from a superior authority”. Consequently, the editorial team continues to publish the newspaper, working from their homes.

The heads of all private and state-owned enterprises in the town of Slonim feel reluctant to sign a rental agreement with the “GS” newspaper editorial.

The pressure upon the only survived officially registered non-state newspaper in the Hrodna region has been put from different directions. Thus, the newspaper’s Editor-in-Chief, who is 50 year old, was informed in April 2008 that he would be obliged to take part in a military muster. It was on May 12, 2008 only that the Medical Board found him ineligible for military service, because of poor state of health. V. Valadashchuk suffers from high blood pressure.



*Photo: Viktar Valadashchuk*

At the beginning of May 2008, V. Valadashchuk received accidentally a letter from **Alaksandr Mazalkou**, the Head of Slonim District KGB Office to the Head of Psychoneurological Department at Slonim District Hospital with a request to check if V. Valadashchuk and his family members were mentally sane. The document was published on the “Gazeta Slonimskaya” Web-site together with an open letter, where the newspaper’s Editor-in-Chief urged the mentioned official to explain his interest in the mental health of his family members.

The Belarusian Association of Journalists arranged and held a solidarity campaign in order to support the colleagues from “Gazeta Slonimskaya” and influence the newspaper’s fate.

Among other, there was elaborated a special banner with a demand to the state authorities to terminate persecution of “Gazeta Slonimskaya”. Dozens of Web-sites supported the initiative of Belarusian Association of Journalits and placed the banner on their Web-pages.

Also, the BAJ experts elaborated sample letters to the Slonim district authorities with a request to normalize the upsetting situation with “Gazeta Slonimskaya”.

On *May 16, 2008*, the BAJ Chairperson **Zhanna Litvina** and her Deputy **Andrei Bastunets** visited Slonim and held a number of meetings with a number of officials of Slonim District authorities, urging them to improve the working conditions of the only remaining social and political newspaper in the area.

### **3. The Main Problem. Media Law.**

Undoubtedly, the hidden preparation and the hasty adoption of a new draft media law was the main event and at the same time the main problem for Belarusian journalists in May-June 2008.

The legal document was elaborated in the close mode. The public didn’t have an opportunity to get acquainted with its contents, despite numerous appeals to the law developers.

Some responsible state officials, dealing with the media field, delivered a number of statements, while the draft law got elaborated. They testified to a vivid attempt of the state authorities to take the Internet under their control.

Firstly, **Alaksandr Slabadchuk**, a Deputy Minister of Information of Belarus told about a newly-founded working group on studying the experience of the CIS and the EU states in the field of legal regulation of Internet in his interview to the “Interfax” news agency on August 20, 2007.

He specified in his talk with the BelTA news agency on *September 25, 2008* that the group included representatives of 15 governmental institutions, including the Ministry of Information, the Ministry of Communication and Informatization, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the National Law Elaboration Center at the Presidential Office, the Belarusian State University etc.

During the opening ceremony of “Mass Media in Belarus” exhibition on *May 3, 2008*, dedicated to the Press Day, officially celebrated in Belarus on May 5, the Minister of Information **Uladzimir Rusakievich** told that his ministry officers were busy preparing the improved version of the existing law “On the Press and Other Media”.

Among other, Ul. Rusakievich emphasized an objective of introducing legal regulation of on-line media outlets and, in particular, a need to clarify if on-line versions of printed media are independent media outlets.

The Chief Deputy Minister of Information **Liliya Ananich** told during a round-table discussion, arranged by “Belaruskaya Dumka” (“The Belarusian Thought”) magazine of Presidential Administration that the Ministry supported the idea of introducing obligatory registration of on-line periodical editions.



“The people that have a desire to work as media outlets (to submit inquiries for getting information, to distribute information, to attend press-conferences) have to get official registration”, L. Ananich noted. Also, she told that there was a problem of disinformation flows from foreign Web-sites that, in her opinion, “exert destructive influence” on the situation in Belarus.

“However, there exists the Chinese experience, when the state blocked access to these Web-sites on their territory”, L. Ananich stated during the round-table discussion.

**Yury Kulakouski**, the Head of Standing Committee on Human Rights, National Relations and Mass Media in the Lower Chamber of Belarusian

Parliament informed the BelaPAN News Agency that a draft law on the media had been sent to the Chamber of Representatives from the Council of Ministers for immediate consideration and adoption on *June 10, 2008*.



The Belarusian Association of Journalists was continuously trying to get access to the draft bill in order to implement its expert examination. Finally, it was sent to BAJ on *June 11, 2008*.

The Belarusian Association of Journalists sent personal letters of appeal to each of 110 MPs of the Chamber of Representatives of the National Assembly of Belarus on *June 12, 2008*. BAJ reminded to the MPs that the citizens of Belarus have a lawful right to take part in discussion and evaluation of draft bills that infringe on their constitutional rights and liberties, including the freedom of opinion, the freedom of expression as well as the right to receive and disseminate information without hindrances.

The letter put stress on the most regressive legal norms in the draft media bill.

Among other, it was stressed that the proposed draft law:

- introduced the necessity of registration of Web-editions and put control over the Internet from the side of the Ministry of Information and the Public Prosecutor's Office;

- required re-registration of all media outlets;

- broadened considerably possibilities of closing down media outlets by the state authorities in case of a single breach of law;

- complicated the activity and increased the pressure on independent journalists and foreign correspondents;

- restricted the flow of foreign investments to the Belarusian media market;

— treated a journalist accreditation as a kind of a licence for carrying out professional activities.

On *June 16, 2008*, a text of the detailed expert analyses of the draft law prepared by the lawyers of BAJ was sent to the Chamber of Representatives. But notwithstanding the written appeal to the MPs to invite the representatives of BAJ, the meeting of the Standing Committee on Human Rights, National Relations and the Media was held without BAJ experts.

The Chamber of Representatives adopted a draft law “On the Media” after the first reading on *June 17, 2008*. 93 MPs supported the draft bill and 1 deputy voted against it.

The draft media law was regarded by the Chamber of Representatives in the second reading on *June 24, 2008*. 96 MPs supported the bill and 2 deputies voted against it. Certain amendments were introduced to the document after the 2<sup>nd</sup> reading. In particular, there were included some proposals, provided by the Belarusian Association of Journalists and the OSCE Office in Minsk. However, the draft bill still contained the same regressive norms, related to regulation of on-line media activity.

The draft media law was adopted by the Council of Republic (the Upper Chamber of Belarusian Parliament) on *June 28, 2008*. 48 MPs supported the bill and 1 deputy voted against it.

The legal document will come into force as soon as it gets approved by the Constitutional Court of Belarus and duly signed by the President of Belarus.

All the stages of consideration of the draft media bill in both chambers of Belarusian Parliament were accompanied by non-stop protest actions and statements on the part of Belarusian and international civil community.

As soon as the draft bill got adopted after the first reading, the “**Nasha Niva**” non-state newspaper published an appeal to all Belarusian citizens on its Web-site with a request to send letters of protest to the Chamber of Representatives.

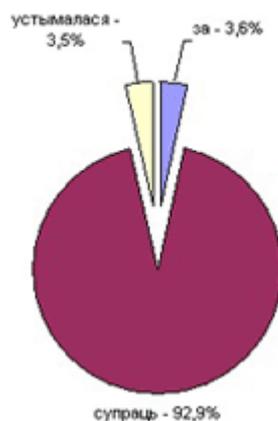
As soon as the draft law got adopted after the 2<sup>nd</sup> reading, the Belarusian Association of Journalists delivered a protest statement and announced **“The Hour of Silence”** internet action on *June 25, 2008*. BAJ

activists requested everyone, who cared about the freedom of access to information and distribution of information to place black banners on their Internet pages to symbolize the freedom of speech, buried in the Belarusian Parliament on June 24, 2008. Also, they proposed to abstain from updating Web-sites and making notes in blogs within one hour since 12.00 till 13.00 on that day. The protest action was supported by dozens of Belarusian Web-sites and bloggers. It enjoyed a broad response in the foreign media as well.



An “on-line referendum” on certain norms of the new media bill was started on the BAJ Web-site on *June 30, 2008*. In particular, the Web-site visitors were encouraged to express their attitude towards an idea of introducing official registration of Web-sites as media outlets. Also, they were asked to share their views, regarding a legal norm on obligatory

Як Вы ставіцеся да неабходнасці перарэгістраваць СМІ пасля ўступлення Закона “Аб СМІ” ў сілу?



official re-registration of all Belarusian media outlets as soon as the media law comes into force as well as a legally stipulated restriction of foreign investments in the domestic media field. More than 700 people took part in the survey from June 30 till July 9, 2008. The overwhelming majority of visitors voted against the newly adopted legal norms, mentioned above.

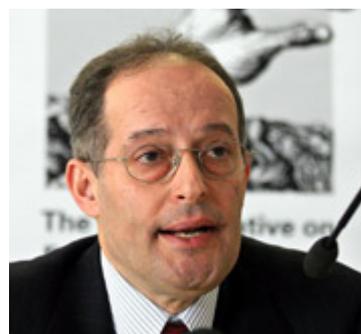
Eight influential international organizations sent their letters to the [President of Belarus Alaksandr Lukashenka](#) and the [Council of Republic](#) on *June 27, 2008* with an appeal to withhold adoption of a new media law that can "make even more restrictive what is already an unduly harsh regulatory regime for the media" in Belarus. The letters were signed by the Heads of **“Article 19”, the Human Rights House Foundation (Norway), the “Index**

on **Censorship**” magazine, the Norwegian Helsinki Committee, the Norwegian Union of Journalists, the Norwegian PEN-center, the Danish Union of Journalists, and the “Civil Belarus” NGO (Czech Republic).

On the same day, the International Federation of Journalists urged the President of Belarus, Aliaksandr Lukashenka, to reject the draft media law that received its parliamentary approval.

"This law represents a return to the dark ages of authoritarian control of public information and private media" said Aidan White, General Secretary of the IFJ. "The law, if applied, will threaten the existence of the Belarus web-based news media that has become a refuge for independent journalists and an essential source of news beyond the ideologically driven state media."

The OSCE Representative on Freedom of the Media, **Miklos Haraszti** called on the upper chamber of Belarus' Parliament not to adopt the draft media law that would further restrict media freedom in the country on *June 27, 2008*.



"Unfortunately, against expectations in and outside Belarus, this draft establishes further obstacles to the development of free media in the country," Haraszti said.

#### **4. Ratings and Events**

On the eve of the Press Freedom Day, which is globally celebrated on May 3, the “Reporters without Borders” international organization presented an updated list of Predators of Press Freedom – 2008 on its Web-site. It includes 39 heads of state this year. The “Reporters without Borders” consider the mentioned supreme state officials to be responsible for repressions against mass media in their countries. The President of Belarus **Aliaksandr Lukashenka** is among them.

**PREDATORS OF PRESS FREEDOM**



On the eve of the International Press Freedom Day, the Belarusian Association of Journalists published a final annual report on media situation in Belarus for the year of 2007. The document can be found in Belarusian, English and Russian in the “Monitorings” section on the BAJ Web-site ([www.baj.by](http://www.baj.by)).

Two non-state Belarusian periodical editions — a regional weekly "Gazeta Slonimskaya" (Hrodna region) and the "Yezhednevnik" electronic newspaper have won 'Free Press of Eastern Europe' Gerd Bucerius (ZEIT)

Award this year. The ZEIT Award is annually presented to the most respectable independent media outlets in the Eastern Europe.

The presentation ceremony took place in Hamburg (Germany) on *May 19, 2008*.

Mr. **Aliaksei Karol**, the Editor-in-chief of "**Novy Chas**" independent weekly and a BAJ member has won a prestigious Knight award, founded by the International Center for Journalists (ICFJ) this year. The award is aimed at distinguishing the best journalists, working in highly complicated conditions. The laureates were announced during the 61st Global Newspaper Congress in Gotheborg (Sweden) on *June 3, 2008*.

The awards will be presented to the winners in Washngton D.C. on November 12, 2008.

International conference on *Democratisation of Mass Media in Belarus* took place on 6 and 7 *June 6-7, 2008* in the Polish Parliament premises in Warsaw. Journalists, civil and political activists from Belarus participated in it as well as representatives of Parliamentary Assembly of the Council of Europe, European Parliament, international NGOs and foundations. The core of the conference was the hearings and discussion on the media situation in Belarus.

The resolution of the conference contained the calls on the Belarusian authorities to stop using the articles of the Criminal Code to restrict the right to seek, receive and impart information; to reform the national media legislation and to bring it in line with international standards; as well as to provide equal economic conditions for media outlets of different types of ownership.

The conference on democratization of the mass media in Belarus was organized by the Council of Europe, the Conference of INGOs of the Council of Europe together with Casimir Pulaski Foundation from Poland.