

Belarusian Association of Journalists (BAJ)

**MASS MEDIA IN BELARUS
2011**

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VIOLATIONS OF JOURNALISTS' AND MASS MEDIA RIGHTS IN 2011 (Summary)

The political and economic crisis in Belarus exerted a determining influence on the situation with mass media in the country in 2011. It developed after the Presidential election on December 19, 2010 and the following wave of repressions against the opposition and civil society.

The most blatant violations of journalists' and media rights in 2011 were as follows:

- criminal prosecution of journalists;
- numerous detentions of journalists at protest actions during the whole year 2011;
- revocation of "Autoradio" broadcast license;
- institution of claims against "Narodnaya Vola" and "Nasha Niva" by the Ministry of Information of Belarus, aimed at closure of these independent periodical editions;
- return of 'ban lists' of actors, literary men, and musicians;
- restrictions on the free use of the Web;
- aggravation of economic discrimination of independent mass media.

CRIMINAL PROSECUTION OF JOURNALISTS

Criminal proceedings were initiated against seven journalists and BAJ members after the Presidential election on December 19, 2010. The media workers were charged with arrangement of mass riots and / or active participation in them. All of them were put into the KGB jail in Minsk. The list of detainees included, Iryna Khalip, "Novaya Gazeta" (Russia) newspaper correspondent, Alaksandr Atroshchankau, spokesman for a former presidential candidate Andrei Sannikau, Natallia Radzina, the "Charter'97" Web-site Editor-in-Chief as well as the alternative presidential candidates' aides Siarhei Vazniak, the "Tovarisch" newspaper's Editor-in-chief, Pavel Seviarynets, BAJ Council member, an independent columnist Alaksandr Fiaduta, and a BAJ member Dzmitry Bandarenka. The judgments of guilty were returned to six of them in April - May 2011. Among other, two of them were sentenced to real terms of imprisonment. In particular, Alaksandr Atroshchankau was sentenced to 4 years of imprisonment in a reinforced regime colony. Dzmitry Bandarenka was sentenced to 2 years of imprisonment in a general regime colony.

On September 14, 2011, Alaksandr Atroshchankau was released from jail alongside with 10 other political prisoners, convicted for participation in 'mass riots' in Minsk on December 19, 2010 and pardoned by the president of Belarus.

A. Atroshchankau noted that he had been persistently proposed to write an appeal for mercy to the president in the colony, but he refused to follow the advice.

"I was present at the protest action on December 19, 2010 exclusively as a journalist and as a spokesman for a presidential candidate," A. Atroshchankau noted.

A journalist Natallia Radzina was charged with 'arrangement of mass riots' on December 19, 2010 too. However, she managed to flee the country at the end of March 2011. Reportedly, the criminal proceedings against her were terminated on August 23, 2011. Still,

N. Radzina hasn't returned to Belarus for safety reasons. The 'Charter'97' Web-site editorial continues its activity from abroad. As reported on September 8, 2011, Natallia Radzina had been granted political asylum in Lithuania.

Traditionally, the official authorities resorted to criminal prosecution of media workers for 'defaming' and 'casting aspersions' on the president of Belarus. Thus, criminal proceedings were initiated against a Hrodna journalist Andrzej Paczobut for his critical articles, published in the "Gazeta Wyborcza" daily (Poland), on the "Belarusian Partisan" Web-site, as well as in his LJ blog paczobut.livejournal.com in 2010 - 2011. The media worker was taken into custody in April 2011.

The court sessions were closed to public. The judge of Leninski City District Court of Hrodna found the journalist guilty of casting aspersions on the president of Belarus and sentenced him to three years of imprisonment with deferment of punishment for two years on July 5, 2011. At the same time, the journalist was exonerated from the blame of defaming the head of state. He was released from custody in the courtroom.

AS reported in June 2011, criminal proceedings had been initiated against a blogger Yauhien Lipkovich. The civil journalist was charged with 'defamation of state symbols' (article 370 of the Criminal Code of Belarus) for publishing Photoshop illustrations in the personal LJ blog section - lipkovich.livejournal.com.

DETENTIONS OF JOURNALISTS DURING PROTEST ACTIONS

The police and other law enforcement agencies detained the journalists, who reported from mass public actions, all across the country during the whole year of 2011.

The most numerous detentions of journalists took place during the so-called 'silent protest' actions, arranged through the social networks.

Representatives of law enforcement agencies prevented the media workers from performing their professional duties. The reporters were detained and penalized on administrative charges. No less than 95 journalists were detained during the 'silent protest actions' in all Belarusian regions.

The law enforcement agents used force against media workers. In a number of cases, they battered the detained journalists and damaged their professional equipment.

22 journalists stood trials. 13 of them were sentenced to different terms of administrative arrest. Others were fined.

The police acted especially cruelly on July 3 and July 6, 2011. 20 and 28 journalists were detained respectively on these days.

The Belarusian Association of Journalists registered over 150 cases of detentions of journalists, while the latter implemented their professional duties in 2011. No less than 7 journalists were physically abused.

REVOCAION OF "AUTORADIO" BROADCAST LICENSE AND INSTITUTION OF CLAIMS AGAINST "NARODNAYA VOLA" AND "NASHA NIVA" BY THE MINISTRY OF INFORMATION OF BELARUS

On January 10, 2011, the Ministry of information of Belarus issued an official warning to the "Autoradio" FM radio station. The letter of caution was used by the National Committee on TV and Radio Broadcasting at the Ministry of information of Belarus as a cause to deprive the FM radio station of its broadcast license. In particular, the Ministry charged the "Autoradio" editorial with disseminating of information that allegedly "contained public appeals to extremist activities."

To be more precise, the Ministry of information considered an expression by a presidential candidate Andrei Sannikau - "the fate of your country is not decided in the kitchen, it is sealed in the Square" - delivered in his campaigning radio presentation to be a call to extremist activity. The "Autoradio" Ltd. made attempts to contest the arguable resolutions, taken by the Ministry of information and the Committee, all in vain.

On April 27, 2011, the Ministry of information of Belarus filed claims on closure of two leading independent periodical editions - "Narodnaya Vola" and "Nasha Niva" - to the Supreme Economic Court of Belarus. (It is worth mentioning that Belarusian official authorities returned these periodicals to the state-owned "Belposhta" and "Belsayuzdruk" press distribution networks as an expression of their readiness to start a dialogue with the EU structures in 2008.) The case evoked a large response both in Belarus and abroad.

Consequently, the Ministry of information withdrew its claims on termination of "Nasha Niva" and "Narodnaya Vola" publishing on July 12 and July 13, 2011.

However, the Ministry initiated administrative proceedings against the "Narodnaya Vola" and "Nasha Niva" immediately afterwards. Finally, the periodicals were fined 14,000,000 Belarusian rubles (approx. EUR 2,000) each for breaking article 22.9, part 3 of Belarusian Code on Administrative Offences at the end of July 2011. (The article determines responsibility for receiving the repeated official warning within a year.)

The Ministry had never applied the legal norm before.

RETURN OF 'BAN LISTS' OF PERFORMERS, MUSICIANS, AND LITERARY MEN

Another alarming indicator of the real state of affairs with freedom of expression in the country was connected with appearance of a list of people of Arts and creative groups, banned for mentioning in the state-owned media and in the programs of FM radio stations in Belarus. The unofficial 'black list' was published in the Internet. It contained Belarusian and foreign musicians, artists, writers, and painters, including "DDT" and "Pet Shop Boys", the fiction writers Andrei Bitov and Eduard Uspienskiy, a playwright Tom Stoppard, the actors Jude Low and Kevin Spacey and others.

Some of them stood up in support of political prisoners in Belarus. Others took part in the Global Artistic Campaign of Solidarity with Belarus.

The Belarusian governmental officials deny the existence of any "black lists".

However, a series of bans for performances of music groups and musicians, mentioned in the list, including "Liapis Trubetskoy", "Neuro-Dziubel", "Krambambula", D. Vaytsiushkievich and others, confirms the existence of secret bans.

It is worth mentioning that similar "black lists" of the banned musicians used to exist in Belarus within the period after the previous Presidential election since 2006 till 2008. Presently, the lists have been broadened.

Apparently, it has become enough to share your views about the current sociopolitical processes in the country in order to get into the list, to be compared with the period in the past, when it was necessary to take part in opposition actions in order to be mentioned there.

RESTRICTIONS ON FREE ACTIVITY IN THE INTERNET

The Procurator-General's office passed a resolution on restriction of public access to www.charter97.org and www.belaruspartisan.org Web-sites, referring to their violation of Belarusian Law "On Mass Events in the Republic of Belarus" in the spring of 2011. The registered Web-providers were urged to disable access to these Web-sites from the state organizations as well as from cultural and educational establishments. By the beginning of 2012, the restricted access list included around 60 Web-sites. Apart from the Websites with pornographic, terrorist, and extremist materials, the ban list includes the abovementioned www.charter97.org, www.belaruspartisan.org as well as www.spring96.org ('Viasna' Center for Human Rights), www.prokopovich.net, www.prokopovi.ch, and Lipkovich's blog section in LiveJournal.

The Code on Administrative Offences of Belarus was supplemented by article 22.16 - "Violation of Demands on the Use of the National Segment of the Internet" in November 2011. The legal norm came into force in January 2012. It introduced fines for the legal entities that violate the law, while providing the Internet-services or making use of the Internet for sales, performance of work, or rendering of services. Moreover, the Internet providers are punished, if they fail to restrict access to the 'banned' Web-sites from governmental organizations as well as from cultural and educational establishments. Also, the Internet providers are penalized, if they fail to register their Internet users or identify their modem devices. Common Belarusian Web users are not liable to the fines at that.

The unauthorized intervention into the 'Charter 97' Web-site activity took place at the end of 2011. The unknown computer hackers stole passwords and started to destroy the Web-site materials. Also, they stored a provocative article on the Web- pages. The 'Charter97' editorial didn't have any connection to the publication.

A powerful DDoS-attack on www.charter97.org started, when the Web-site was restored. According to the Web-site Editor Natallia Radzina, the unknown violators were trying to crack some other Web-sites too. Also, they made attempts to break into the e-mail boxes of some politicians, journalists, and public figures. Independent observers believe that the malicious acts could have been committed by the Belarusian special services.

ECONOMIC DISCRIMINATION OF INDEPENDENT MASS MEDIA

The governmental authorities continued to apply the policy of economic discrimination of independent mass media, on the one hand, as well as material and administrative preferences to the state-owned media, on the other hand.

The state-owned media outlets received subsidies out of competition from the state budget. The lists of editions were approved by the government and the local executive authorities. Also, the subsidy was issued to the 'Sovietskaya Belorussia' daily, founded by the Belarusian President's Office.

All in all, the sum of around EUR 54,000,000 was assigned from the national budget to support all state- owned media, including TV and radio broadcasters.

At the same time, the non-state media had to pay for the newsprint as well as the printing and other serviced that exceeded considerably the tariffs for state media. The difference between the newsprint prices at Shklou Printing House for the state- owned and non-state media totaled nearly 80%.

The paper mill marketing department specialists noted that the newsprint was sold to the state-owned newspapers at the prices, reflected in the state order contract. All other periodicals were expected to purchase it at the commodity exchange.

CONCLUSION

The pressure on Belarusian mass media and journalists was exerted in different ways in 2011. The list of repressive tools included criminal prosecution, the use of violence, searches, administrative arrests, and termination of media activity. The pressure increased considerably in the periods of important public events or in connection with the general aggravation of situation in the country.

The official authorities made attempts to restrict the freedom of speech in all Belarusian regions and in all areas of Belarusian media field. Among other, the repressive steps included termination of 'Autoradio' FM station broadcasting, initiation of closure of printed periodical editions, endeavors to put the Internet under control and restrict the Web-users' activity, prevention of journalists from implementing their professional duties, adoption of 'ban lists' with concrete surnames of musicians, performers, literary men etc.

CHANGES IN THE LEGISLATION

Introduction of Article 22.16 "Violation of requirements on the use of the national segment of the Internet" in the Administrative Offences Code had the greatest repercussions of all regulations adopted in 2012. On the eve of the entry into force of the Law on Amendments to the Administrative Offences Code, some commentators likened these amendments to the ban on the use of the Internet. However, both analysis of changes in the legislation and their application do not give any grounds for such conclusions.

Attention of the public was drawn to the amendments introduced in autumn 2011 to the laws on Public Associations, on the Procedure for Obtaining and Using Foreign Donations, on Mass Events, on the State Security Bodies and in the Criminal Code and the Administrative Offences Code. Most of these amendments do not relate directly to mass media, but with the Belarusian law-enforcement practices in mind, they also carry certain threat for journalists and media outlets in the country.

On January 3, the Council of Ministers of the Republic of Belarus approved by its resolution No 3 the Agreement between the Ministry of Communication and Informatization of the Republic of Belarus and the Ministry of Communication and Technology of the Syrian Arab Republic on cooperation in the field of telecommunication and information and communication technology.

On January 10, the Brest region executive committee by its decision No 15 established the list of media outlets for publication of notifications (information messages). The similar decisions were adopted by:

- the Mahiliou region executive committee on February 28, 2011 (decision No 4-10),
- the Homiel region executive committee on May 12, 2011 (decision No 551),
- the Hrodna region executive committee on August 17, 2011 (decision No 578), and
- the Minsk region executive committee on October 7, 2011 (decision No 1385).

On March 28, the Council of Ministers of the Republic of Belarus approved by its decision No 384 the National Program of Accelerated Development of Services in the Field of Information and Communication Technologies for 2011 - 2015. The Program provides that it is necessary for the successful development of information society:

- to accelerate creation of infrastructure for provision of electronic services by the State agencies with the use of digital signatures,
- to develop the export-oriented sector of services in the field of information technologies,
- to increase presence of government, business and public associations in the Internet,
- to take measure for increasing the level of computer literacy of civil servants and general public,
- to ensure effective use of modern possibilities of information and communication technologies in solving problems in the field of employment, and

- to improve the system of interaction between the government and businesses in the field of informatization.

On May 17, the edict No 192 of the President of the Republic of Belarus "On support of some mass media outlets and organizations" was published (it was amended on September 30, 2011 by the edict No 439 of the President of the Republic of Belarus).

In accordance with the edict in its final revision, the directions of the use of subsidies allocated to the editorial offices of State-owned media outlets were set.

The State budget is used to provide support to:

- editorial offices for covering the costs of publishing and airing the TV listings,
- the editorial office of the newspaper *Sovetskaya Belorussiya* in the form of subsidies for production, publication and distribution of the newspapers *The Minsk Times*, *Holas Radzimy* and the magazine *Belarus. Belarus*,
- the *Belarusian Telegraph Agency (BelTA)* for covering the costs of gathering, processing and disseminating official information as well as the expenses related to the functioning of the official Internet portal of the President of the Republic of Belarus, support of the official Internet site of the Republic of Belarus *Belarus.by*, publication and distribution of the bulletin *Information Bulletin of the Administration of the President of the Republic of Belarus* and the magazine *Bielaruskaja Dumka*, and
- government entities engaged in publishing activities in the form of subsidies provided on the terms of participation in financing (co-financing) for preparation and production of publications produced in the framework of government programs.

The local budget can be used to provide support to editorial offices:

- for covering the costs of publishing and airing the TV and radio listings and, in providing services of wire broadcast, for covering the costs of operation of communication equipment for TV and radio broadcast in accordance with the lists of TV and radio broadcast media outlets, whose editorial offices are supported, approved by the relevant local executive and administrative bodies, and
- for carrying out routine maintenance of capital structures (buildings and installations) and isolated premises under their ownership, economic management, operational management or in temporary use.

On July 18, the Law on Petitions of Citizens and Legal Entities was adopted. The law entered into force six months after its official publication (July 21, 2011), i.e. from January 22, 2012, and since its entry into force, the Law on Petition of Citizens, which was earlier in force, expired.

As the name of the new law suggests – "On Petitions of Citizens and Legal Entities" – it regulates in more details the rights and responsibilities in the field of submission and consideration of petitions of legal entities alongside with citizens. There are other changes as well.

Thus, if previously a petition could be submitted in the oral or written form, in accordance with the new law the electronic form of petition is also admitted.

The law amended the meaning of the term "written petition". If previously it meant a petition of a citizen (citizens) to a state agency or another body in the written form, now such

petitions include comments and (or) suggestions made in a book of comments and suggestions.

The new law expanded the rights of petitioners. It establishes the right of petitioners to submit additional documents and (or) information or to submit the demand for their requisition if the requisition of such documents and (or) information does not affect the rights, freedoms and (or) legitimate interests of other persons and they do not contain information that constitute state secrets and commercial and (or) other secrets protected by law.

With regard to the requirements set for the petitions, Article 12 of the Law separately sets requirements for the petitions of the legal entities, and also establishes that the text of the petition should be legible. The handwritten petitions should be written clearly and legibly. Use of obscene or offensive words or expressions in petitions is not allowed.

For the first time, the law stipulates the right of an official to dismiss an oral petition of a petitioner without considering it on its merits. It is possible if:

- the documents proving the identity of petitioners or their representatives, as well as the documents confirming the credentials of representatives of petitioners were not presented;
- the petitions address the problems, the solution of which lies outside the competence of the organization which conducts the personal reception;
- the petitioner was already provided with a comprehensive response to his or her questions during a personal reception or the correspondence with the petitioner on such issues was discontinued;
- the petitioner uses obscene or offensive words or expressions during the personal reception.

The timeframe for consideration of the petition was not changed under the new law. The written petitions must be reviewed within fifteen days after their submission, and the petitions which demand further study and validation – within one month, unless otherwise established by law.

The written responses to written petitions must be justified and motivated and contain specific language supporting or refuting arguments of petitioners.

The written responses to complaints must contain analysis and assessment of the actions (inaction) of the organizations, individual entrepreneurs and their employees and information about the measures taken in the event when the complaints were deemed substantiated.

The law stipulates in more details the procedure for appealing responses to petitions. Thus, Article 20 stipulates that a response to a petition or a decision to dismiss the petition without considering it on its merits can be appealed to the superior organization. Information about the name, location and working hours of the superior organization should be posted in public places. The superior organization, if there are grounds for positive solution of the issues addressed in the petition, has the right to consider the petition on its merits on its own, or to issue a binding order to the relevant organization, while informing the petitioner about it.

The legislator stipulates the procedure for consideration of electronic petitions by a separate article. In general, the procedure for consideration of electronic petitions follows the rules established for consideration of written petitions. The law sets the same requirements to the execution of an electronic petition as for the execution of written petitions of citizens and legal entities with the exception of the personal signature and signature of the manager (authorized person) respectively. The electronic petition must contain an e-mail address of the petitioner.

The responses to electronic petitions are sent to the e-mail address of the petitioner. Written responses are given in cases when the petitioner asked to do so, when the petition does not contain an e-mail address as well as when the decision to send the written response was taken by the head of the state agency or another state body or the person authorized in due course to sign responses to petitions.

On August 15, the Agreement between the Government of the Republic of Belarus and the Government of the State of Qatar on cooperation in the field of mass media was signed.

On November 8, the laws on Public Associations, on Political Parties, on Mass Events in the Republic of Belarus as well as the Criminal Code, the Criminal Procedure Code, the Electoral Code and the Administrative Offences Code were amended.

The following changes in the Law on Mass Events in the Republic of Belarus should be emphasized:

1) Joint massive presence of people in a predetermined location (including in an open air location) at a scheduled time for committing certain acts (this term covers both action and inaction) organized, *inter alia*, via the Internet, for public expression of their civil and political interests or protest has been made equivalent to the picketing. Thus, the provision of the law establishes responsibility even for inaction.

2) It is forbidden to disseminate information about the date, venue and time of a rally before obtaining permission to carry it out not only in media outlets but also via the Internet. Such permission can be given by a state agency only five days before the date of the event.

3) The authority of police officers was expanded, who now have the right to enclose the territory of the venue of mass events, to take photographs and to make audio and video recordings of participants of mass events, to implement access control, to conduct personal inspection of citizens and their belongings, and in case of the refusal of a citizen to be submitted to inspection, not to allow access of this citizen to the venue of the mass event. These restrictions also apply to journalists.

The new revision of the Law on Public Associations prohibits activities of public associations and unions aimed at providing assistance to provision of benefits and privileges by foreign governments to citizens of the Republic of Belarus in connection with their political or religious views or national origin in violation of the law.

The Criminal Code now provides for responsibility for disclosure to a foreign government, a foreign entity or their representative of state secrets of the Republic of Belarus as well as information constituting state secrets of other States transmitted to the Republic of Belarus in accordance with the legislation of the Republic of Belarus, as well as for espionage, or intelligence activity, or defection to the enemy during a war or a military conflict, or **provision of other assistance to a foreign government, a foreign entity or their representative in conducting activities to the detriment of the State security** of the Republic of Belarus, intentionally committed by a citizen of the Republic of Belarus (treason).

It is now also a crime for a citizen of the Republic of Belarus to establish cooperation on confidential terms with a special agency, a security service or an intelligence body of a foreign government in the absence of signs of treason.

The following activities became a crime: receipt as well as possession and transfer of foreign donations to carry out extremist activities or **other activities prohibited by the legislation of the Republic of Belarus**, or financing of political parties or unions (associations) of political parties, preparation or holding elections, referenda, recall of a deputy or a member of the Council of the Republic of the National Assembly of the Republic

of Belarus, organization or holding of meetings, rallies, marches, demonstrations, picketing, strikes, **manufacture or distribution of campaign materials**, holding of seminars or other forms of political or mass propaganda activities among population committed within one year after the imposition of administrative penalties for the same Offences.

Besides, it is a criminal offense now to make **public appeals** to organize or hold a meeting, rally, march, demonstration or picketing in violation of the established order of their organization or holding, or involvement of persons in participation in such mass events by violence, threat of violence, deceit or remuneration, or other organization or holding of such mass events if their holding caused by negligence loss of life, serious body harm to one or several persons or damage in the amount of five hundred and more times the rate of the basic unit set for the day of the crime.

The Administrative Offences Code of the Republic of Belarus now provides for responsibility for receipt as well as possession and transfer of foreign donations to carry out extremist activities or other activities prohibited by the legislation, organization or holding of meetings, rallies, marches, demonstrations, picketing, strikes, manufacture or distribution of campaign materials, holding of seminars or **other forms of political or mass propaganda activities among population**, if these acts do not constitute a crime.

Besides, currently the public appeals to organize or hold a meeting, rally, march, demonstration or picketing in violation of the established order of their organization or holding are considered to be a violation of the established order of holding a meeting, rally, march, demonstration or picketing.

The amendments to the Law on the State Security Bodies expanded the authority of the KGB staff to use physical force, special means, weapon, combat and special equipment. In general, the scope of authority of the KGB staff matches the rights of the police staff set in the Law on the Internal Affairs Bodies.

The real and not declared purpose of the amendments is demonstrated by the new revision of Article 19 of the Law which defines the right of staff of the security bodies to professional risk. If previously the professional risk, absolving from liability for injury, was considered valid if the legitimate purpose could not be achieved without it (and assuming that all possible measures to avoid harm were taken by the one who took the professional risk), today the term "legitimate purpose" was replaced by the "set purpose" which radically changes the meaning of this concept, because the grounds for exemption of the security agencies' staff from responsibility for the harm caused by their acts are called the order and not the law.

On November 22, the Council of Ministers of the Republic of Belarus approved by its resolution No 1571 the Agreement between the Government of the Republic of Belarus and the Government of the State of Qatar on cooperation in the field of mass media.

On November 25, the Law on Amendments in the Administrative Offences Code of the Republic of Belarus and the Code of Execution Procedure of the Republic of Belarus on Administrative Offences was adopted. The main point of these changes is to include in the Administrative Offences Code Article 22.16 "Violation of requirements on the use of the national segment of the Internet", which provides for responsibility for carrying out activities related to the sale of goods, execution of works and provision of services in the territory of the Republic of Belarus with the use of information networks, systems and resources connected to the Internet and not located in the territory of the Republic of Belarus and (or) not registered in due order.

This article also provides for responsibility for violation of requirements of the legislative acts regarding the identification of user devices in the provision of Internet services

and (or) users of Internet services in public Internet access centers, recording and storage of information about user devices, personal data of users of Internet services as well as information about the Internet services provided.

Besides, the violation of requirements of the legislation regarding the restriction of access of users of Internet services to the information forbidden for dissemination in accordance with the legislative acts will also be punishable.

The cases of administrative offences under this article will be considered by internal affairs bodies, bodies of the Committee for State Control, tax authorities and State security agencies.

Article 22.16 of the Administrative Offences Code does not introduce any new restrictions but only establishes penalties for the violations which were established as such by the edict No 60. And the fines are relatively small (maximum 30 basic units, while, for example, paragraph 3 of Article 22.9 of the Administrative Offences Code "Violation of the legislation on mass media" imposes a fine on the editorial office of a media outlet in the amount from one to five hundred basic units).

The liability under the new article is assigned to business entities which are either providers of Internet services or use the Internet for sales, execution of works or provision of services.

The regular users of Bynet, including journalists and bloggers, are not affected by Article 22.16 of the Administrative Offences Code "Violation of requirements on the use of the national segment of the Internet".

On December 30, the Law of the Republic of Belarus No 331-3 on the Republican Budget for 2012 was adopted. The Republican budget in 2012 allocates 491,678,422,000 rubles (about 49 million euro) for financing of State-owned and State-supported periodicals. Most of the funds – 366,270,390,000 rubles (about 36 million euro) – are directed at financing of the TV and radio broadcast. 52,895,489,000 rubles (more than 5 million euro) are allocated for periodicals and publishing houses, and 72,512,543,000 rubles (more than 7 million euro) are allocated for other matters in the field of mass media.

INFRINGEMENT OF MASS MEDIA AND JOURNALISTS' RIGHTS, CONFLICTS IN MASS MEDIA FIELD

Cessation of Activities of Media Outlets, Warnings of Prosecutors' Offices and the Ministry of Information to Editorial Boards of Mass

On January 10, the court of the Luniniets district fined for 20 basic units the editorial board of the non-governmental regional newspaper *Inform-Progulka*, having found it guilty of violating the Law on Advertisement. The newspaper published the advertisement of the TV channel *Belsat* without specifying the taxpayer identification number of the foreign advertiser.

The editorial board was warned about inadmissibility of publication (dissemination) of inappropriate advertisement (it was published in several issues of the newspaper in May) by the Ministry of Commerce on November 18, 2010. Soon after, a report was drawn up and sent to the court of the Luniniets district for consideration.

On January 10, the Ministry of Information issued the warning No 1 to *Autoradio CJSC*. The pretext for the warning was airing on December 16, 2010 by *Autoradio* of information which, in the opinion of the Ministry of Information, contained calls for organization and holding of mass riots, i.e. for extremist activities. The Ministry saw such calls in the phrase "The country's fate is decided on the square and not in the kitchen!", broadcasted in the campaign audio clip of one of the presidential candidates.

On January 12, the independent radio station *Autoradio* stopped broadcasting at 12.40. On that day, the editorial board received the warrant of the Belarusian State Inspection of Telecommunication of the Ministry of Communication of the Republic of Belarus about termination of the permit for use of the RF spectrum and ban on operation of radio-electronic equipment. The warrant was issued on the basis of the decision of the Republican Commission for Television and Radio No 188/11 dated January 11, 2011 signed by chairman of the commission Aleh Praliaskouski. By its decision, the commission revoked the right of *Autoradio* for terrestrial broadcasting owing to non-compliance of *Autoradio* with its creative concept and the fact of broadcasting information which contained public calls for extremist activities. The decision did not provide any specific information on how the non-compliance with the concept had manifested itself or how the calls had been identified.

Autoradio appealed the warning of the Ministry of Information and the decision of the Republican Commission for Television and Radio to the High Economic Court.

On January 17, the non-governmental newspaper *Narodnaja Volia* received a warning from the Ministry of Information. Minister Aleh Praliaskouski found a violation of the law in the September article "Who Will Hear the Slogan 'Get Out!'" about the fact that the organization "Youth Front" was going to begin a similarly-named campaign ("dissemination of information on behalf of an unregistered organization"). However, it was clearly stated in the article that the "Youth Front" was not registered in Belarus. It was the third warning to the editorial board of *Narodnaja Volia* during 12 months.

In accordance with Article 51 paragraph 2.2 of the Law on Mass Media, the issuance of two or more warnings to the editorial board or the founder of a media outlet during a year may result in suspension of publication of this periodical.

On January 24, the Ministry of Information issued a warning to the *Publishing House Intex-Press*, founder of the regional newspaper *Planieta-M*. The claim laid in the fact that the

founder of the newspaper had not informed about change of specialization of the newspaper from a "political and entertainment" periodical to a "literary and artistic" one, as well as about change of the language of publication from "Russian and Belarusian" to "Belarusian". The issue that caught attention of the ministry was published on December 10, 2010. The newspaper published poetry of editor-in-chief of the newspapers *Hantsavitski Chas* and *Niasvizhski Chas* Ales Biely.

On March 9, the High Economic Court (judge Valery Shobik) invalidated the warning of the Ministry of Information issued to *Autoradio CJSC* and the decision of the Republican Commission for Television and Radio to suspend the broadcasting of the radio. It shall be recalled that the warning to the radio, issued **on January 10**, created grounds for suspending the broadcasting of the radio station **on January 12** in accordance with the decision of the Republican Commission for Television and Radio.

Judge Valery Shobik ordered the Ministry of Information to pay 700,000 rubles of legal expenses to *Autoradio CJSC*.

On March 10, Minister of Information of Belarus Aleh Praliaskouski said that the ministry would appeal the decision of the High Economic Court on the appeals of *Autoradio CJSC* against the Ministry of Information. The official pointed out that the "ministry would do everything it could to restore justice".

On March 17, the Appellate Panel of the High Economic Court (judges Tatstsiana Pratashchyk, Alena Karavaj and Natallia Sarnatskaja) investigated the complaints of the Ministry of Information and decided to refer two cases on the suppression of the FM radio *Autoradio* for a new trial. Thus, both court decisions from March 9 — on invalidation of the warning issued by the Ministry of Information to this radio station and on invalidation of the decision of the Republican Commission for Television and Radio to suspend the broadcasting of the radio — were canceled.

On March 23, it became known that *Autoradio* sent its journalists on an unpaid leave. Of the former team, only editor-in-chief Jury Bazan and program director Iryna Lvova stayed at the office to take care of the new "direction" of the radio activities – preparation to the forthcoming trials.

On March 21, the regional newspapers *Kopeyka* and *Intex-Press Plus* received warnings of the Ministry of Information about inadmissibility of violation of Article 14 paragraph 3 of the Law on Mass Media. The claims laid in the fact that their founders of the newspaper had not informed about change of the language of publication from "Russian and Belarusian" to "Russian" as well as about change of the contact phone. The document was signed by First Deputy Minister Liliya Ananich.

On March 28, the High Economic Court dismissed the claim of the editorial board of the newspaper *Narodnaja Volia* to the Ministry of Information regarding revocation of the warning issued to the newspaper on January 14, 2011. Judge Katsiaryna Karatkievich upheld the sanction against the periodical. It shall be recalled that the warning was based on the article "Who Will Hear the Slogan 'Get Out!'" in a September issue, which, according to the officials, had disseminated information on behalf of an unregistered organization (Article 38 of the Law on Mass Media). The Ministry of Information found this violation in an interview with leader of the youth organization "Youth Front" Zmicier Dashkievich.

During the court hearing, representatives of *Narodnaja Volia* submitted to the court several issues of State-owned media (including the newspapers *Sovetskaja Belorussiya* and *Respublika*) which quoted leaders of different unregistered organizations; however, these media outlets were not warned. "The traffic rules are also being violated by thousands, but only dozens are brought to justice", said in response head of the legal department of the Ministry of Information Viktorija Mialeshka.

It was the third warning to the editorial board of *Narodnaja Volia* during 12 months. Meanwhile, in accordance with Article 51 paragraph 2.2 of the Law on Mass Media, the issuance of two or more warnings to the editorial board or the founder of a media outlet during a year may result in suspension of publication of this periodical.

On April 12, the Office of the Prosecutor General issued a warning to editor-in-chief of the online newspaper *Salidarnasts* Aliaksandr Starykievich for "dissemination of unsubstantiated information about the tragic events in the Minsk subway".

Aliaksandr Starykievich was the first Belarusian journalist to publish without delay all plausible versions of the terrorist act. However, the Prosecutor's Office found his reasoning to be "unsubstantiated information and speculation aimed at discrediting the Belarusian State and society". The warning regarded his article "Who benefits?" published on the web site of *Salidarnasts* on April 11.

On April 11, the Ministry of Information issued a warning to the founder and the editorial board of the non-governmental regional newspaper *UzHorak* (Horki in the Mahiliou region). The representatives of the periodical were accused of violation of two articles of the Law on Mass Media: they had not printed the identification bar code in the publisher's imprint in several issues of the newspaper and they also had not reported the change of the newspaper's editor-in-chief (former editor of the newspaper Eduard Brokarau died from a grave illness at the end of 2010).

On April 13, the High Economic Court considered and satisfied the claim of the *Belarusian Television and Radio Company* to the editorial office of the newspaper *Narodnaja Volia* on the fact of the article "You are listening to and watching Goebbels-TV" dealing with the propaganda film "Square. Iron on the Glass" about the Square-2010. The claim signed by chairman of the *Belarusian Television and Radio Company* Hienadz Davydzka stated that "information published in the article is of vicious nature; many terms and expressions are clearly insulting towards the country where the author lives as well as towards government agencies, including the claimant". He asked the court to compel the newspaper to publish a refutation and also to recover legal expenses from the defendant.

On April 14, the Prosecutor's Office for the Babrujsk region issued a warning to editor-in-chief of the newspaper *Bobrujskij Kurjer* Anatol Sanatsenka. The pretext for the warning was an article of Anatol Sanatsenka in his blog on the web site *Belorusskij Partizan* about the terrorist act in the Minsk subway. On the same day, the Prosecutor's Office tried to invite the journalist for a talk over the phone, but he refused to go there without a summons. Then, he received a written warning instead of a summons.

On April 14, the Ministry of Information sent a warning to the address of the editorial board of *Nasha Niva* about inadmissibility of violation of the Law on Mass Media. The ministry classified as false the piece of information published by the newspaper that one of the victims of the terrorist act on April 11 had been at the subway station till late that night. According to the ministry, this misinformation was detrimental to the public interest, discredited the authorities, rescue and medical services involved in assisting the victims of the terrorist act. Meanwhile, reporters of the newspaper wrote about the events on the basis of information provided by a witness, and they published his first and last name, as well as the name of the main character of the story. Her photo was also published.

On April 15, the Ministry of Information issued a warning to the editorial board of *Narodnaja Volia* — "for spreading information that did not correspond to reality and was detrimental to business reputation of the *Belarusian Television and Radio Company*". The fact of dissemination of such information was allegedly ascertained on April 13 by the decision of the High Economic Court which considered the claim of the *Belarusian Television and Radio Company* to *Narodnaja Volia*. The Belarusian Television resented the article of deputy editor

of the newspaper Sviatlana Kalinkina "You are listening to and watching Goebbels-TV" dealing with the propaganda film "Square. Iron on the Glass".

On April 15, the Ministry of Information issued an official warning to the editorial board of the magazine *Arche*. The magazine was sanctioned for the fact that "in the imprint of the issue 1-2 of the magazine *Arche* dated February 28, 2011 the patronymic name of the editor-in-chief of the periodical was missing; its State registration certificate number was incorrectly reported; and also the name of the governmental authority in the matters of mass media which registered this magazine was not provided". These omissions were qualified as a violation of Article 22 of the Law on Mass Media. The warning was signed by Minister of Information Aleh Praliaskouski.

On April 19, the Office of the Prosecutor General issued a written warning to the newspaper *Nasha Niva*. The pretext for the sanction was the article "Colonel Baradach: the explosives were planted by agents of one of the special services" (issue No 14 of *Nasha Niva*), said the document signed by Deputy Prosecutor General Mikalaj Kuklis.

In that article, the ex-colonel of the military SWAT voiced his opinion that someone in the authorities who was interested in destabilizing the situation in the country was behind the terrorist act in the Minsk subway. The day before, on April 18, editor-in-chief of *Nasha Niva* Andrej Skurko was summoned to the KGB for questioning.

On April 19, editor of the Krychau non-governmental newspaper *Volny Horad* Siarhiey Niarouny received an official warning from the City Prosecutor's Office for his article "Black days". The Prosecutor's Office was dissatisfied with the fact that the article contained "criticism of activities of senior government officials as well as law-enforcement officials and progress of investigation of the criminal case on the terrorist act in the subway station "Kastrychnitskaja" on April 11".

On April 25, the Ministry of Information sent court claims to the High Economic Court about termination of publication of the newspapers *Nasha Niva* and *Narodnaja Volia*. The Ministry of Information cited Article 51 paragraph 2 subparagraph 2.2 of the Law on Mass Media – "in connection with issuance of two and more written warnings to the editorial boards of the above periodicals during a year".

On May 10, the Appellate Panel of the High Economic Court dismissed the claim of *Autoradio* to invalidate the court decision taken on March 29. Then, the High Economic Court upheld the decision of the Republican Commission for Television and Radio at the Ministry of Information about termination of broadcasting of the radio station.

It shall be recalled that on March 9, the court invalidated the warning of the Ministry of Information issued to *Autoradio* and the decision of the Republican Commission for Television and Radio to suspend the broadcasting. However, a week later, on March 17, the Appellate Panel of the High Economic Court canceled this decision and referred the case for a new trial by another judge.

On May 11, the High Economic Court held a preliminary hearing on the claim of the Ministry of Information to close down the newspaper *Nasha Niva*. The pretext for closure of the periodical was based on three warnings of the Ministry issued during a year, one of which was signed on April 14 and had yet to undergo the legal procedure for appeal.

On that basis, the newspaper petitioned the court to suspend consideration of the case on the closure of *Nasha Niva*. The court (judge Viktor Kuryla) ruled in favor of the newspaper. The official consideration of the claim to close down *Nasha Niva* was suspended until the outcome of consideration of the newspaper's appeal against the warning issued on April 14.

As of that day, *Nasha Niva* had three warnings: it received the first one on July 22, 2010 for the article "Godfather confiscated"; the second one was on July 26 for the article "The

Belarusian Youth Union advertises the film "Godfather". And finally, the third one was issued on April 14, for "publishing in the newspaper false information that one of the victims of the terrorist act on April 11 was at the subway station till late that night".

On May 17, the High Economic Court conducted hearing on the claim of the Ministry of Information about termination of the activities of the newspaper *Narodnaja Volia*. In its claim, the Ministry of Information cited Article 51 of the Law on Mass Media ("in connection with issuance of two and more written warnings to the editorial board of the above periodical during a year"). Judge Alena Majorava suspended consideration of the claim until the editorial board would appeal within the legally established period the warning of the Ministry of Information which had been issued to the editorial board **on April 15** for the article "You are listening to and watching Goebbels-TV".

Besides, *Narodnaja Volia* filed an appeal against the decision of the same High Economic Court taken **on April 13** on the claim of the *Belarusian Television and Radio Company* about defense of its business reputation in connection with the same article.

On May 30, the High Economic Court (judge Alena Majorava), having considered the appeal of the editorial board of the newspaper *Nasha Niva* against the warning of the Ministry of Information, upheld the warning. The judge's decision was in no way affected by recognition of the error by the newspaper, and the fact that the very next day after publication of the controversial information the periodical published a rectification on its web site.

Representatives of *Nasha Niva* expressed their intention to appeal this decision to the Appellate Panel of the High Economic Court.

It shall be recalled that the pretext for the warning, the revocation of which was sought by *Nasha Niva*, was the article "A girl was under the rubble when Lukashenka was laying flowers" on the topic of the terrorist act in the Minsk subway on April 11. The Ministry of Information warned the editorial board for spreading false information that was detrimental to the public interest and discredited the authorities, rescue and medical services involved in assisting the victims.

The preliminary hearing was held on May 18. Judge Alena Majorava dismissed the petition of *Nasha Niva* to summon a linguist expert to court, considering it unnecessary. However, the warning was a pretext to initiate the court hearings on termination of activities of the newspaper *Nasha Niva*. The case was suspended to provide the editorial board with an opportunity to appeal the warning.

On June 2, the non-governmental newspaper *Narodnaja Volia* challenged the decision of the High Economic Court from April 27 to admit the claim of the Ministry of Information about the closure of the periodical for examination. As a result, the court removed some of the biased language but still agreed to consider the claim.

On July 6, the editorial board of *Nasha Niva* received another warning of the Ministry of Information. (The document was delivered to the editorial office by a courier on July 8.) The pretext for the sanction was absence of the subscription index in the issue of *Nasha Niva* from July 1. The Ministry of Information found there a violation of Article 22 of the Law on Mass Media.

On July 11, the editorial board of *Nasha Niva* learned that the Ministry of Information had instigated an administrative case against the publisher of the newspaper under Article 22.9 part 3 of the Administrative Offences Code of the Republic of Belarus ("Violation by a mass media outlet of the Law on Mass Media for the second time during a year after issuance of a written warning"). The relevant document was brought to the editorial office by representatives of the Minsk city department for internal affairs. This article of the Administrative Offences Code carries a fine in the amount from one hundred to five hundred

basic units (i.e., from 3,500,000 to 17,500,000 rubles). A few days before, **on July 6**, the newspaper received another warning of the Ministry of Information for absence of the subscription index in the imprint of the newspaper.

A similar case was instigated against *Narodnaja Volia*. **On July 12**, four officers of the Minsk city department for internal affairs also visited the editorial office and announced that the Ministry of Information had instigated an administrative case against *Narodnaja Volia* for repeated violations of the Law on Mass Media during a year. The case was to be referred to court which would decide on the amount of the fine. Earlier, the editorial board of *Narodnaja Volia*, like *Nasha Niva*, received a warning for improper execution of the imprint.

On July 12, the High Economic Court held hearings on liquidation of the editorial board of *Nasha Niva*. Head of the legal department of the Ministry of Information Viktoryja Mialeshka filed the request to withdraw the claim, and judge Viktor Kuryla satisfied this request.

It shall be recalled that the process of closing down the periodical was initiated by the Ministry of Information after *Nasha Niva* received the third warning during a year on April 14. The pretext for the warning was publication of information that one of the victims of the terrorist act on April 11 in the Minsk subway was allegedly at the subway station till late that night.

On July 13, the High Economic Court held hearings on the claim of the Ministry of Information to suspend publication of the newspaper *Narodnaja Volia*. The trial was held according to the same pattern as in the case of *Nasha Niva*: representatives of the Ministry of Information filed the request to withdraw the claim, and judge Alena Majorava satisfied this request. The closure of the periodical was initiated by the Ministry of Information after *Narodnaja Volia* received the fourth warning during a year on April 15 for the article of Sviatlana Kalinkina "You are listening to and watching Goebbels-TV".

On July 29, the Economic Court of Minsk fined the non-governmental newspaper *Nasha Niva* for 400 basic units (14,000,000 rubles). The decision was taken in the framework of the administrative case instigated by the Minsk city department for internal affairs at the request of the Ministry of information (Article 22.9 part 3 of the Administrative Offences Code – violation by a mass media outlet of the Law on Mass Media for the second time during a year after issuance of a written warning).

During the hearing, representatives of *Nasha Niva* asked the judge to suspend consideration of the case until the editorial board appealed the last warning of the Ministry of Information which was used as a formal pretext to open the case. However, judge Aliaksandr Karamyshau dismissed this request. It shall be recalled that on July 6, the editorial board of *Nasha Niva* received a warning of the Ministry of information because it had not published the periodical's subscription index of one of the June issues.

On August 8, the Economic Court of Minsk fined the non-governmental newspaper *Narodnaja Volia* for 400 basic units (14,000,000 rubles). The decision was taken in the framework of the administrative case instigated by the Minsk city department for internal affairs at the request of the Ministry of information (Article 22.9 part 3 of the Administrative Offences Code – violation by a mass media outlet of the Law on Mass Media for the second time during a year after issuance of a written warning). The question was of the warnings issued to the newspaper by the Ministry of Information during a year.

It shall be recalled that on July 29, the Economic Court of Minsk fined the non-governmental newspaper *Nasha Niva* for the same amount under the same article.

On September 14, it became known that the Ministry of Information, in its reply to the request of *Autoradio* to return its radio frequencies, invited the radio station to apply for new

frequencies. The management of the radio station categorically disagreed with this proposal and expressed its intention to get back the frequencies which belonged to *Autoradio* before it was closed down.

According to director Jury Bazan, they already prepared the documents which proved that these frequencies were indicated in the license of the Ministry of Communication, and that the radio station had a permit of the State Inspection for Telecommunications for use of these frequencies from the very beginning of its activities. "We pay for these frequencies; they are rated for our emitting center and transmitters. And why would we suddenly have to give them up?", said Mr. Bazan.

On November 10, editor-in-chief of *Narodnaja Volia* Iosif Siaredzich was summoned to the department for supervision of law enforcement and legality of the legal acts of the Office of the Prosecutor General. The pretext for this convocation was the article "People's Assembly as a form of self-organization of citizens" published in *Narodnaja Volia* on November 9. However, according to the editor, the meeting dealt with a much broader range of topics. Three officials of the department jointly attended the conversation with Siaredzich. The Prosecutor's Office believed that this article contradicted the Belarusian law in several aspects. The editor was requested to avoid repeating such contradictions in the future.

Criminal cases

On January 6, it became known that the Prosecutor's Office for the Minsk region was not able to accurately determine motives of suicide of journalist Aleh Biabienin after additional investigation. The Prosecutor's Office refused again to launch criminal investigation of the journalist's death.

On January 17, in Mahiliou, policemen detained 19-year-old Jauhien Vaskovich, journalist of *Bobrujskij Kurjer*. At the same time, a search was conducted at the address of his registration in Babrujsk. Vaskovich was detained for 10 days for hooliganism which allegedly took place in Babrujsk on November 16, 2011 (an attack against the building of the KGB). **On January 27**, it became known that the term of detention of Jauhien Vaskovich in connection with this criminal case was extended to two months. Prior to this, the journalist from Babrujsk was detained on December 19 in Minsk as a participant in the protest rally at the Independence Square. Then, he was sentenced to 12 days of arrest, which he served in the isolation ward on Akrestsina Str.

On January 28, Natallia Radzina, editor of the independent information web site *Charter'97*, was released from the KGB prison on her own recognizance. Till the trial, she was supposed to live at the address of her registration in Kobryn (where her parents lived), and also to come in for questioning when the investigation deemed it necessary.

It shall be recalled that the journalist was detained in the night from December 19 to December 20 – she spent one month and one week in prison. At the end of January, she was charged in the criminal case instituted by the investigation department of pre-trial investigation of the Minsk city department for internal affairs under Article 293 part 1 and 2 of the Criminal Code ("mass rioting"). This article carries a punishment of up to 15 years of imprisonment.

On January 29, the pre-trial restrictions were also changed in regard to reporter of *Novaya Gazeta* Iryna Khalip (wife of former presidential candidate Andrej Sannikau) and editor of the newspaper *Tovarishch* Siarhiej Vazniak (he was an election agent of former presidential candidate Uladzimir Niakliajeu). Iryna Khalip was placed under police-controlled house arrest. She was not allowed to use phone and computer and even approach the

windows. Vazniak was placed on his own recognizance and was prohibited from speaking to mass media. At that time, they were accused of organization of and participation in mass riots in Minsk on December 19 (Article 293 of the Criminal Code). They faced up to 15 years of imprisonment.

On February 2, Aliaksandr Atroshchankau, press secretary of former presidential candidate Andrej Sannikau, familiarized himself with materials of the criminal case on mass rioting at the Independence Square in Minsk on December 19 (Article 293 of the Criminal Code). The case went to trial. Atroshchankau was charged with a violation under Article 293 part 2 of the Criminal Code – participation in mass riots, which carried three to five years of imprisonment.

On February 15, the KGB dismissed a petition of chairperson of the Belarusian Association of Journalists Zhanna Litvina and deputy chairman Andrej Bastuniets about their personal surety for Iryna Khalip. The letter was signed by major crimes investigator of the 1st office of the KGB investigation department Major in Justice A. Sambuk. The top managers of the Belarusian Association of Journalists sent their petition for changing the pre-trial restrictions to the investigation body on January 19, 2011.

On February 17, it became known that the Ministry of Justice stripped former lawyers of Iryna Khalip – Uladzimir Toustsik and Tamara Harajeva – of their licenses.

On March 1, editor of the web site *Charter'97* Natallia Radzina who was under house arrest was taken to the Kobryn district department for internal affairs for a "prophylactic talk". The journalist was warned about the need to maintain confidentiality of investigation. It was caused by some statements made by the journalist in mass media, in particular, her comments on a statement of politician Ales Mikhalevich about torture in the KGB prison. Policemen warned Natallia that her words could be interpreted as a violation of her non-disclosure recognizance.

It shall be recalled that Radzina was released on her own recognizance on January 28, and since January 30, she lived at the address of her registration in Kobryn awaiting trial.

On March 2, Aliaksandr Atroshchankau, press secretary of former presidential candidate Andrej Sannikau, was sentenced by the court of the Frunzienski district in Minsk (judge Tatstsiana Charkas) to 4 years of imprisonment in a maximum security penal settlement. The journalist was found guilty of participation in mass riots (Article 293 part 2 of the Criminal Code) on December 19 at the Independence Square in Minsk. Atroshchankau was detained in the morning of December 20 in his own apartment. He awaited the trial in the KGB prison.

On March 4, Paviel Sapielka, lawyer of member of the Belarusian Association of Journalists Paval Sieviaryniec was expelled from the Minsk City Bar Association.

On March 18, during his interview to editors of Russian media outlets, Aliaksandr Lukashenka qualified as provocative the behavior of journalist of *Novaya Gazeta* Iryna Khalip who together with her husband, former presidential candidate Andrej Sannikau, was a defendant in the criminal case on mass rioting in Minsk on December 19, 2010. He said that all phones of the renowned journalist were wiretapped.

On March 18, Prosecutor for the Hrodna region Viktor Marozau launched criminal investigation against journalist Andrzej Poczobut. The latter was charged with "insult of the President of the Republic of Belarus" (Article 368 part 1 of the Criminal Code). According to the Prosecutor's Office, Poczobut insulted President Lukashenka in his articles in the Polish newspaper *Gazeta Wyborcza*, the web site *Belorusskij Partizan* and his blog *poczobut.livejournal.com* during 2010 and 2011. Andrzej Poczobut was informed about

institution of criminal proceedings against him on **March 28** in the Prosecutors' Office for the region.

On March 29, in the morning, officers of the local branch of the KGB visited the apartment of Andrzej Poczobut and produced a warrant of major crimes investigator of the Prosecutor's Office for the Hrodna region Arsienij Nikolski about seizure of a part of valuable assets of the journalist. As a result, they "arrested" Poczobut's fitness equipment, a TV set and a washing machine (they were left in the journalist's apartment), as well as a laptop and a DVD player which were seized by the KGB officers.

On March 25, in the morning (on the Freedom Day), a local policeman came to the Kobryn house of editor of the web site *charter97.org* Natallia Radzina, who lived there on her own recognizance. The policeman recommended the journalist not to leave the house because a KGB investigator was supposed to come and see her. It shall be recalled that Natallia Radzina had to live in Kobryn on her own recognizance. The journalist was charged with organization and participation in "mass rioting", and she faced up to 15 years of imprisonment.

On March 30, journalists and members of the Belarusian Association of Journalists Siarhiej Vazniak and Aliaksandr Fiaduta saw their charge reclassified to a new one under Article 342 of the Criminal Code of the Republic of Belarus (organization and preparation of activities that breach public order or active participation in such activities). This crime is punishable with a fine or an arrest for up to 6 months, or custodial restraint for up to 3 years, or imprisonment for the same term. Earlier, they were charged with organization of and participation in mass riots, which is punishable with up to 15 years of imprisonment.

On March 31, the phone of journalist Natallia Radzina who was summoned to an interrogation at the KGB on April 1 became disconnected. However, it was known that she went from Kobryn to Minsk on March 30 already by a night train.

On April 1, it became known that editor of the web site *charter97.org* Natallia Radzina was abroad. An announcement was posted at the web site where she worked that Natallia was "out of reach of the Belarusian KGB".

It shall be recalled that Natallia Radzina was detained in the night from December 19 to December 20 in the office of *charter97.org* and taken to the KGB detention center where she stayed till the evening of January 28. She was released on her own recognizance, and since January 30 she stayed at the address of her registration, i.e. in her parents' house in Kobryn. Since that time, there were no investigating actions with her participation. Initially, she was charged in the criminal case instigated by the investigation department of pre-trial investigation of the Minsk city department for internal affairs under Article 293 part 1 and 2 of the Criminal Code ("mass riots"). It was expected that she could be presented with the definitive charge at the KGB on March 31.

On April 1, editor of the newspaper *Tovarishch* Siarhiej Vazniak was summoned at the KGB where he began familiarizing himself with the materials of the criminal case.

On April 1, Aliaksandr Fiaduta, who at that time was under arrest in the KGB detention center, also began familiarizing himself with the materials of the criminal case.

They were charged under Article 342 of the Criminal Code (organization and preparation of activities that breach public order or active participation in such activities). This crime is punishable with a fine or an arrest for up to 6 months, or custodial restraint for up to 3 years, or imprisonment for the same term. Initially, Vazniak and Fiaduta were charged with organization of and participation in mass riots, which is punishable with up to 15 years of imprisonment.

On April 4, the investigation reclassified the charges against coordinator of the "European Belarus" Zmicier Bandarenka, co-chairman of the Belarusian Christian Democracy Paval Sieviaryniec and journalist of *Novaya Gazeta* Iryna Khalip – wife of former presidential candidate Andrej Sannikau. They were charged with "organization and preparation of activities that breach public order" (Article 342 part 1 of the Criminal Code). In contrast with Article 293, which provides for up to 15 years of imprisonment, Article 342 provides a fine or an arrest for up to 6 months, or custodial restraint for up to 3 years.

On April 5, journalist of *Novaya Gazeta* Iryna Khalip, wife of former presidential candidate Andrej Sannikau, was taken from the house arrest to the KGB so that she was able to familiarize herself with the materials of the criminal case, under which she was charged with organization and preparation of activities that breach public order or active participation in such activities.

On April 5, the Minsk city court, having considered an appeal, upheld the verdict against journalist Aliaksandr Atroshchankau, press secretary of former presidential candidate Andrej Sannikau. **On March 2**, the court of the Frunzienski district in Minsk (judge Tatstsiana Charkas) sentenced him to 4 years of imprisonment in a maximum security penal settlement. The journalist was found guilty of participation in mass riots (Article 293 part 2 of the Criminal Code) on December 19 at the Independence Square in Minsk. Atroshchankau was detained in the morning of December 20 in his own apartment. He awaited the trial in the KGB prison.

On April 8, major crimes investigator of the Prosecutor's Office for the Hrodna region Arsienij Nikolski visited journalist Andrzej Poczobut in the isolation ward of the Hrodna prison where he gave him notice of the charge under one criminal case and informed him about instigation of another one. The charge was brought under Article "Insult of the President of the Republic of Belarus" (Article 368 part 1 of the Criminal Code), and the new criminal case was instigated for a "slander of the President of the Republic of Belarus" (Article 367 of the Criminal Code). Up to that moment, Poczobut was only a suspect, and only under the article for the "insult".

The case for the "insult" was opened on March 18 by Prosecutor for the Hrodna region Viktor Marozau. The Prosecutor's Office believed that Poczobut insulted President Lukashenka in his articles in the Polish newspaper *Gazeta Wyborcza*, the web site *Belorusskij Partizan* and his blog *poczobut.livejournal.com* during 2010 and 2011. The criminal case for the "slander" was opened on **April 6** by investigator Arsienij Nikolski.

On April 9, the three-day term for which journalist Andrzej Poczobut was initially detained expired. As it became known, his stay in custody was extended to two months, and he was transferred from the temporary detention ward of the Kastychnitski district office for internal affairs in Hrodna to the pre-trial detention ward of the Hrodna prison No 1.

On April 8, journalist and political analyst Aliaksandr Fiaduta, one of the leaders of the campaign "Tell the Truth!" and an election agent of former presidential candidate Uladzimir Niakliajeu, was released on his own recognizance. It shall be reminded that Aliaksandr Fiaduta was detained in the morning of December 20 and taken to the KGB detention center. Initially, he was charged under Article 293 of the Criminal Code with organization of and participation in mass riots in Minsk on December 19 (up to 15 years of imprisonment). On March 30, the investigation department of pre-trial investigation of the Minsk city department for internal affairs brought charges against Fiaduta under Article 342 of the Criminal Code (organization and preparation of activities that breach public order or active participation in such activities; maximum punishment is 3 years of imprisonment).

On April 19, the Minsk city court extended the pre-trial restrictions under house arrest for journalist Iryna Khalip, wife of former presidential candidate Andrej Sannikau. The arrest

was extended to May 13. She was charged with "organization and preparation of activities that breach public order" (Article 342 part 1 of the Criminal Code).

On April 27, the court of the Piershamajski district in Minsk (judge Tatstsiana Ryvinskaja) sentenced public activist and coordinator of the campaign "European Belarus" Zmicier Bandarenka to two years of imprisonment in a standard security penal settlement. He was found guilty of a violation under Article 342 of the Criminal Code (organization and preparation of activities that breach public order or active participation in such activities).

It shall be recalled that Zmicier Bandarenka who was an election agent of former presidential candidate Andrej Sannikau was arrested in the night from December 19 to December 20 after thousands marched in a peaceful protest in Minsk against rigging of the results of the presidential election. He awaited trial in the KGB prison. Bandarenka developed health problems because of the harsh detention conditions.

On May 16, the court of the Zavadski district in Minsk (judge Zhanna Brysina) sentenced reporter of the Russian newspaper *Novaya Gazeta* Iryna Khalip, wife of former presidential candidate Andrej Sannikau, to two years of imprisonment with suspension of the sentence for two years. Iryna Khalip was ordered not to change her place of residence, not to leave Minsk for more than one month and to return home not later than at 22.00 during the next two years.

On May 16, journalist and political writer, co-chairman of the organizational committee of the Belarusian Christian Democracy Party Paval Sieviaryniec, who had been head of campaign staff of former presidential candidate Vital Rymasheuski, was sentenced by judge Zhanna Brysina to three years of custodial restraint with placement in an open type penal institution.

Iryna Khalip and Paval Sieviaryniec were convicted in the framework of the case on mass rioting in Minsk on December 19, 2010 under Article 342 part 1 of the Criminal Code (organization and preparation of activities that breach public order or active participation in such activities). This article carries a punishment of imprisonment for up to 3 years. Initially, they were charged with organization of mass riots and faced up to 15 years in prison.

On May 13, journalist from Hrodna Andrzej Poczobut, reporter of the Polish newspaper *Gazeta Wyborcza*, was charged under two articles of the Criminal Code: Article 368 part 1 ("insult" of the President) and Article 367 part 1 ("slander" of the President). The first one carries a punishment of up to two years in prison, and the second one – from two to four years in prison. Investigator Arsienij Nikolski passed the investigation materials to Andrzej Poczobut in the isolation ward of the Hrodna prison. The criminal case was based on the articles of the journalist in *Gazeta Wyborcza*, the web site *Belorusskij Partizan* and his blog in the *LiveJournal* in 2010 and 2011.

On May 20, the court of the Frunzienski district in Minsk (judge Zhanna Zhukouskaja) punished political writer and analyst Aliaksandr Fiaduta and journalist Siarhiej Vazniak with a two-year suspended sentence. They were incriminated with a violation under Article 342 part 1 of the Criminal Code (organization and preparation of activities that breach public order or active participation in such activities). They both worked for the election campaign of former presidential candidate Uladzimir Niakliajeu during the 2010 presidential election.

On May 20, the Office of the Prosecutor General instigated criminal proceedings against renowned Belarusian blogger Jauhien Lipkovich for insult of the State symbols (Article 370 of the Criminal Code). The investigation was triggered by graphical pictures – composite images of the State flag of the Republic of Belarus – which were posted in the blogger's online journal on September 25, 2010 and May 5, 2011. The case was opened by Deputy Prosecutor General Mikalaj Kuklis. Article 370 of the Criminal Code carries a punishment of up to one year of custodial restraint.

It shall be recalled that a week before, the blog of Jauhien Lipkovich was included in the list of restricted access of the Belarusian State Inspection of Telecommunication, and access to this blog was banned for the government institutions. "Dissemination of information of disruptive nature and mockery of the State symbols" were cited as the reason for blocking the blog.

On July 5, the Leninski district court in Hrodna (judge Vital Liatsko) convicted reporter of the Polish newspaper *Gazeta Wyborcza* Andrzej Poczobut for "slander" of President Lukashenka. The journalist was found guilty of a violation under Article 367 part 1 of the Criminal Code and sentenced to three years of imprisonment with suspension of the sentence for two years. Mr. Poczobut was released in the courtroom on his own recognizance (since April 6, 2011, the journalist was held in the isolation ward of the Hrodna prison). Mr. Poczobut pleaded not guilty and said that he would appeal the verdict.

The trial in the criminal case of Poczobut began on **June 14** (five sessions were held) and was closed – neither journalists nor members of the public were admitted to the courtroom. Scholar in philology of the Hrodna State University Aliaksiej Nikitsienka and staffers of the ideology office of the Hrodna region executive committee Paviel Skrabko (head of the office) and Viktor Zhalezniakovich (official in charge of mass media) appeared in court as court experts who analyzed the "criminal" texts of Poczobut.

It shall be recalled that on **March 18**, Prosecutor for the Hrodna region Viktor Marozau instigated criminal proceedings against Andrzej Poczobut for an "insult" of the President (Article 368 part 1 of the Criminal Code). The court acquitted the journalist on this charge. The criminal case for the "slander" (Article 367 part 1 of the Criminal Code) was instigated on **April 6** by investigator Arsienij Nikolski. According to the indictment, Poczobut insulted and slandered President Lukashenka in 2010 and 2011 in the Polish newspaper *Gazeta Wyborcza*, the web site *Belorusskij Partizan* and his blog *poczobut.livejournal.com*.

On July 13, investigator Dyshchanka from the investigation department of the Minsk city department for internal affairs summoned over the phone renowned blogger Jauhien Lipkovich for questioning as a witness under Article 370 of the Criminal Code "Desecration of the State symbols". The interrogation was held on July 15. The blogger signed the non-disclosure recognizance.

The investigation was triggered by graphical pictures – composite images of the State flag of the Republic of Belarus – which were posted in the blogger's online journal on September 25, 2010 and May 5, 2011. The case was opened by Deputy Prosecutor General Mikalaj Kuklis.

On July 29, law-enforcement agents searched the apartment of blogger Jauhien Lipkovich. The search was warranted by the criminal case under Article 370 "Desecration of the State symbols" instigated against him. The search lasted about an hour, and the blogger's computer was seized. The search warrant stated that images of the State flag of Belarus of offensive and blasphemous nature were posted in the blog *lipkovich.livejournal.com*.

Earlier, on May 17, the court of the Piershamajski district in Minsk found blogger Jauhien Lipkovich guilty of "deliberate insult to the honor and dignity of a person expressed in an indecent manner" (Article 9 part 3 of the Administrative Offences Code) and fined him for 15 basic units (525,000 rubles).

The reason for the fine was a claim of member of the Council of the Republic (the upper chamber of the Belarusian parliament) of three convocations, chairman of the Union of Writers of Belarus and the Council for Morality Lieutenant-General Mikalaj Charhiniets. On March 19 at 12.00, Lipkovich publicly burned books written by Charhiniets in the Sebastopol park in Minsk. The latter felt that such actions caused emotional distress in him, and that Lipkovich humiliated his honor and dignity through this act.

The blog of Jauhien Lipkovich <http://lipkovichea.livejournal.com>, alongside the popular news portals *Belorusskij Partizan*, *Charter'97*, *spring96.org*, *prokopovich.net* and *prokopovi.ch*, was included in the "black list" of web sites of restricted access in the government agencies and the institutions of education and culture.

On July 15, the Minsk city court upheld the verdict passed against coordinator of the civil initiative "European Belarus" and member of the Belarusian Association of Journalists Zmicier Bandarenka – two years of imprisonment in a general security penal settlement under Article 342 part 1 of the Criminal Code of the Republic of Belarus (organization and preparation of activities that breach public order or active participation in such activities).

At that time, Zmicier was awaiting surgery on his spinal cord in the Republican prison hospital. Bandarenka said that he developed health problems because of the inhuman detention conditions in the KGB detention center. He asked for medical assistance already at the end of February and he received it only at the end of June. In the prison hospital, he was held in the same cell with patients infected with HIV and hepatitis C.

It shall be recalled that Bandarenka who was an election agent of former presidential candidate Andrej Sannikau was arrested in the night from December 19 to December 20, 2010 after thousands marched in a peaceful protest in Minsk against rigging of the results of the presidential election.

On July 19, the Minsk city court, having considered the appeals of journalists and members of the Belarusian Association of Journalists Iryna Khalip and Paval Sieviaryniec against the decisions of the court of primary jurisdiction, upheld these verdicts. The judicial panel included judges Stsiapurka, Kamarouskaja and Unukievich.

It shall be recalled that on May 16, judge of the court of the Zavadski district in Minsk Zhanna Brysina found Iryna Khalip and Paval Sieviaryniec (as well as Siarhiej Martsaleu, head of the election campaign of former presidential candidate Mikalaj Statkievich) guilty of violations under Article 342 part 1 of the Criminal Code of the Republic of Belarus (organization and preparation of activities that breach public order or active participation in such activities).

Journalist of *Novaya Gazeta* Iryna Khalip, wife of former presidential candidate Andrej Sannikau, was sentenced to two years of imprisonment with suspension of the sentence for two years. Paval Sieviaryniec was sentenced to three years of custodial restraint with placement in an open type penal institution. Khalip and Sieviaryniec intended to appeal the verdict in the Supreme Court and the United Nations Committee on Human Rights.

On July 26, coordinator of the civil campaign "European Belarus" and member of the Belarusian Association of Journalists Zmicier Bandarenka underwent surgery in the 5th clinical hospital in Minsk.

It shall be recalled that Zmicier Bandarenka was an election agent of former presidential candidate Andrej Sannikau during the 2010 election. He was detained after the peaceful protest rally on December 19, 2010 and placed in the KGB detention center, where Bandarenka's chronic diseases aggravated. In April, the court found Bandarenka guilty of "organization and preparation of activities that breach public order or active participation in such activities" and sentenced him to two years of imprisonment in a general security penal settlement.

On August 4, officers of the department of financial investigations of the Committee for State Control detained for 10 days head of the human rights center "Viasna" and member of the Belarusian Association of Journalists Ales Bialiatski. Bialiatski's apartment and dacha as well as the office of the organization were searched. The human rights defender was charged with tax evasion on an especially large scale (Article 243 part 2 of the Criminal

Code). The maximum punishment under this article is imprisonment for 7 years with confiscation of property. Bialiatski was detained on the grounds of information about his bank accounts transmitted to the Belarusian authorities by institutions of justice of Lithuania and Poland in the framework of the bilateral agreements on legal assistance. Initially, the human rights defender was held in a cell of the department, and then he was transferred to the pre-trial isolation ward on Valadarski Str.

On August 6, it became known that Iryna Khalip, journalist of the Russian newspaper *Novaya Gazeta*, wife of former presidential candidate Andrej Sannikau, registered with the police. The police would monitor how she was serving the court sentence - two years of imprisonment with suspension of the sentence for two years.

Iryna said that according to the terms of punishment she must come home not later than 10 o'clock in the evening and report to the police once a week.

It shall be recalled that Iryna Khalip who had been detained at the peaceful protest rally at the Independence Square on December 19 was convicted by judge of the Zavadski district in Minsk Zhanna Brysina for participation in activities that breached public order (Article 342 part 1 of the Criminal Code).

On August 8, it became known that editor of the web site *charter97.org* and member of the Belarusian Association of Journalists Natallia Radzina claimed political asylum in Lithuania. The journalist announced it in an editorial where she also told of her whereabouts after she had fled from Belarus on March 30.

According to Radzina, having seized the opportunity provided by a summons to the KGB investigator in Minsk from Kobryn where she lived on her own recognizance, she was able to leave Belarus with help from her friends. Already on April 1 the journalist was in Moscow, but without documents which were left in the KGB. Natallia Radzina was able to get documents through the Office of the UN High Commissioner for Refugees in the Russian Federation. After Ms. Radzina was recognized as a refugee under the UN auspices, the Netherlands became the first country which provided her with international support. On July 28, having received the travel documents, she flew from Moscow to Amsterdam. However, a few days later she moved to Vilnius where the web site *charter97.org* was registered after the presidential election and where the web site's staff resided. On August 4, Natallia Radzina claimed political asylum in Lithuania.

It shall be recalled that Natallia Radzina was one of the defendants in the case on mass rioting on December 19, 2010. From December 20, 2010 to January 28, 2011 she was held in the KGB detention center, and then she was released on her own recognizance. Till March 30, she lived at her parents' house in Kobryn at the address of her registration and continued to work as a journalist.

On August 9, it became known that co-chairman of the organizing committee of the Belarusian Christian Democracy Party and member of the Belarusian Association of Journalists Paval Sieviaryniec would serve his sentence – three years of free settlement for participation in the protest rally on December 19 – in the special settlement No 7 in the village of Kuplina in the Pruzhany district of the Brest region. He was notified about this in the office of correction of the Piershamajski district department for internal affairs in Vitsiebsk.

Geographically, this correctional facility is one of the farthest in Belarus from Paval Sieviaryniec's home town — Vitsiebsk. The special settlements of the Vitsiebsk region did not find a place for the convicted civil activist, despite the fact that the day before, on August 8, he had been told that he would service his sentence in the Vitsiebsk region. Sieviaryniec had to come to the village of Kuplina on August 11.

On August 13, Vice President of the International Federation of Human Rights and member of the Belarusian Association of Journalists Ales Bialiatski was officially charged under Article 243 part 2 of the Criminal Code of Belarus (tax evasion on an especially large scale).

It shall be recalled that Vice President of the International Federation of Human Rights and head of the human rights center "Viasna" (closed down by the Belarusian authorities) Ales Bialiatski was detained in the evening of August 4 in Minsk by officers of the department of financial investigations of the Committee for State Control. Bialiatski was detained on the grounds of information about his bank accounts transmitted to the Belarusian authorities by institutions of justice of Lithuania and Poland in the framework of the bilateral agreements on legal assistance.

On August 18, it became known that co-chairman of the organizing committee of the Belarusian Christian Democracy Party and member of the Belarusian Association of Journalists Pavol Sieviaryniec who was sentenced to three years of free settlement would work in the farm "Bordeaux" in the village of Kuplina in the Pruzhany district of the Brest region. He was assigned to work there by an order of the special settlement. There was no job suitable to the professional skills of writer and journalist in the Pruzhany district for Pavol Sieviaryniec.

According to Sieviaryniec, he also asked to be allowed to visit church on Sundays (the nearest church being in Pruzhany) but was yet to receive an official reply to his request.

It shall be reminded that on May 16, Pavol Sieviaryniec, who managed the election campaign of presidential candidate Vital Rymasheuski during the 2010 election, was convicted by the court of the Zavadski district in Minsk under Article 342 part 1 of the Criminal Code (organization and preparation of activities that breach public order or active participation in such activities). This article carries a punishment of up to three years of imprisonment. Sieviaryniec was sentenced to three years of custodial restraint with placement in an open type penal institution.

On August 23, the criminal case against editor of the web site *charter97.org* and member of the Belarusian Association of Journalists Natallia Radzina, instigated on December 20, 2010 under Article 293 of the Criminal Code on the fact of mass riots, was terminated. The charges were dropped owing to the absence of the event of a crime. It became known from a letter sent by the investigation department of pre-trial investigation of the Minsk city department for internal affairs to the journalist's parents in Kobryn.

Radzina reacted skeptically to this document and said that the termination of the case under Article 293 of the Criminal Code (mass rioting) does not mean absence of a criminal case under Article 342 (participation in activities that breach public order). A new case could be instigated, as it happened in regard to several other civil activists and journalists convicted for the "Square".

It shall be recalled that from December 20, 2010 to January 28, 2011 Natallia Radzina was held in the KGB detention center, and then she was released on her own recognizance. Till March 30, she lived at her parents' house in Kobryn at the address of her registration and continued to work as a journalist. After having been summoned to the KGB in Minsk for March 31, she left Belarus and was in Moscow on April 1. There, Natallia Radzina was able to get documents through the Office of the UN High Commissioner for Refugees in the Russian Federation (the passport of the journalist was kept by the KGB). On July 28, Radzina flew to Amsterdam because the Netherlands was the first country which supported her as a refugee under the UN auspices. A week later, the journalist moved to Vilnius where she claimed political asylum. The office of the web site *charter97.org* was located in Vilnius.

On September 1, coordinator of the civil campaign "European Belarus" and member of the Belarusian Association of Journalists Zmicier Bandarenka was transferred to the penal settlement No 15 in Mahiliou to serve his sentence.

It shall be recalled that Zmicier Bandarenka was an election agent of former presidential candidate Andrej Sannikau during the 2010 election. Together with many other opposition activists, he was detained after the protest rally on December 19, 2010 and placed in the KGB detention center, where Bandarenka's chronic diseases aggravated. In April, the court found him guilty of "organization and preparation of activities that breach public order and active participation in such activities" and sentenced him to two years of imprisonment in a general security penal settlement.

After the arrest, the politician was diagnosed with multiple hernias of intervertebral disks and incarceration of spinal nerves. On July 25, he was brought from the Republican prison hospital to the 5th clinical hospital in Minsk where he underwent surgery the next day. On August 17, Bandarenka was again transferred to the prison hospital.

On September 13, it became known that the request of member of the Belarusian Association of Journalists and coordinator of the civil campaign "European Belarus" Zmicier Bandarenka for mitigation of punishment was denied on formal grounds. Since August 20, Zmicier Bandarenka was entitled to mitigation of punishment because he served one third of his term. In this connection, his case was considered by an appropriate commission.

It shall be recalled that Zmicier Bandarenka was an election agent of former presidential candidate Andrej Sannikau during the 2010 election. He was detained after the protest rally on December 19, 2010 and placed in the KGB detention center, where Bandarenka's chronic diseases aggravated. In April, the court found him guilty of "organization and preparation of activities that breach public order and active participation in such activities" and sentenced him to two years of imprisonment in a general security penal settlement. After the arrest, the politician was diagnosed with multiple hernias of intervertebral disks and incarceration of spinal nerves. On July 25, he was brought from the Republican prison hospital to the 5th clinical hospital in Minsk where he underwent surgery on the next day. On August 17, Bandarenka was again transferred to the prison hospital, and on September 1, he was transferred to the penal settlement No 15 in Mahiliou to serve his sentence.

On September 20, the Hrodna region court dismissed an appeal of reporter of the Polish newspaper *Gazeta Wyborcza* Andrzej Poczobut against the verdict of the Leninski district court in Hrodna.

It shall be recalled that on July 5, judge Vital Liatsko found Andrzej Poczobut guilty of a violation under Article 367 part 1 (slander of the President) of the Criminal Code for several press articles criticizing the authorities. The journalist was sentenced to three years of imprisonment with suspension of the sentence for two years. The trial was closed to the public.

On September 27, Andrzej Poczobut was prohibited from leaving the territory of Belarus. He was notified about it in the criminal administrative inspection where he was summoned to immediately after his return from Poland. Poczobut was fingerprinted again and told that additional restrictions were introduced in his regard. These were a ban on foreign travel, a ban on changing the place of residence without permission from the Ministry of Internal Affairs and also an obligation to report to the inspection three times a month. Andrzej Poczobut was warned that he could be returned to prison after three violations.

On November 15, journalist from Hrodna, reporter of *Gazeta Wyborcza* Andrzej Poczobut received a warning from the police. He was sanctioned because he had not reported to the criminal inspection on time.

The journalist explained that he had been working hard that day and had forgotten about the visit to the police. And the next morning he received the warning at once. Poczobut complained that the schedule of visits to the police was too complicated: on first, second and third Monday of each month. He said that it would be much easier to remember the schedule if he needed to report every Monday.

It shall be recalled that Andrzej Poczobut was sentenced to three years of imprisonment with suspension of the sentence for two years. He also has to report to the police, he is prohibited from traveling abroad and changing his place of residence. After three warnings, the journalist could see his suspension of sentence revoked and he could be sent to prison.

On September 23, head of the human rights center "Viasna" Ales Bialiatski, who was held in the investigation detention center for almost two months already, began familiarizing himself with the materials of the criminal case instigated against him. He was charged under Article 243 part 2 of the Criminal Code of Belarus (tax evasion on an especially large scale). Ales Bialiatski was criminally prosecuted on the grounds of information about his foreign bank accounts transmitted to the Belarusian authorities by the Ministry of Justice of Lithuania and the Office of the Prosecutor General of Poland.

On October 4, the case of Ales Bialiatski was sent to court. Meanwhile, several international human rights organizations, top officials of the European Union, the United States and a number of other democratic countries demanded the release of the human rights defender.

On October 19, the Minsk city court upheld the verdict against co-chairman of the organizational committee of the Belarusian Christian Democracy Party Paval Sieviaryniec. "The punishment which was imposed to Sieviaryniec took into account the nature and degree of social danger of his acts, information about his personality and other specific circumstances of the case; it is proportionate to the acts he committed and consistent with the purpose of criminal responsibility", said the decision signed by chairman of the court Uladzimir Putsila.

It shall be recalled that Paval Sieviaryniec was sentenced to three years of free settlement for participation in the peaceful protest rally on December 19, 2010.

On November 8, journalist, political writer, co-chairman of the organizational committee of the Belarusian Christian Democracy Party and member of the Belarusian Association of Journalists Paval Sieviaryniec was denied his request to change the form of punishment from serving his term in the open type penal settlement to serving it at home. He was informed about it by the head of the special settlement No 7 in the village of Kuplina of the Pruzhany district, where he served his sentence of three years of free settlement for participation in the peaceful protest rally on December 19, 2010. Paval Sieviaryniec served one third of his term already, he had no penalties and had the right to get his form of punishment changed. It shall be recalled that on October 19, chairman of the Minsk city court Uladzimir Putsila dismissed the request of Sieviaryniec's lawyer Vadzim Mushynski to overturn the sentence of his client.

On November 24, Vice President of the International Federation of Human Rights, head of the human rights center "Viasna" (closed down by the authorities) and member of the Belarusian Association of Journalists Ales Bialiatski was sentenced to 4 years and 6 months of imprisonment in a medium security penal settlement with confiscation of property. The human rights defender would have to pay to the government 721,000,000 rubles in damages and 36,000,000 rubles in litigation costs. The decision was announced by judge of the Piershamajski district court in Minsk Siarhiej Bandarenka.

Bialiatski was found guilty of a violation under Article 243 part 2 of the Criminal Code of the Republic of Belarus (concealment of income on an especially large scale). According to the court's verdict, Ales Bialiatski did not intentionally declare the funds which arrived in his

accounts in Lithuania and Poland in order to evade payment of taxes. The court did not take into account the arguments of the defendant that this money was not his personal income. The court hearings began on **November 2**; about ten sessions were held. At the beginning of the trial, the court dismissed Ales Bialiatski's requests to change the measure of restraint in his regard and to release him on his own recognizance, having motivated it by the fact that Bialiatski was charged with a grave crime. Guarantees of citizens with similar request were also not accepted.

Besides relatives of Bialiatski, the hearings were attended by heads of diplomatic missions of several European countries and the United States, renowned politicians, public activists and human rights activists.

On December 1, convicted human rights defender Ales Bialiatski was transferred from the Minsk pre-trial detention center on Valadarski Str. to the Zhodzina prison No 8. His wife Natallia accidentally learned about it on **December 2** when she visited the detention center in Minsk.

Meanwhile, **on November 29**, Bialiatski's lawyer D. Lajeuski filed an appeal against the verdict of the Piershamajski district court to the Minsk city court.

It shall be recalled that **on November 24** judge Siarhiej Bandarenka passed the verdict against Vice President of the International Federation of Human Rights and head of the human rights center "Viasna" Ales Bialiatski: four and a half years of imprisonment in a medium security penal settlement with confiscation of property. The property of the defendant including the property registered in the name of other persons (his wife and son) was confiscated to execute the verdict. According to the verdict, Bialiatski would have to pay 721,000,000 rubles in damages and 36,000,000 rubles in legal fees.

In his last plea in court, Ales Bialiatski reiterated that he felt absolutely innocent, and expressed his firm belief that the criminal case "had political implication from the beginning to the very end".

On December 27, it became known that the Supreme Court dismissed an appeal of coordinator of the civil campaign "European Belarus" and member of the Belarusian Association of Journalists Zmicier Bandarenka. The appeal was filed by lawyer Jury Stashkievich more than two months ago. It reported grave health problems of Zmicier Bandarenka with supporting documents attached. In its reply (dated December 23), the court said that the materials of the case fully proved Bandarenka's guilt. Bandarenka's wife Volha intended to petition the United Nations.

It shall be recalled that Zmicier Bandarenka, sentenced to two years of imprisonment in a general security penal settlement, served his sentence in the penal settlement No 15 in Mahiliou. Immediately after his arrest, Bandarenka's chronic diseases aggravated, and in July he underwent surgery on his spinal cord. On August 20, one third of Bandarenka's term of imprisonment ran out, and according to the law, he was entitled to mitigation of his sentence, but he was denied this right.

Detention of Journalists, Administrative Harassment, Arrests, Searches, Attempts to Exert Pressure

On January 3, camerawoman of the non-governmental newspaper *Nasha Niva* Tatstsiana Haurylchyk was summoned over the phone to the KGB for a "talk". The journalist came with her lawyer, but the KGB officers began to insist that the conversation was held without a lawyer present. They said that Tatstsiana was neither a witness nor a suspect, and

the conversation was supposed to be informal, in order to help the investigation. However, the journalist refused to talk without her lawyer present, and the KGB officers refused to talk in his presence. The same night, Tatstsiana received an anonymous phone call with threats.

On January 4, the apartment of cameraman of the satellite TV channel *Belsat* Ales Barazienka was searched. The search started at 6 o'clock in the morning and lasted about two hours. The laptop of his girlfriend was seized, and then Barazienka was taken in for questioning as a witness in the case of mass rioting. They did not let him to see a lawyer. After the questioning, the journalist was released.

On January 5, the State-owned newspaper *Znamia Junosti* filed a petition in court to protect its business reputation against its former correspondent for the Brest region Aliaksandr Liauchuk. The petition was signed by editor-in-chief of *Znamia Junosti* Jauhien Mialieshka. He asked the court to find untrue and offensive the statements that Aliaksandr Liauchuk had made in his interview to *Radio Liberty* and in his own blog where he claimed that he had been fired from the newspaper for political reasons. The editor of the State-owned newspaper also demanded that a retraction was published and the journalist apologizes. Liauchuk worked in *Znamia Junosti* from August 2010 and was fired at the end of December 2011.

On January 6, journalist Viktoryja Kolchyna, who was shooting a film for the TV channel *Belsat* about Belarusian journalists who had died under mysterious circumstances while carrying out their professional activities, was questioned at the KGB. She was summoned there over the phone and told that they wanted to "talk about Zmicier Bandarenka". After the conversation with an investigator, Viktoryja Kolchyna was released after signing the non-disclosure recognizance.

At that time, member of the Belarusian Association of Journalists Zmicier Bandarenka, an election agent of former presidential candidate Andrej Sannikau, was held in the KGB prison. He was charged with organization of mass riots. Zmicier was also a friend of Aleh Biabienin, a journalist who was found hanged at his dacha on September 3, 2010.

On January 6, it became known that the Prosecutor's Office for the Minsk region was not able to accurately determine the motives of suicide of journalist Aleh Biabienin after additional investigation. The Prosecutor's Office refused again to launch a criminal investigation of the journalist's death.

On January 10, the editorial office of the non-governmental regional newspaper *Borisovskije Novosti* and the place of residence of the publication's editor Anatol Bukas were searched.

Employees of the Barysau district department for internal affairs produced a resolution of the KGB department for the Minsk region. According to the document, the searches were conducted in the framework of investigation of the criminal case on the mass rioting in Minsk on December 19, 2010 in order to discover "instruments of crime". As a result, all office equipment was seized from the editorial office — twelve computers (with monitors and even mice), three fax machines, a scanner, three photo cameras, USB sticks, CD-Rs and also the personal laptop of Anatol Bukas. During the search at the editor's home, only his photo camera was seized.

The editorial board of *Borisovskije Novosti* challenged the grounds for the search and filed a complaint against actions of the police. The complaints were sent to the Prosecutor's Office for the Minsk region and the Prosecutor's Office for Barysau. Both documents were forwarded to the Prosecutor's Office for Minsk which, in its turn, did not find any irregularities during the search.

On January 11, journalist of the non-governmental local newspaper *Bobrujskij Kurjer* Jauhien Vaskovich was summoned over mobile phone to the department of the KGB for the

Mahiliou region for a "talk". During the conversation which lasted an hour and a half, three officers of the security agency expressed interest in the events of December 19 at the Independence Square in Minsk. As a result, Vaskovich received an oral warning about wrongfulness of participation in unauthorized protest rallies. Earlier, he served a 12-day administrative arrest for taking part in the rally.

On January 11, the apartment of independent journalist from Homiel Larysa Shchyrakova, who works for the TV channel *Belsat*, was searched. The search was authorized by the Prosecutor of Minsk and conducted by five officers of the department of the KGB for the Homiel region. They seized two stationary computers with monitors and mice, a laptop, about one hundred of DVDs, several USB sticks, a player and two voice recorders from the journalist.

On January 12, more searches were conducted in the apartment of arrested journalist Iryna Khalip, who was then held in the KGB prison (the journalist's mother lived temporarily in the apartment to look after her 3-year-old son), as well as in the apartment of Iryna Khalip's parents. The computer, which had been left in the apartment of the journalist after the previous search, was seized that time.

On January 12, deputy chairman of the Belarusian Association of Journalists Andrej Bastuniets was questioned at the KGB as a witness in the case of the events in Minsk on December 19 and 20. He was summoned to the interrogation over the phone. He was not able to talk about the nature of the conversation because he had signed the non-disclosure recognizance. The questioning lasted about three hours.

On January 12, KGB officers searched the apartments of local journalists, reporter of the Polish newspaper *Gazeta Wyborcza* Andrzej Poczobut and photo journalist of the newspaper *Głos z nad Niemna* Aliaksiej Salej. As a result, recording media were seized from the apartments of the journalists.

After the search, Andrzej Poczobut was taken to the KGB and then he was moved to the Kastychnitski district department for internal affairs in Minsk. There, he was held overnight, and he was tried the next day.

On January 13, the court of the Kastychnitski district in Minsk sentenced Andrzej Poczobut to a fine in the amount of 1,750,000 rubles (about USD 600) under Article 23.34 part 3 of the Administrative Offences Code ("Violation of the order of organization or holding of mass events"). This was the same administrative case under which Poczobut had been first tried **on January 20** for participation in the rally at the Independence Square and which was sent back for revision.

It shall be recalled that in November 2010 Poczobut was denied his accreditation at the Foreign Ministry as a reporter of *Gazeta Wyborcza*.

On January 12, editor-in-chief of the non-governmental nationwide newspaper *Novy Chas* Aliaksiej Karol was questioned at the Frunzienski district department for internal affairs in Minsk. It was in relation to the fact that the phone of Aliaksiej Karol was identified by the mobile operator at the Independence Square during the peaceful protest rally on December 19.

During the conversation, the investigator told that they were questioning everyone who had been at the square. "I explained that my presence at the square at that time was related to my professional duty of journalist", said Aliaksiej Karol. After the conversation, they offered to photograph him, but he refused.

On January 13, the KGB questioned chairperson of the Belarusian Association of Journalists Zhanna Litvina as a witness in the criminal case on the mass rioting in Minsk on December 19 and 20. The questioning lasted about two hours, and Zhanna Litvina signed the non-disclosure recognizance.

On January 13, deputy editor-in-chief of the newspaper *Narodnaja Volia* Maryna Koktysh was also questioned at the KGB. The journalist was told that she was a witness in the criminal case on the mass rioting in Minsk on December 19 and 20, and she signed the non-disclosure recognizance.

On January 13, a search was conducted in the apartment where journalist Katsiaryna Tkachenka was registered. Unknown persons entered the apartment when the owner was away by breaking the lock. After the search, they seized a modem.

It shall be recalled that on December 30, the secret service also conducted a search at another apartment rented by Katsiaryna Tkachenka. A laptop was seized.

On January 13, the Minsk apartment of a sister of *Belsat* journalist Iryna Charniuka was searched. The journalist stayed there when she came to Minsk. The search was conducted by officers of the department of the KGB for Minsk and the Minsk region. They seized a stationary computer and unmarked CD-Rs. Iryna Charniuka was taken to the KGB for questioning. The interrogation lasted about three hours. The KGB officers were interested in the work of the TV channel *Belsat*.

On January 14, editor-in-chief of the newspaper *Narodnaja Volia* Sviatlana Kalinkina was summoned for questioning to the KGB by a written summons. During the conversation, the investigator warned the journalist that all questions and answers constituted secrecy of investigation. The paradox of the situation was that Sviatlana Kalinkina during the protest rally at the Independence Square on December 19, 2010 was shown live at the State-owned TV channel *ONT*.

On January 15, KGB officers searched the apartment of employee of the news agency *BelaPAN* and journalist of the online newspaper *Naviny.by* Viktor Fiedarovich as well as the house of his parents. They produced a warrant stating that the search was conducted in the framework of the criminal case on the mass rioting. The journalist pointed out that he had no connection to the events of December 19 in Minsk. However, some of his publications dealt with some high-profile cases, i.e. the case of the death of journalist Aleh Biabienin. A laptop, a computer system unit, a voice recorder, USB drives, workbooks, documents and notes related to the criminal case of investigator Sviatlana Bajkova, as well as other working materials related to journalistic activities of Viktor Fiedarovich, were seized from him.

On January 15, the office the Homiel regional organization of the Movement for Freedom, which also hosted the editorial office of the online newspaper *Silnyje Novosti*, was searched. Officers of the local branch of the KGB seized two computer system units, USB drives, CD-Rs and other media storage units.

On January 17, in Mahiliou, policemen detained 19-year-old Jauhien Vaskovich, journalist of *Bobrujskij Kurjer*. At the same time, a search was conducted at the address of his registration in Babrujsk. Vaskovich was arrested for 10 days for hooliganism which allegedly took place in Babrujsk on November 16, 2011 (an attack against the building of the KGB). **On January 27**, it became known that the term of imprisonment of Jauhien Vaskovich in connection with this criminal case was extended to two months. Prior to this, the journalist from Babrujsk was detained on December 19 in Minsk as a participant in the protest rally at the Independence Square. Then, he was sentenced to 12 days of arrest, which he served in the isolation ward on Akrestsina Str.

On January 17, deputy chairman of the Belarusian Association of Journalists Andrej Aliaksandrau was questioned as a witness in the criminal case on the mass rioting in Minsk on December 19.

On January 18, deputy chairperson of the Belarusian Association of Journalists Alina Suraviets was questioned for the same reason. Both of them signed the non-disclosure recognizance.

It shall be recalled that on January 12 deputy chairman of the Belarusian Association of Journalists Andrej Bastuniets and on January 13 chairperson of the journalistic organization Zhanna Litvina were questioned as witnesses in the same case.

On January 17, reporter of *Radio Racyja* Barys Haretski was detained. The incident happened when the journalist interviewed people standing in queue with parcels for inmates of the KGB prison. Also, the apartment where Barys lived and the apartment of his brother Kastus Haretski were searched.

On January 18, Barys Haretski was sentenced to 14 days of the administrative arrest for participation in an unauthorized mass event on December 19 – almost a month after those events (judge of the court of the Maskouski district in Minsk Jauhien Khatkievich). **On January 31** he was released from prison after having served the full term, as the court of cassation dismissed the appeal of his lawyer against the decision of the court of primary jurisdiction.

On January 19, reporter of *Radio Liberty* Aleh Hruzdzilovich, who filmed the rally of civic solidarity with political prisoners, that took place near the building of the KGB in Minsk, was temporarily detained during that rally. He was released 15 minutes after, after his documents and accreditation were checked. He was obliged to delete the footage which showed the building of the agency.

Also, on the same evening, reporter of the radio station *Russian News Service* Uladzimir Chudziansou was detained with other participants in the rally and taken to the Centralny district department for internal affairs in Minsk. He was released later after an intervention from the press service of the city department for internal affairs of the Minsk city executive committee.

On January 20, host of the talk show *Vybar (Choice)* of the TV channel *ONT* Siarhiey Darafiejeu was suspended from working on the air. On December 19, during the talk show dedicated to the outcome of the presidential election, chairperson of the Central Election Commission Lidzija Jarmoshyna left the studio after "uncomfortable" questions from the journalist, and the next day the work of the host was criticized by Aliaksandr Lukashenka. After that, the journalist was sent for a leave for one month.

On January 20, journalist Andrej Lubianchuk was summoned for a "talk" to the department of the KGB for the Brest region. During the conversation, the journalist was told that there were reasons to believe that on December 19, 2010 he was at the Independence Square in Minsk. Andrej Lubianchuk used his constitutional right not to testify against himself and refused to provide explanation, and he was released afterwards.

On January 24, journalist of *Radio Racyja* Hienadz Barbarych was detained by KGB officers. The incident took place when he was interviewing relatives of inmates of the KGB prison near the KGB building.

A KGB officer, after having checked his documents, ordered the journalist to delete all the audio recordings he had made and asked him to "tell to the colleagues" that it was forbidden to make any audio or video recordings near the secure facilities. Barbarych was released about one hour after the moment of detention.

On January 26, deputy editor-in-chief of the newspaper *Tovarishch* Zmicier Janienka was summoned for questioning to the KGB. He was a witness in the criminal case and signed the non-disclosure recognizance. It became only known that the conversation was about the case on the mass rioting in Minsk on December 19.

On January 28, member of the Belarusian Association of Journalists Illia Kuzniatsou visited the military counterintelligence department of the KGB where he was summoned to over the phone. Investigator of the counterintelligence Aliaksandr Vajavodkin asked him, among other things, about what he had seen and heard at the Independence Square, what incarceration conditions had been like at the isolation ward in Akrestsina Str., and whether human rights organizations had given or offered to give him anything after his prison term (Illia Kuzniatsou served 15 days of arrest for his alleged participation in an unauthorized rally on December 19).

On January 28, the Minsk city court overturned the decision of the Kastrychnitski district court in Minsk (from January 13) and sent the case of journalist from Hrodna Andrzej Poczobut for review. Thus, the court of cassation upheld the appeal of the Prosecutor's Office which believed that the fine in the amount of 50 basic units was too lenient a punishment for the journalist. Speaking in court, Andrzej Poczobut said that he disagreed with both the fine and the prosecutor's appeal, and reiterated once again that he had been carrying out his professional duties of journalist of the Polish newspaper *Gazeta Wyborcza* on December 19 at the Independence Square.

It shall be recalled that on January 13 the court of the Kastrychnitski district sentenced Andrzej Poczobut to a fine for violation of the order of organization or holding of mass events (Article 23.34 part 3 of the Administrative Offences Code). This was already the third review of his administrative case related to the detention at the Independence Square on December 19. On December 20, 2010 the court of the Kastrychnitski district in Minsk began reviewing it, but sent it back for revision. On January 8, Poczobut was forcibly taken to the KGB for a "talk", and on January 12 his apartment in Hrodna was searched by KGB officers. After that, the journalist was brought to Minsk and tried. Judge of the court of the Kastrychnitski district Lapko decided to fine the journalist for his participation in an unauthorized rally. On January 19, the Prosecutor's Office of the Kastrychnitski district in Minsk appealed this decision.

In November 2010, the Foreign Ministry denied accreditation of Andrzej Poczobut as a correspondent of *Gazeta Wyborcza*.

On January 28, the Office of the Prosecutor General said in its reply to the petition of the *European Radio for Belarus* that actions of the security services which had conducted a search in the Minsk office of the radio on December 25, 2010 were legal. The Office of the Prosecutor General explained that presence of office staff during the search was not mandatory.

It shall be recalled that after the search, officers of the department of the KGB for Minsk and the Minsk region took almost every piece of equipment from the premises of the Minsk office of the *European Radio for Belarus* accredited at the Foreign Ministry. To date, the equipment was not returned.

On January 31, the Belarusian Association of Journalists received a letter from the Ministry of Justice in reply to the appeal of the Association from January 24 about prosecution of those policemen who had been detaining journalists and preventing them from carrying out their professional duties on December 19 and 20. The Ministry believed that, by having spoken "in defense of the Belarusian and foreign journalists who were not related to the Belarusian Association of Journalists" the Association had violated two clauses of its Statute at once.

On January 31, editor-in-chief of the independent newspaper *Brestskij Kurjer* Mikalaj Aliaksandrau received a letter with insults and threats to the address of the newspaper. On the envelope, the letter was signed by "Patriots of Belarus", and on the other side there was a message that an official petition had been sent to Minsk "to close down such a rag" and a threat that the publication "was on its way out". Also, the envelope was stuffed with some

pages of the recent issue of *Brestskij Kurjer* with offensive comments to individual publications written by a marker.

On February 1, editorial director of the newspaper *Narodnaja Volia* Sviatlana Kalinkina was again taken for questioning to the KGB from the editorial office. The interrogation lasted several hours and was related to the case on the mass rioting on December 19. It shall be recalled that she had already been questioned in the KGB on January 14 and signed the non-disclosure recognizance. Notably, the journalist was not present at the Independence Square on December 19.

On February 10, editor of the web site of the newspaper *Narodnaja Volia* Aliaksandr Lushkievich was questioned by the KGB. The journalist could not tell about the contents of the conversation as he had to sign the non-disclosure recognizance.

On February 11, the Kastychnitski district court in Minsk (judge Natallia Pratasavitskaja) reviewed the administrative case of correspondent of the Polish newspaper *Gazeta Wyborcza* Andrzej Poczobut on his "participation" in the unauthorized rally on December 19 ("Violation of the order of organization or holding of mass events", Article 23.34 part 3 of the Administrative Offences Code). As a result, the reporter was sentenced to 15 days of administrative arrest instead of the fine. It shall be recalled that Andrzej Poczobut was detained at the Independence Square on December 19.

On February 18, editor and publisher of the non-governmental regional newspaper *Volnaje Hlybokaje* Uladzimir Skrabatun was summoned to the Prosecutor's Office for the Hlybokaje district. The investigators were checking the facts communicated by two monitors from the polling station where the journalist voted on December 19. The monitors — nominees from pro-government public organizations — drew up a statement that Uladzimir Skrabatun had allegedly spoken negatively about the prospects of reelection of Aliaksandr Lukashenka.

On February 18, the Hlybokaje district executive committee drew up a report about administrative offence against local journalist Kastus Shytal who wrote materials on political topics for the independent web site *www.westki.info*. He was charged with violation of Article 13 of the Electoral Code. One of the pro-government monitors at the presidential election testified that on December 15 the journalist had been questioning a student of the local lyceum whether the latter came to vote early voluntarily and also that Kastus Shytal had allegedly published untruthful information online and threatened members of the electoral commission. **On March 10**, judge of the Hlybotski district court decided to abandon the administrative prosecution against the public activist and journalist of the regional portal *www.westki.info* Kastus Shytal who was charged with violation of the electoral law. The case was dismissed because of expiration of the period of limitation for the institution of administrative proceedings. It shall be recalled that he was charged with violation of Article 13 of the Electoral Code.

On February 21, the court of the Maskouski district in Brest (judge Alena Reutskaja) upheld the claim of the State-owned newspaper *Znamia Junosti* against its former journalist Ales Liauchuk. According to the reporter, the editor demanded him to write incriminatory materials about the events of December 19, 2010 at the Independence Square and about presidential candidates from opposition. He refused to do so, and then he was asked to leave "voluntarily". The journalist related it in his blog and in an interview to *Radio Liberty*. As a result, the claimant demanded Ales Liauchuk to publish a retraction. The journalist appealed the court decision a few days later.

On February 2, several plain-clothed policemen entered the apartment of mother of renowned blogger Tatstsiana Jelavaja. They produced their service badges and began asking Tatstsiana's relatives about her, telling them that she was being looked for as a witness in the

criminal case on the mass rioting on December 19. Tatstsiana Jelavaja, who is known as a blogger under the pen name "zmagarka", was staying outside of Belarus for a number of years already, and she did not attend the protest rally. However, she published unique stories on this topic in her blog.

On February 27, it became known that the editorial board of the non-governmental regional newspaper *Borisovskije Novosti* challenged the grounds for the search and filed a complaint against actions of policemen from the Barysau district department for internal affairs who confiscated all office equipment of the newspaper including the keyboards and mice. The complaints were sent to the Prosecutor's Office for the Minsk region and the Prosecutor's Office for Barysau. Both documents were forwarded to the Prosecutor's Office for Minsk which, in its turn, did not find any irregularities during the search.

On February 28, photo journalist Ksienija Avimava was questioned in the city department for internal affairs of the Minsk city executive committee as a witness in the case on the events of December 19. The investigators asked her a number of questions: where she was on that evening, what she was doing and what she saw. The reporter believed that records and pictures in her personal blog in the LiveJournal served as grounds for the questioning.

On March 9, the editorial office of the non-governmental newspaper *Nasha Niva* received a reply from the department of the KGB for Minsk and the Minsk region to its request to return the computer equipment. The editorial office pointed out in its request that absence of equipment seized during the search in the office as well as in the apartment of editor-in-chief of the newspaper Andrej Skurko and from photo journalist Julija Darashkievich was obstructing professional activities of the publication's staff. Copies of the request were sent to the Office of the Prosecutor General and the Prosecutor's Office for Minsk. Earlier, they replied that the requests had been forwarded to the KGB.

The reply from the department of the KGB for Minsk and the Minsk region signed by acting head Colonel Uladzimir Kalach said that the "equipment will be returned when the due legal proceedings are completed". And this was despite the fact that some of the seized media storage units were blank.

On March 10, journalist of the non-governmental registered newspaper *Nasha Niva* Ales Piletski was expelled without any explanation by a policeman from the courtroom of the Maskouski district court in Minsk, where the cases of some participants in the "mass rioting of December 19" were heard. The reporter, as well as his colleagues, was reporting online from the meeting.

On March 10, judge of the Hlybotski district court decided to abandon the administrative prosecution against public activist and journalist of the regional portal *www.westki.info* Kastus Shytal who was charged with violation of the electoral law. The case was dismissed because of expiration of the period of limitation for the institution of administrative proceedings. It shall be recalled that he was charged with violation of Article 13 of the Electoral Code.

On March 11, it became known that the editorial office of the non-governmental newspaper *Borisovskije Novosti* had received a claim from the architecture office of the Barysau district executive committee regarding the logo of the newspaper on the canopy of the entrance to the building where the editorial office was located. The architecture office regarded it as an advertisement posted without a registration certificate and as a violation of the Law on Advertisement. The newspaper did not remedy the "violation"; they regard the signboard as just an indication of the newspaper's location.

On March 13, journalist Aleh Razhkou was detained for about an hour in Homiel when he came to the local market on assignment from the news agency *BelaPAN* to cover the flash mob announced by public activists to protest the cancellation of a concert of the rock group

"Lyapis Trubetskoy". He had to provide an oral explanation, and a protocol of seizure of his membership card of the Belarusian Association of Journalists and the press card of the International Federation of Journalists - "for assessment of their authenticity" – was drawn up. **On March 21**, Aleh Razhkov filed a petition to Prosecutor for the Homiel region Valiantsin Shajeu where he requested to take prosecutorial measures against employees of the Centralny district office for internal affairs in Homiel who had seized documents from him. **On March 30**, the press cards of the Belarusian Association of Journalists and the International Federation of Journalists were returned to the reporter. He was told by policemen that the examination had shown that the documents were authentic and the police had no claims against them.

On March 16, in Astraviets in the Hrodna region, policemen detained and brought to the local district office for internal affairs reporter of the online newspaper *Salidarnasts* and freelance correspondent of the magazine *Abazhur* Siarhiej Balaj. The journalist was sent by the editorial office on a business trip. He was interviewing local dwellers about their attitude to the construction of the nuclear power plant. Siarhiej Balaj provided explanations and then he was taken to the station.

On March 18, reporter of the non-governmental news agency *BelaPAN* Vital Siamashka was detained for an hour and a half by the presidential security service. The journalist attracted attention of the guards when he went up to the roof of the business center "Aliaksandrau Pasazh" with a photo camera — just across the street from the National Library where a meeting of Aliaksandr Lukashenka with Russian journalists was held at that moment. The special agents checked his press card, took his explanation, deleted all pictures with the image of the library he had made with his camera and then released him.

On March 18, member of the Belarusian Association of Journalists from Maladziechna Jan Lahvinovich sent a complaint to the Prosecutor's Office for Minsk regarding the delaying of decision to open criminal proceedings. The journalist was beaten during the dispersal of the rally at the Independence Square on December 19 in Minsk. The Prosecutor's Office for the Maskouski district, where he already sent a complaint demanding to open criminal proceedings on the fact of torture and ill-treatment, was not able to find out who had broken his arm.

On March 18, during his interview to editors of Russian media outlets Aliaksandr Lukashenka qualified as provocative the behavior of journalist of *Novaya Gazeta* Iryna Khalip who together with her husband, former presidential candidate Andrej Sannikau, was a defendant in the criminal case on the mass rioting in Minsk on December 19, 2010. He said that all phones of the renowned journalist were wiretapped.

On March 18, Belarusian customs officers seized one hundred copies of the album "Press Photo of Belarus 2010" at the border between Lithuania and Belarus (at the border crossing "Katlouka"). They were transported by renowned photo journalist Julija Darashkievich and her husband in their private car. Customs officers studied the album during three hours and came to the conclusion that they could not allow it to cross the border. They drew up a protocol of seizure and said that the book would be examined during a month.

On March 22, journalist of *Radio Racyja* Barys Haretski was detained in the hall of the courthouse of the Partyzanski district in Minsk where he was covering the trial of Mikita Likhavid who was charged with participation in the mass rioting on December 19. He was taken to the main office of the KGB where he was questioned about the events in the square during two hours.

It shall be recalled that the reporter already served 14 days of administrative arrest on charges of "participation" in the rally on December 19. Also, **on February 10**, he received a

warning of the Prosecutor's Office for working for a foreign media outlet without accreditation.

On March 23, journalist from Hrodna Andrzej Poczobut was banned from leaving the territory of Belarus. He learned about it when he tried to go to Warsaw to participate in the conference "How to Democratize Belarus?" Belarusian border guards did not allow him to leave the country and put the stamp "Exit refused" in Andrzej Poczobut's passport.

On March 24, the court of the city of Orsha and the Orsha district (judge Ina Kokhava) sentenced Russian journalist, human right defender and editor-in-chief of the news agency *Freedom* (the city of Samara) Alexander Loshmankin to three days of administrative arrest. He was charged with disorderly conduct (Article 17.1 of the Administrative Offences Code) – allegedly for use of foul language during his detention. In protest, journalist went on hunger strike in the courtroom. Loshmankin served the term of his arrest in the Orsha temporary detention center. He was detained by transport police in the night of March 24 in Orsha, when he was taken from the train "Chelyabinsk – Brest". The journalist was travelling to Minsk in order to cover trials of participants in "mass rioting" and possible street rallies on March 25.

On March 25, in the morning (on the Freedom Day), a local policeman came to the Kobryn house of editor of the web site *charter97.org* Natallia Radzina, who lived there on her own recognizance. The policeman recommended the journalist not to leave the house because a KGB investigator was supposed to come and see her. It shall be recalled that Natallia Radzina had to live in Kobryn on her own recognizance. The journalist was charged with organization and participation in "mass rioting", and she faced up to 15 years of imprisonment.

On March 24, on the eve of the Freedom Day, independent journalist Ales Asiptions was detained and sentenced to three days of administrative arrest. He was detained near his home and charged with petty hooliganism – urinating in a public place.

On March 25, freelance correspondent of the non-governmental news agency *BelaPAN* for the Mahiliou region Uladzimir Laptsevich was detained in Mahiliou. He was going to cover the event organized by local democratic activists dedicated to the Freedom Day.

On March 28, Laptsevich was sentenced to 7 days of administrative arrest. He was charged under two articles of the Administrative Offences Code – resistance to police officers and petty hooliganism. Laptsevich pleaded not guilty.

On March 25, in Vitsiebsk, police officers prevented TV journalist Uladzislau Staravierau from doing his job. He came to the Liberty Square with a camcorder to film the laying of flowers to the memorial plaque to Vasil Bykau and the monument to Uladzimir Karatkievich. As soon as he took out the camcorder, two plain-clothed men jumped on him, wrung his hands and dragged on the asphalt. Policemen took the journalist in their service car to the Kastychnitski district department for internal affairs, where at first they declared that he possessed a stolen camcorder and then that he looked like a wanted maniac-pedophile. Three hours later, they let the reporter go – during this time the event, which he was supposed to cover, ended.

On March 25, in Minsk, reporters covering the street rallies dedicated to the Freedom Day encountered obstacles in their work. A group of journalists who came to the entrance to the Janka Kupala Square were not allowed to enter the park.

Also, people in civilian clothes rather rudely obstructed the work of journalists at the Jakub Kolas Square. Photo correspondent of *Reuters* Vasil Fiadosienka was pulled by his clothes in order not to be allowed to take pictures. An unknown person treated reporter of the *European Radio for Belarus* Illia Malinouski roughly, telling him how to do his work.

People in civilian clothes tried to prevent a journalist of the Russian TV channel *ORT* from shooting video at the Jakub Kolas Square.

On March 31, deputy editor of *Narodnaja Volia* Maryna Koktysh and editor of *Nasha Niva* Andrej Skurko were questioned in the KGB in the late night in connection with information about disappearance of journalist Natallia Radzina published on the web sites of these publications. After the conversation, they had to sign the non-disclosure recognizance.

It shall be recalled that in the evening of March 30 editor of the web site *charter97.org* Natallia Radzina went to Minsk for an interrogation at the KGB and disappeared. Her phone was disconnected.

On April 5, journalist Tatstsiana Bublikava, now working in Minsk, received a call from officer of the department of the KGB for the Homiel region Paviel Samsonau who said that he wanted to talk to her regarding her "participation" in the rally on December 19 at the Independence Square in Minsk. The journalist refused to be summoned for questioning over the phone.

On April 6, a Major of the Biaroza district office for internal affairs visited the apartment of journalist Tamara Shchapiotkina and warned her that she should not leave her home on April 7. This order was related to the fact that Aliaksandr Lukashenka was expected to come to the town of Biaroza (Brest region).

On April 7, the apartment of the parents of editor of the web site *charter97.org* Natallia Radzina in Kobryn was searched. The search was conducted by officers of the local department of the KGB as well as an investigator from Minsk. As a result, they confiscated the day planners of the journalist, the letters of solidarity that she had received from around the world and the computer of an under-age nephew of Natallia Radzina. It shall be noted that during the week after Natallia Radzina left the country, her parents, brother and aunt were summoned to the KGB for questioning.

On April 8, another search was conducted by the KGB in the apartment of former presidential candidate Andrej Sannikau and journalist Iryna Khalip. According to the journalist's mother Lutsyna Bialzatskaja, it was the third search by the KGB and there was also one by the police.

On April 12, the editorial office of *Nasha Niva* was visited by five KGB officers, two attesting witnesses and policemen who stayed at the entrance and were not allowing anyone to leave the premises. The special service produced a decision to make seizure of the photo and video footage of the events after the explosion in the Minsk subway on April 11. As a result, the law-enforcement agents were given a videotape with the footage and were allowed to copy all photo images. After that, the representatives of the KGB drew up a report of seizure and left. They also ordered to remove yesterday's video from the newspaper's web site. Editor Andrej Skurko signed the non-disclosure recognizance.

On April 16, editor-in-chief of the online newspaper *Salidarnasts* Aliaksandr Sarykievich was questioned in the Prosecutor's Office as a witness in the criminal case on the explosion in the subway. The journalist was summoned over the phone, without a written summons. It shall be recalled that on April 12, the Office of the Prosecutor General issued a warning to Aliaksandr Sarykievich for the article "Who Benefits?" from April 11, dedicated to the terrorist act in the subway.

On April 18, editor of *Nasha Niva* Andrej Skurko was summoned to the KGB and warned about responsibility for disclosure of investigation materials. It was already the seventh encounter between *Nasha Niva* and the KGB for the last four months — before that, there were four searches, a seizure of office equipment, an interrogation and a visit to seize

photo and video footage. The previous summons were in the framework of investigation of the criminal case on the events at the Square on December 19.

On April 19, in the morning, policemen broke in an apartment in Minsk which belonged to daughter of journalist and politician Valery Shchukin. At that time, in the apartment there were activists of the public campaign "Nash Dom" related to the publication of the non-governmental newspapers *Vitebskij Kurjer* and *Nash Dom*. Police explained their visit by investigation of the case on the terrorist act in Minsk. All those present (18 persons) were detained and taken in the Frunzienski district department for internal affairs. In the evening, everybody was released except four persons – Karach, Levinau, Barshcheuski and Stanieuski. **On April 20**, the court of the Frunzienski district in Minsk (judge Volha Komar) considered the administrative cases of Volha Karach, Paviel Levinau and Aleh Barshcheuski. They were convicted of "petty hooliganism" — use of foul language (Article 17.1 of the Administrative Offences Code), while on the day of detention a report about suspicion of involvement in the terrorist act in the subways was drawn up against Levinau. Levinau and Barshcheuski were sentenced to 10 days of arrest each and Volha Karach was fined for 20 basic units.

On April 21, in Minsk, police officers detained Paviel Padabied, cameraman of the non-governmental news agency *BelaPAN*, thus having prevented him to perform his professional duties. The detention took place at the Independence Square near the House of the Government. The journalist, on assignment from his editorial office, was shooting material for a story about a petition of a group of citizens to the authorities to initiate creation of an independent public commission for review of criminal and civil cases. Policemen from the Maskouski district department for internal affairs detained him to check his identity and took him to a police precinct, where they hold him for an hour and a half.

On April 26, policemen in Vitsiebsk rudely detained freelance journalist Uladzislau Staravierau when he was performing his professional duties. The incident took place at the moment when the journalist filmed a collective prayer for victims of Charnobyl near the cross on the Assumption Hill. The policemen who were monitoring the rally did not like the fact that they also were getting filmed. Two policemen knocked Staravierau on the ground and dragged him trying to take his camcorder away from him. People intervened on the journalist's behalf and the policemen had to behave more properly. Uladzislau Staravierau was taken to the Kastychnitski district office for internal affairs where his phone was confiscated. He spent the night in the temporary detention ward. On April 27, the journalist was put on trial. As usually, he was charged with use of foul language and disobedience to police.

Officer of the Kastychnitski district office for internal affairs **Aliaksandr Kalinouski** and head of the public security police of the department for internal affairs of the Vitsiebsk region executive committee **Ihar Skarynovich** acted as witnesses from the police.

After the journalist made motions to provide him with a lawyer, to attest the fact that he had been beaten by police and to provide him with medical care, because an ambulance had been called for him the previous night in the detention ward, the judge postponed the court hearing.

On May 10, the trial of Uladzislau Staravierau was resumed. The court proceedings, which the journalist from Vitsiebsk refused to attend because he categorically pleaded not guilty, ended with two fines: **Uladzislau Staravierau** was fined for three basic units for use of foul language and for twenty-two basic units for disobedience to police during his detention on April 26.

On May 17, the court of the Piershamajski district in Minsk found public activist and popular Belarusian blogger Jauhien Lipkovich guilty of "deliberate insult to the honor and

dignity of a person expressed in an indecent manner" (Article 9 part 3 of the Administrative Offences Code) and fined him for 15 basic units (525,000 rubles). The reason for the trial was a claim by chairman of the Union of Writers of Belarus Mikalaj Charhiniets related to the fact that on March 19, 2011 Mr. Lipkovich had publicly burned two books by Charhiniets. Jauhien Lipkovich pleaded not guilty.

On May 24, in Minsk, police prevented journalists from covering the civic rally "Stop-Gasoline" against rising fuel prices.

The event was organized near the supermarket "ProStore" in Minsk. City and road police also gathered there, attempting to disrupt the rally and writing fines to participants in the event for violations of the Road Code. Not wanting to get filmed, road police officers prohibited journalists from filming the "administrative process". When the journalists tried to tell to law-enforcement officers that the former were also at work, road police Major Siarhiej Lahunou tried to take away the press card of photo journalist Julija Darashkievich.

However, in accordance with Article 34 paragraph 4.7 of the Law on Mass Media, filming is allowed during mass events in open air.

On May 27, in Hrodna, police detained freelance journalists Ivan Roman and Andrej Fralou who wanted to record a video interview of Aksana Paczobut, wife of their imprisoned colleague, reporter of the Polish newspaper *Gazeta Wyborcza* Andrzej Poczobut near the building of the Prosecutor's Office for the Hrodna region.

The detainees were held in the premises of the Prosecutor's Office for about an hour. They provided written explanations and then they were released. They were warned orally that it was possible to make recordings near the secure facilities, such as the Prosecutor's Office and the courthouse, only after receiving an appropriate authorization.

Deputy chairman of the Belarusian Association of Journalists lawyer Andrej Bastuniets pointed out that the claim of the Prosecutor's Office was not based on the law: the Law on Mass Media does not contain any norm which would prohibit making recordings of any "secure facilities".

On June 15, journalist from Hrodna Ihar Bantsar was sentenced to 5 days of administrative arrest for alleged violations under Article 17.1 ("Petty hooliganism") of the Administrative Offences Code. The decision was taken by judge of the Leninski district in Hrodna Ksienija Stasiukievich. The charge was based on testimonials from two policemen. Bantsar was detained near the entrance to his apartment house. Thus, law-enforcement agents prevented him from attending the court hearings where the criminal case of Andrzej Poczobut began to be heard on June 14. In protest, Ihar Bantsar went on hunger strike.

On June 15, nine journalists were detained in different cities and towns of Belarus during a peaceful protest rally. Many journalists were prevented by law-enforcement agents from carrying out their professional activities. The journalists covered "public walks" which took place on Wednesdays and were organized through social networks.

In Brest, at the Lenin Square, police detained journalist of the non-governmental newspaper *Brestskaja Gazeta* Stanislau Karshunou and staffer of the student online radio *Start* Dzmitry Bosak. They were released in about an hour.

In Hrodna, cameraman Barys Charniauski, who works for the Polish TV channel *TVP* as well as Polish journalist Agnieszka Lichnerowicz from the Warsaw radio *TOK FM* were detained. They were taken to the Kastychnitski district office for internal affairs and released only when diplomats from the Polish consulate in Hrodna came there.

In Vitsiebsk, editor of the independent web site *Narodnyja Naviny Vitsiebska* Siarhiej Sierabro was detained. He came to the central square of the city to take pictures of the rally "Revolution through Social Networks", but he was not able to take a single photo before

policemen approached him, said that he looked like a certain criminal and took him to the Kastychnitski district office for internal affairs. There he was held for an hour and a half together with other detainees, he had to provide "explanations" and then he was released.

In Minsk, reporter of the *European Radio for Belarus* Paviel Sviardlou was briefly detained at the Liberty Square.

In Homiel, two journalists, Larysa Shchyryakova and regional correspondent of *Komsomolskaja Pravda v Belorussii* Pauluk Mitskievich, were detained by police at the Lenin Square during the event. Lieutenant Colonel of the police Andrej Parkhomienka together with his subordinates prevented Larysa Shchyryakova from making video recordings of the events, covered her camcorder and then the journalist was dragged to a padded wagon. The detainees were taken to the Centralny district office for internal affairs in Homiel where they were searched and police reports were drawn. All images were deleted from the photo camera and camcorder of Paviel Mitskievich. An hour and a half later, the journalists got their belongings back and were released.

In Maladziechna, reporter of *BelaPAN* Jauhien Sukhavierkh was detained despite his press card. The journalist had to delete all images taken with his camera.

Note: the initiative to go for public walks on Wednesdays in the downtown originated in the social networks "Vkontakte" and "Facebook". This form of protest – no banners or flags – was chosen so that participants could not be charged with organization of an unauthorized rally. The demands of the participants were clear even without slogans — political and economic changes.

On June 22 (on Wednesday), law-enforcement agents again detained journalists who were covering another rally of peaceful civil protest organized through social networks.

In Minsk, photo journalist of the online newspaper *Salidarnasts* Siarhiej Balaj was detained. Photo journalist of the news agency *Interfax-West* Ruslan Ryndzievich, sent on the scene by his editorial office, was detained near the Kastychnitskaja Square. Cameraman of the news agency *BelaPAN* Paviel Padabied and freelance cameraman Ales Barazienka were also detained at the Kastychnitskaja Square. Reporter of *Radio Liberty* Aleh Hruzdzilovich was detained near the Palace of the Republic at the same Kastychnitskaja Square. Two riot police agents knocked him to the ground, beat him and literally dragged over the entire square to the padded wagon. Reporter of *Nasha Niva* Ales Piletski was detained on the Independence Avenue, near the Square, when he was taking pictures of riot police. All detained journalists were taken to the Centralny district department for internal affairs where they were held for about an hour and then released without police reports.

In Hrodna, reporter Aliaksandr Sajenka was briefly detained.

In Zhodzina (Minsk region), police detained journalist Siarhiej Salaviej.

On June 22 (on Wednesday,) law-enforcement agents again detained journalists and prevented them from covering another rally of peaceful civil protest organized through social networks.

In Minsk, reporter of *Nasha Niva* Ales Piletski and photo journalist Uladz Hrydzin were detained near the Kastychnitskaja Square one hour before the "silent rally". The latter saw his camera broken. The journalist were taken to the police precinct No 1 of the Centralny district and released about one hour later. "None of the policemen who detained me even presented himself", said later Ales Piletski.

After the rally began (at about 7 o'clock in the evening), law-enforcement officers conducted mass detention of its participants and journalists. Among those detained were journalist of the non-governmental newspaper *Belgazeta* Vadzim Zamirouski, freelance journalist Alina Radashchynskaja, reporters of *BelaPAN* Vadzim Shmyhau and Ksienija

Avimava, photo journalist of the news agency *Interfax-West* Paviel Ptashnikau, reporters of the newspaper *Komsomolskaja Pravda v Belorussii* Katsiaryna Barysievich, Alena Talkachova and Siarhiej Hapon. Around 8 o'clock in the evening photo journalist Uladz Hrydzin was detained for the second time. After a while, the journalists were released after intervention of press secretary of the city department for internal affairs of the Minsk city executive committee Aliaksandr Lastouski.

The police smashed the forehead of cameraman of *BelaPAN* Vital Siamashka to blood while preventing him from filming. Photo journalist Natallia Ablazhej saw her camera damaged.

Foreign journalists were also detained on that day: Latvian journalist Ugis Libietis was detained on Janka Kupala Street; during the footage; unknown people in civilian clothes beat reporter and cameraman of the *Russian service of BBC* Oleg Boldyrev and Maxim Lomakin.

In Brest, journalist Ales Liauchuk and photo journalist of *BelaPAN* Milana Kharatava were detained. The latter was detained as a person who allegedly "fitted the description of a woman suspected of stealing".

On July 2, Major of the police Aliaksandr Koshman visited the office of the Homiel independent web site *Silnyje Novosti* and demanded the site administrator Jauhien Suvorau to shut down the web site immediately because the web site "contained appeals to hold unauthorized rallies". Jauhien Suvorau, who was in the office alone at that moment, said that he had no such possibility. Then Major called web site editor Piotr Kuzniatsou and ordered him to come to the Chyhunachny district office for internal affairs on Monday, July 4 for a talk. However, Piotr Kuzniatsou decided not to go there because he did not receive any written summons.

On July 5, in Hrodna, unknown persons in civilian clothes prevented journalists from covering the trial of reporter of *Gazeta Wyborcza* Andrzej Poczobut. Actions of these people affected, *inter alia*, photo journalist of the news agency *BelaPAN* Tatstsiana Ziankovich, photo correspondent of the news agencies *Associated Press* Siarhiej Hryts and *Reuters* Vasil Fiadosienka. The group of unknown persons pushed journalists and grabbed their hands and lenses.

On July 6, during the "silent" rally, at least 28 journalists were detained in different regions of Belarus.

In Hrodna, Ihar Bantsar and Ales Dzianisau were detained and sentenced to 10 days of administrative arrest, and Jury Humianiuk was sentenced to 12 days of arrest. Andrej Fralou and Mikalaj Dziatchenia were imprisoned for three days for "use of foul language in a public place" (Article 17.1 of the Administrative Offences Code).

In Mahiliou, Hanna Illina was sentenced to 6 days of administrative arrest for "disobedience to police".

In Babrujsk, reporters of the local non-governmental newspaper *Bobrujskij Kurjer* Viktor Masalovich and Viktor Kachan were detained at the central square of the city where they were taking pictures on assignment of the editorial board. At the police precinct, a police report was drawn up that the journalists allegedly violated the Law on Mass Events. The court of the Babrujsk district (judge Natallia Charapukha) sentenced both journalists to a fine of 5 basic units each.

In downtown Hrodna, during the "silent" rally, reporter of the newspaper *Vechernij Grodno* Palina Zhurauliova was attacked by unknown women – policewomen, as she found out later. According to the journalist, they grabbed her and passed to plain-clothed men. The latter roughly dragged her to a bus and threw her on the ground on the way there. Palina Zhurauliova was brought to the district office for internal affairs, where she became sick, and

an ambulance took her from there. According to the medical examination, the girl had a black eye and bruises on her arms and back. The editorial board of *Vechernij Grodno* called the press service of the department for internal affairs of the region executive committee to find out who had been the plain-clothed persons who had been detaining people during the public rally. In response, head of the information and public relations office Gieorhij Jeuchar invited them to send a written request.

On July 11, the Leninski district court in Hrodna fined reporter of *Radio Liberty* Mikhail Karnievich for 30 basic units (1,050,000 rubles). The journalist, who had been detained on July 3 while covering the "silent" protest rally, was prosecuted for participation in an unauthorized mass event (Article 23.34 of the Administrative Offences Code of the Republic of Belarus). According to Mr. Karnievich, he was detained when he was standing away from the procession and was taking pictures. The police ignored his press card and took him to a precinct to draw up a report.

On July 13, the Leninski district court in Hrodna (judge Dzmitry Kiedal) sentenced reporter of *Radio Racyja* Grazyna Shalkievich to an administrative fine. The journalist who was doing her job on July 3 during the "silent" protest rally had to pay 30 basic units for alleged participation in an unauthorized mass event (Article 23.34 of the Administrative Offences Code of the Republic of Belarus).

On July 13, reporter of the non-governmental newspaper *Belorusy I Rynok* Ihar Iljash was summoned to the KGB for a talk. The conversation between the journalist and an investigator lasted more than an hour and was officially recorded. According to Ihar Iljash, he was told that the conversation was held in the framework of operational search related to the "silent" rallies. The main topic of the conversation was professional activities of the reporter and his coverage of protest rallies. At the end of the meeting, the journalist was strongly "advised" not to disclose the details of this talk.

On July 13, in Babrujsk during a "silent" protest rally at the central square of the town Major of the police Siarhiej Rudzko tried to ban editor-in-chief of *Bobrujskij Kurjer* Anatol Sanatsenka from the scene of events and prevented him from carrying out his professional activities. The journalist appealed the actions of the police officer to the Prosecutor's Office for the district. However, Prosecutor A. Karapietsian said in his letter dated August 18 that the facts set forth in the journalist's complaint were not confirmed during the investigation.

On July 13, during the "silent" protest rallies held all over Belarus, law-enforcement agents and unidentified people in civilian clothes again rudely interfered with work of journalists and detained them. In Minsk, at least four journalists were detained (excluding those against whom there were attempts to detain), and seven persons were detained in the province.

Thus, according to calculations of the Belarusian Association of Journalists, eighty-eight Belarusian and foreign journalists and members of the journalistic association were detained in Minsk and the province since the beginning of the "silent" protest rallies.

On July 14, Dzmitry Lupach, editor of the advertising newspaper *Prefiekt-Info* in Hlybokaje was summoned to a talk in the district office for internal affairs. The summons was handed to him on July 13 at the central square of the town, where the "silent" protest rally was held. According to the journalist, in the precinct he was questioned about the rallies initiated by the online community "Revolution through Social Networks", and he was advised to no longer appear at the town's central square on Wednesday evenings.

On July 20 (on Wednesday), journalists were detained during the "silent" protest rallies:

In Minsk, journalist of the TV channel *Belsat* Aliaksandra Klimovich was detained near the movie theater "Pieramoha". (**On July 21**, judge of the court of the Centralny district sentenced her to 11 days of arrest.) Photo journalist Tsimafiej Skibienka was briefly detained at the same place. Soon after, he was released.

In Brest, reporter of *Radio Racyja* Alisa Pol was detained at about 2 o'clock. She was stopped on her way to the movie theater "Belarus", the site around which was selected as a meeting spot for the unauthorized "silent" rally. Despite the fact that she showed her passport, policemen took her to the Leninski district office for internal affairs "for identification" of her person. Also in Brest, police stopped freelance TV journalist Andrej Lubianchuk and administrator of the community "Revolution through Social Networks" Siarhiej Alieksijevich — after the former interviewed the latter. They seized the videotape with the recording from Lubianchuk, and Alieksijevich was taken to the precinct.

In Barysau, journalists of the local news web site *ex-press.by* Alena Autushka and Aliaksandr Ziankou were detained and brought to the Barysau district department for internal affairs. After the documents' check, Alena Autushka was released and Aliaksandr Ziankou was left in the precinct till next morning. **On July 21**, the journalist was sentenced to 5 days of administrative arrest for "disobedience to lawful demands of the police" (Article 23.4 of the Administrative Offences Code). The decision was taken by judge of the Barysau district court Lidzija Malchanava.

On July 21, the Mahiliou region court upheld the sentences to three local journalists who had served administrative arrests after the street rallies on July 3. The appeals were filed by Ales Asiptsou (judge Sviatlana Martynava), Alina Skrabunova (judge Siarhiej Karaliou) and Hanna Illina (judge Mikhail Melnikau). The decisions were identical for all three persons: to dismiss the appeals and to uphold the decisions of the courts of primary jurisdiction. The journalists made known their intention to continue the appeal process — first with the Chairman of the region court, then in the Supreme Court and finally at the United Nations Committee on Human Rights.

It shall be recalled that Ales Asiptsou (*BelaPAN*) served 10 days of arrest for an alleged participation in an unauthorized event (Article 23.34 part 1 of the Administrative Offences Code). The decision was taken by judge I. Lanchava, the court of Leninski district. Hanna Illina (an online journalist who covered street events in the city dedicated to the Independence Day on July 3 on assignment from the company *Velcom* and with an appropriate accreditation card) served 6 days of arrest for an alleged disobedience to lawful demands of the police (Article 23.4 of the Administrative Offences Code) and violation of the order of holding a mass event (Article 23.34 of the Administrative Offences Code). The decision was taken by judge N. Panasienska, the court of the Leninski district.

Alina Skrabunova (an online photo journalist) served 15 days of arrest: 4 days under Article 23.4 of the Administrative Offences Code (disobedience to lawful demands of the police) and 11 days under Article 23.34 of the Administrative Offences Code (violation of the order of holding a mass event). The decision was taken by judge A. Ratnikava, the court of the Leninski district.

On July 24, in Mahiliou, the apartment of freelance journalist Alina Skrabunova was visited by two students of the Mahiliou College of the Police. The visitors showed her a document which gave them the authority of neighborhood policemen, and told her that they were authorized to inspect the apartment and to conduct prophylactic conversation about inadmissibility of participation in unauthorized events. The journalist let them inspect the rooms and listened to them.

On July 25, the court of the Brest region dismissed the appeal of former regional correspondent of the State-owned newspaper *Znamia Junosti* Ales Liauchuk who had appealed the outcome of the legal action brought against him by the editorial office of the newspaper.

It shall be recalled that *Znamia Junosti* accused the former employee of slandering and insulting business reputation of the publication. The petition to the court of the Maskouski district in Brest was signed by editor-in-chief of *Znamia Junosti* Jauhien Mialieshka. It happened after Aliaksandr Liauchuk related the reasons of his dismissal from the newspaper in his own blog. According to the reporter, the editor demanded him to write an article that would condemn the events at the Independence Square in Minsk on December 19, 2010. Liauchuk refused to do so and a few days later he received a letter from the editorial office offering him to leave voluntarily. On February 21, the court of the Maskouski district in Brest upheld the claim of the newspaper against its former correspondent.

On August 3, journalist of the non-governmental newspaper *Novy Chas* Tatstsiana Shaputska was sentenced to 10 days of administrative arrest in Drybin (Mahiliou region). The journalist was detained on August 2 when she was covering a rally in support of political prisoner Zmicier Dashkievich near the prison settlement in Horki (Mahiliou region). According to Tatstsiana, police detained her despite the press card which she produced. The journalist spent the night in the police precinct, and in the morning, together with other detained people, she was taken to Drybin where she was tried in the evening. As a proof of her participation in the rally, police presented the court with a few scenes from the video that they had shot — where Tatstsiana was passing a picture of Dashkievich from one participant in the event to another and where she grabbed a banner of picketers at the moment of their detention.

On August 12, the court of the Minsk region dismissed the petition of Barysau journalist Aliaksandr Ziankou who had served 5 days of administrative arrest in July after having been detained on the day of a "silent rally" and now sought the right to appeal his sentence. In accordance with the decision of the court of primary jurisdiction, the appeal could have been filed only during 5 days. As the journalist passed these five days behind the bars, he petitioned the court about resetting the timeframe for appeal and asked the region court to cancel the decision of the district court. Judge Andrej Shupikau of the court of the Minsk region dismissed the petition.

It shall be recalled that on July 21, judge of the Barysau district Lidzija Malchanava found the journalist guilty of a violation under Article 23.4 of the Administrative Offences Code (disobedience to police). Ziankou was detained at a square in downtown Barysau on July 20 during the "silent" protest rally. An officer of the road police stopped the car from which Ziankou was shooting the events on video.

On August 19, officers of the road policed stopped on several occasions a minibus with journalists and human rights activists who were going to Smarhon (Hrodna region) to attend the trial of former political prisoner Jury Linh. At first, a road police car with flashing lights caught up with the minibus and forced it to stop because police thought that one of the passengers was not wearing the seat belt. A few kilometers later, the car was stopped to "check the documents"; the reason for the next inspection was the curtains of the journalists' car. For the fourth time, the minibus was stopped at the entrance to Smarhon again to check the documents. In order not to be late for the trial, the journalists had to go there on foot.

As a result, officers of the Smarhon district office for internal affairs did not allow the journalists and human rights activists to the courthouse of the Smarhon district court without any explanation.

On August 19, the Lida district court (Hrodna region) began consideration of the administrative case of reporter of the TV channel *Belsat* Siarhiej Karpienka. The journalist, who had been detained on June 22, during the "silent" protest rally, was charged with use of foul language and disobedience to police. The first session lasted two hours, after which the hearings were postponed to August 22 because the police witnesses failed to appear in court. The reporter of *Belsat* was tried by judge Maksim Filatau.

Under the charges brought against Siarhiej Karpienka, he faced a fine of up to 50 basic units or an administrative arrest. In his turn, the journalist filed a complaint to the Prosecutor's Office against the actions of law-enforcement agents. According to Siarhiej Karpienka, police invited him for a talk, but after he refused, they immediately used brute force against the journalist and as a result they smashed his head.

On August 22, the Lida district court (Hrodna region) dismissed the administrative case of reporter of the TV channel *Belsat* Siarhiej Karpienka who had been detained on June 22 during the "silent" protest rally. The court found no elements of offence in his actions.

It shall be recalled that police drew up two reports against Siarhiej Karpienka — for petty hooliganism and disobedience to police. However, the journalist was able to find and present to the court a video recording of the time of his detention. The footage shows that in the time of his detention the policemen immediately handcuffed Karpienka though he did not resist.

On August 20, the Office of the Prosecutor General officially confirmed that the instances of detention of reporters of the *European Radio for Belarus* by policemen in civilian clothes during silent protest rallies (from June 22 to July 6) were illegal. The document says that after an investigation, the Office of the Prosecutor General came to the conclusion that the rights of P. Sviardlou and A. Jelisiejew were violated during the detention, including the "unfounded restriction of their rights as representatives of mass media".

During the visit of a reporter of the *European Radio for Belarus*, the Prosecutor's Office showed him a document "for official use only" (he was not allowed to photograph or to scan it) where five police officers who had been detaining journalists and preventing them from doing their job were identified by names.

On August 23, human rights defenders and public activists organized street information events in support of arrested head of the Human Rights Center "Viasna" Ales Bialiatski in different cities and towns of Belarus. Their participants distributed leaflets about activities of their colleague to passers-by and asked them to sign guarantees in his favor. During the event, several journalists were detained: in Minsk – Alena Laptcionak, Aleh Matskievich (human rights activists), Viktoryja Ravinskaja (*ex-press.by*), in Mahiliou – Jauhien Hlushkou and Alina Skarabunova, in Hrodna — Viktor Sazonau.

In Minsk, the detainees were at first held at a police precinct in the Kastychnitskaja subway station and then taken to the Centralny district department for internal affairs. They were released in about three hours after having been photographed, fingerprinted and questioned for a written report.

In Mahiliou, the journalists were detained after they already left the scene of the rally in the downtown. They were held at the Leninski district department for internal affairs exactly three hours and then they were released without police reports but after giving "explanations".

Viktor Sazonau was detained in downtown Hrodna when he was distributing leaflets alongside other human rights activists. He was taken to the "Center" police precinct where he was held till the evening. While he was in custody, his apartment and office were searched. A few books and newspapers were seized from his apartment, and the computer system units, leaflets and newspapers about the arrest of Bialiatski were seized from his office.

On August 23, it became known that the Mahiliou region court cancelled the decision of the court for the Babrujsk district and the city of Babrujsk (judge Natallia Charapukha) in regard to journalist of *Bobrujskij Kurjer* Viktor Masalovich and sent it back for revision. The reason for this decision of the Mahiliou region court was incomplete study of all circumstances of the case by the judge from Babrujsk and incorrect application of an article of the Administrative Offences Code.

It shall be recalled that on July 6, Viktor Masalovich was detained by policemen at the central square of the city where he was taking pictures on assignment from the editorial board. A police report was drawn that the journalist allegedly violated the Law on Mass Events. The court, having heard the explanations of the accused as well as the testimony of a witness – editor of *Bobrujskij Kurjer* Anatol Sanatsenka – sentenced Masalovich to a fine of 5 basic units. The same decision was later taken by the court in regard to another journalist of *Bobrujskij Kurjer*, Viktor Kachan.

On August 26, in the town of Hlybokaje (Vitsiebsk region) law-enforcement agent detained journalist of the web site *westki.info* Kastus Shytal for having taken pictures of the building of the Hlybokaje district executive committee. (A day before, unknown persons stained the façade with paint.) After he made picture and managed to ride away for about two hundred meters on his bicycle, a car caught up with him, two plain-clothed persons detained the journalist and passed him to the police. In the Hlybokaje district office for internal affairs, Kastus Shytal was fingerprinted and had to give a written explanation. The journalist was forced to delete the pictures with the building of the district executive committee from his camera. One of the policemen attentively studied the mobile phone of the journalist and wrote down a few numbers for himself. Kastus Shytal was held in the precinct for about two and a half hours and then was released, after being strongly "advised" not to write anything about the incident.

On August 29, it became known that the Prosecutor's Office for the Mahiliou region refused to consider the complaint of editor-in-chief of *Bobrujskij Kurjer* Anatol Sanatsenka and returned it by mail. In his letter, the head of *Bobrujskij Kurjer* complained about illegal actions of officers of the local police — detention of two journalists of his newspaper, Viktor Kachan and Viktor Masalovich, on July 6. First deputy prosecutor for the Mahiliou region Pimashkou pointed out to the head of *Bobrujskij Kurjer* in the cover letter that the latter must prove his authority to represent interests of his employees in the Prosecutor's Office. However, as Anatol Sanatsenka pointed out, he was an employer of the detained journalists.

It shall be recalled that the journalists were detained while carrying out their professional activities, i.e. while covering the events at the Lenin Square in Babrujsk. Police drew up a report for a violation of the Law on Mass Events by the journalists. The journalists spent a night at a temporary detention center, and the next day the court sentenced them to fines of 5 basic units each.

On August 30, journalist of *Radio Racyja* Grażyna Shalkievich was summoned for a conversation to the tax inspection for the Leninski district in Hrodna. The summons stated that the journalist had to provide explanation on an issue of "tax control".

On September 2, it became known that the Prosecutor's Office of the Chyhunachny district in Homiel, after conducting additional investigation, again justified the actions of head of the district office for internal affairs Aliaksandr Koshman who had detained reporter of *BelaPAN* Alena Hiermanovich during the silent protest rally on July 3.

Earlier, the Prosecutor's Office decided that the actions of the police officer were legitimate – that was a response that the journalist received to her complaint on August 13. Five days later, she received another notification from the district prosecutor informing her that the decision not to institute criminal proceedings against police officer Koshman was

revoked due to insufficiency of investigation and that another investigation would be carried out. The result of the additional investigation was that the police officer's actions were justified.

On September 21, journalist of *Bobrujskij Kurjer* Viktor Masalovich received the decision of the court of the Babrujsk district and the city of Babrujsk about termination of his case in the absence of elements of administrative offence. The court acknowledged that on July 6, Masalovich was in downtown Babrujsk in his capacity of journalist.

It was the second hearing in this administrative case. During the first trial, which took place in Babrujsk on July 7, Viktor Masalovich was found guilty of violating the Law on Mass Events and sentenced to a fine of 5 basic units. The journalist appealed the sentence to the Mahiliou region court which sent the case back to Babrujsk for a new revision, but to a different judge.

Meanwhile, it became known that the decision of the Babrujsk Court in the administrative case of another journalist of *Bobrujskij Kurjer* Viktor Kachan was also cancelled by the Mahiliou court and sent back to Babrujsk for revision.

It shall be recalled that on July 6, journalists of *Bobrujskij Kurjer* Viktor Masalovich and Viktor Kachan were detained by police at the central square of the city where the "silent" protest rally was taking place. They were there on assignment from the editorial board to cover the events.

On September 28, policemen detained reporter of *Novy Chas* Lola Buryjeva and reporter of *Nasha Niva* Siarhiej Satsiuk at the central market in Orsha. The incident took place at the moment when the journalists were shooting a story about economic situation in society. The law-enforcement agents were not satisfied with their press cards and demanded the journalists to produce assignments issued by their editorial offices. The detainees were taken to a precinct where their documents were checked again and they had to provide explanations on the purpose of their visit to the market in Orsha. The journalists were released two hours after the moment of detention.

On September 28, freelance reporter of the newspaper *Brestskij Kurjer* Alisa Pol was detained near the Central Market in Brest. When the journalist of the independent publication was interviewing city dwellers, she was approached by policemen from the Leninski district office for internal affairs in Brest who accused her of "opposition propaganda". Alisa Pol was taken to the police precinct where she had to write an explanation that she was not engaged in any opposition activities but was carrying out her journalistic duties. The journalist spent about half an hour in the police precinct, and then the policemen apologized and released her.

On October 7, journalist of the independent portal *westki.info* Kastus Shytal was detained on the road from Hlybokaje to Dzisna (Vitsiebsk region). The journalist was going to cover the event "People's Assembly" held **on October 8** in towns of Belarus. His car was stopped by road police. Shytal was put to the police car and taken to Miory for a check on his alleged involvement in a robbery. In the precinct, policemen's claims changed – now he was charged with use of foul language (petty hooliganism, Article 17.1 of the Administrative Offences Code) during the inspection of his car by road police. **On October 17**, the court of the Miory district fined the journalist for 3 basic units (105,000 rubles). The judge took this decision after hearing the witnesses – police officers – during the second hearing in the case of Shytal. Till the first hearing (on October 10), the journalist was held in the Miory district office for internal affairs.

On October 8, during the All-Belarusian campaign "People's Assembly", law-enforcement agents were detaining journalists and preventing them from working.

Hrodna: at about 16.30, at the railway station, border guards seized passports of journalist Jan Roman and human rights activist Viktor Sazonau who were returning home from Bialystok. Both of them were held for some time in the customs hall of the station.

Homiel: the police detained Larysa Shchyrakova who filmed the rally on video. The journalist was taken to the Chyhunachny district office for internal affairs where her personal belongings were searched. She was held for about three hours and then she was released without any police report.

Hlybokaje: editor of the local non-governmental newspaper *Prefiekt-Info Zmicier* Lupach was detained. He was held for about an hour in the Hlybokaje district office for internal affairs and had to provide explanation.

On October 8, somebody smashed the windshield in the car of managing editor of the newspaper *Vitebskij Kurjer* Vadzim Barshcheuski. (The incident took place in the night of October 8.) The journalist noticed the broken windshield in the morning when he was about to drive on business. Vadzim Barshcheuski called the police but the law-enforcement agents decided to take the victim to the precinct. He was held there for several hours and he was prohibited from using his mobile phone. So, he was not able to communicate his whereabouts to his relatives.

On October 13, it became known that mobile phones of journalists Iryna Khalip, Natallia Radzina and Maryna Koktysh were "attacked" by unknown persons. Editor-in-chief of the portal *Charter'97* Natallia Radzina, who received political asylum in Lithuania, was continually called by an unknown subscriber. In particular, on October 13, she was receiving calls at her mobile number in Lithuania during the entire day. The journalist believed that the calls were made through Skype, as the number was not identified, and every time she tried to answer the phone, the caller hung up and restarted calling.

Reporter of *Novaya Gazeta* Iryna Khalip and deputy editor-in-chief of *Narodnaja Volia* Maryna Koktysh faced the same problem. According to Koktysh, they began "terrorizing" her at the end of the previous week already. And when she tried to switch off the mobile phone, they began calling her home phone. "The calls were coming in every twenty seconds. One could go crazy", complained the journalist.

On October 13, journalist of the Mahiliou web site *222.by* Alina Skrabunova was summoned to the Prosecutor's Office of the region for questioning. Senior investigator Paviel Starykau wanted to find out whether it was her who had left an "abusive comment" to the address of judge of the Leninski district in Mahiliou Iryna Lanchava on the web site of *Charter'97*. The investigator told the journalist that the judge was a civil servant, and one could even be criminally prosecuted for insulting a civil servant. The journalist informed him that on the day when the comment was posted on the web site (July 7) she was under administrative arrest for an alleged participation in one of the "silent" protest.

On October 27, journalist Aleh Razhkou was invited to the Office of the Prosecutor General. Citing Article 27 of the Constitution, he refused to answer questions of Counselor in Justice Paviel Jelisiejeu and testify against himself. The journalist was released without sanctions.

On October 28, freelance journalist Ales Barazienka was also summoned to the Office of the Prosecutor General. He also talked to Counselor in Justice Paviel Jelisiejeu. The latter asked the journalist whether he was working for the TV channel *Belsat* and whether he worked together with Alina Radachynskaja, but Barazienka refused to answer these questions. After some 20 minutes, the journalist was released without sanctions.

It shall be recalled that on October 27, the Office of the Prosecutor General issued an official warning to Alina Radachynskaja about inadmissibility of cooperation with a foreign media outlet without accreditation (Article 35 part 4 of the Law on Mass Media).

On November 2, freelance journalist Zmicier Lupach was summoned to the Prosecutor's Office for the Hlybokaje district. The prosecutor investigated the case of an alleged libel. The investigation was launched in connection with a story published on the web site of *Charter'97* which cited Zmicier Lupach in relating the fact that the red-green hung upside down on the building of the Hlybokaje district executive committee. "In fact, I told my colleagues that it was the flag of Hlybokaje that hung upside down on the building of the district executive committee. However, the colleagues got it wrong or misheard me and wrote incorrectly that the incident had happened with the State flag", said Zmicier Lupach.

When Zmicier was taking pictures of the flag on the building of the district executive committee, a policeman came out of the building and told him to delete the picture, because it was allegedly forbidden to photograph this building.

On November 8, it became known that freelance journalist from Brest Milana Kharytonava was summoned over the phone as a witness to the Leninski district office for internal affairs to provide explanation about the rally of solidarity with political prisoners which took place in Brest on October 26.

As the journalist was told during her visit to the police station, the law-enforcement authorities conducted an official investigation of this rally. In this connection, neighborhood police inspector Siarhiej Liauchuk took interest in photographs from the rally which were published online and signed by Kharytonava. The policeman asked the journalist whether she knew personally anyone of the participants in the event who were captured by her camera and how he could get in touch with them.

On November 8, it became known that tax inspectors continued to put pressure on editor of the non-governmental newspaper in Krychau *Volny Horad* Siarhiej Niarouny. A few days before, the journalist received another letter from the local tax inspection where he was required to explain within a few days the income in the amount of 4,500,000 rubles which he spent on his personal needs during 2009 and the first half of 2010. According to Siarhiej Niarouny, in October he filed a detailed declaration of income and property during the last two years to the Krychau tax inspection. However, the tax inspectors were not satisfied with this explanation.

Siarhiej Niarouny believed that the pressure from the tax inspection was related to his work as the editor of the unregistered newspaper *Volny Horad*.

On November 12, when the "People's Assembly" was held in some Belarusian cities and towns, journalists were detained in Homiel and Lida (Hrodna region).

Homiel: At about 13.00, police detained freelance journalist and member of the Council of the Belarusian Association of Journalists Anatol Hatouchyts at a bus stop. No reason for detention was provided. The journalist was taken to the 2nd city police precinct of the Chyhunachny district office for internal affairs where they checked recordings on his voice recorder and also tried to get "explanation" from him but Hatouchyts refused. He was released in about two and a half hours without a police report. Freelance journalist Mikalaj Bianco was detained near the Palace of Culture "Vipra". He was held for about three hours at the Chyhunachny district office for internal affairs and then taken to the opposite side of the city and released there. Policemen deleted all pictures of the "People's Assembly" in Homiel from the camera of regional correspondent of *Komsomolskaja Pravda v Belorussii* Paviel Mitskievich.

Lida: journalist of *Belsat* Siarhiej Karpienka was detained. He was brought to a local police precinct.

On November 16, officers of the department of corrections (DoC) of the Ministry of Internal Affairs said to journalist Iryna Khalip that if there were many representatives of mass media in the department's building, it would be regarded as an unauthorized rally with all consequences. It happened when the journalist began inviting her colleagues over the phone to come to the DoC to cover the issue of the sudden transfer of her husband Andrej Sannikau from the penal settlement in Babrujsk to the Mahiliou prison No 4.

Soon after the arrival of journalists, police officers in civilian clothes, including deputy head of the city department for internal affairs of the Minsk city executive committee – head of the public security police Ihar Jausiejeu, came to the building. However, there were no incidents.

"The journalists were invited not to express protest or for other activities which are regulated by the Law on Mass Events, but for coverage of a particular situation. With this approach, any press conference can be classified as an unauthorized event – if only one does not take into account the Law on Mass Media which allows journalists to be present at the scenes of socially important events and to gather and transmit information from such places. The Constitution also has an article with the same number which guarantees the right to disseminate information not only to the journalists, but to every citizen", deputy chairman of the Belarusian Association of Journalists lawyer Andrej Bastuniets commented on the situation.

On November 2, in the evening in Hrodna, police detained journalists who were going to the border crossing "Bruzhi" to shoot a story about the new rules for leaving the country.

The car with cameraman Andrej Fralou was stopped by road police officers (Uladzimir Dziemianchuk and Aliaksiej Antanovich) at the exit point from the city. Having checked the documents of the driver, they demanded to see the documents for the camcorder that was in the trunk. Fralou did not have the necessary papers with him and he offered to bring them from his home. Policemen said that incidents of theft of camcorders were on the rise in the city, ordered Fralou to remain in place and began talking to someone over the walkie-talkie.

In the meantime, colleagues of the detained cameraman – Jan Roman and Grażyna Pashtsepa – arrived at the scene. Later, a vehicle of riot police arrived, accompanied by deputy head of the Hrodna road police Aliaksandr Lents. The journalists were taken to a police precinct under a threat to use force. Policemen were recording explanations of the detainees and checking their documents till 0.30 in the morning. When Fralou proved that the camera indeed belonged to him (a colleague brought him the necessary documents), the journalists were released.

On November 23, officers of the Maskouski district department for internal affairs in Minsk drew up a report on an administrative offence against journalist and politician Aliaksandr Fiaduta for his refusal to be fingerprinted. He faced trial. Mr. Fiaduta explained his refusal by the fact that he had been already fingerprinted twice last year. "As we are supposed, according to the law, to have the unified system of fingerprints registration, I believe that this is quite enough", the politician pointed out. Fiaduta was also surprised why his fingerprints could not be passed from the 4th floor of the building of the Maskouski district department for internal affairs, where the office of corrections is located, to the 2nd floor, where the expert office is located.

On December 2, it became known that the court of the Babrujsk district and the city of Babrujsk closed down the case of journalist of *Bobrujskij Kurjer* Viktor Kachan in absence of elements of administrative offence. The court decision received by the journalist said that

after additional consideration of the case the court acknowledged that on July 6, Viktor Kachan had been at the Lenina Square in Babrujsk in his capacity of journalist.

The first hearing of this case took place on July 7. Then, the court found Viktor Kachan guilty of violating the Law on Mass Events and sentenced him to a fine of 5 basic units.

Earlier, the Babrujsk court closed down the case of another journalist of *Bobrujskij Kurjer*, Viktor Masalovich.

On December 7, it became known that editor of the unregistered newspaper in Krychau *Volny Horad* Siarhiej Niarouny was fined by the district tax inspection for 10 basic units (350,000 rubles). The journalist was found guilty of not specifying the income of his wife in his declaration of income and property for 2009 and 2010. According to the tax inspection, this income should have been specified as the additional one.

On December 14, chairman of the Homiel city branch of the Belarusian Association of Journalists Anatol Hatouchyts received a reply to his record in the book of comments and suggestions of the 2nd police precinct of the Chyhunachny district office for internal affairs in connection with his detention on November 12. Commander of the regiment of the police patrol and checkpoint service of the department for internal affairs of the Homiel region executive committee Dzmitry Zurau, who had personally pushed Anatol Hatouchyts to the police car, said in his official reply (No 44/1–2 dated December 1, 2011) that no violations had been found in the actions of policemen.

It shall be recalled that the day when the "People's Assembly" was held in Homiel, Anatol Hatouchyts was detained near a bus stop. Two policemen took the journalist by his arms and put in a police car. Neither at the moment of detention nor in the car any of the policemen explained the reason for detention or reacted to the journalist's suggestion that his documents could be checked.

On December 19, at the exit point from Vitsiebsk, road police detained the car of freelance journalist Zmicier Kazakievich. Together with civil activists from Vitsiebsk, he was going to the penal settlement where former presidential candidate Mikalaj Statkievich was imprisoned. The car was stopped on the grounds that it was allegedly involved in a traffic incident that took place in Minsk on November 30, and the road police wanted to get explanation of the driver of his whereabouts at that time, and others had to be questioned as witnesses.

On December 19, in the morning, journalist of *Nasha Niva* Tatstsiana Haurylchyk, freelance journalists Julija Darashkievich and Ales Barazienka and camerawoman of "Femen" Kitty Green (an Australian citizen) were detained during an event organized by the Ukrainian organization "Femen" which took place near the building of the KGB on the Independence Avenue. They were photographing and filming the event.

Julija Darashkievich and Tatstsiana Haurylchyk were held in the KGB building for two hours after their detention, and then they were transferred to the Centralny district department for internal affairs where their equipment was seized, and they were held there till about 9 o'clock in the evening. The photo equipment was not returned to them on their release.

Kitty Green was immediately deported from Belarus to Vilnius, accompanied by KGB officers.

Ales Barazienka was taken to the Centralny district department for internal affairs. He was released at about 16.00.

Photo journalist of the news agency *France Presse* and *Komsomolskaja Pravda v Belorussii* Viktor Drachou, who is accredited in Belarus, was also taken to the KGB and then to the Centralny district department for internal affairs. He came to the site of "Femen"'s event after it already started and had no time to take pictures. However, he was also detained, his

documents and equipment were checked, and he was released at about 14.30 without a police report.

On December 19, at about 14.20, freelance journalists Volha Chajchyts and Siarhiej Kavaliou were detained near the Liberty Square. It happened at the moment when they were assembling their video equipment. Their documents were checked and the journalists were released after being warned that "all filming should be done tomorrow".

On December 19, in the evening, staffer of the web site *milinkevich.org* Artsiom Liava was detained in Sierabranka (a residential district in Minsk). The journalist was taken to the Leninski district department for internal affairs and held there overnight. **On December 20**, the court of Leninski district sentenced him to a fine of 20 basic units (700,000 rubles).

On December 19, at about 20.00, police detained freelance reporter of the independent weekly *Novy Chas* Mikita Brouka at the Independence Square in Minsk. He was covering an event, a mass prayer near the Red Church, on assignment from the editorial board. The young man was taken to the Maskouski district department for internal affairs where he was held overnight.

On December 20, the court of the Partyzanski district in Minsk sentenced freelance reporter of *Novy Chas* Mikita Brouka to 10 days of administrative arrest for participation in an unauthorized mass event. Managing editor of the newspaper Aliaksiej Karol participated in the trial as a witness. He submitted to the court a written confirmation that Brouka had attended the event on assignment from the editorial board. However, the document which was annexed to the materials of the case did not influence the decision of the judge. Mikita Brouka was sent to serve his term to the isolation ward for offenders on Akrestsina Str.

On December 24, photo journalist of the state news agency *Minsk-News* Siarhiej Sheleh, who was covering the annual march of Santa Clauses in Minsk on assignment from the editorial board, was detained. The incident happened when the journalist put the backpack on the sidewalk to change the lens in the camera. He was then approached by a man in civilian clothes who ordered him to leave the spot. In response to the journalist's request to be spoken to in a more polite way, the unknown person introduced himself as deputy head of the Centralny district department for internal affairs Major Maksim Hryshchanka. Major sent for a police detail. Siarhiej Sheleh was taken to the district department for internal affairs, where he was questioned for the record, photographed and fingerprinted. He was released in about one hour after the moment of detention.

Infringements related to Access to Information (refusals to grant information, restrictive use of the institution of accreditation)

On January 31, the editorial office of the non-governmental regional newspaper *Inform-Progulka* (Luniniets) received a letter signed by chairman of the Luniniets district council of deputies Vital Adzishchau, where the latter informed that from that point on "the possibility of participation of representatives of the publication in covering the events organized by the district council will be considered on the case-by-case basis after the editorial office's application for participation". The official made reference to Article 35 of the Law on Mass Media ("Accreditation of journalists of mass media"). "Thus, the district council of deputies, on the model of the district executive committee, intends to restrict access to information for the journalists of the independent publication", the editorial office said.

On March 10, journalist of the non-governmental registered newspaper *Nasha Niva* Ales Piletski was removed by a police officer without any explication from the courtroom of the court of the Moscow district of Minsk, where the court examined the criminal case of several participants in the "mass riots of December 19". The reporter, like many of his colleagues, was doing an online reportage from the court meeting.

On March 24, the editorial office of the newspaper *Hantsavitski Chas* got another refusal in response to the demand of accreditation at the district executive committee submitted by its deputy editor-in-chief Piotr Huzajewski. The executive committee said in its letter dated March 17: taking into account that "the newspaper repeatedly violates the legislation and publishes materials which grossly distort the true state of affairs", the executive committee denied the accreditation.

On March 25, in Vitsiebsk, police officers prevented TV journalist Uladzislau Staravierau from doing his job. He came to the Liberty Square with a camcorder to film the laying of flowers to the memorial plaque to Vasil Bykau and the monument to Uladzimir Karatkievich. As soon as he took out the camcorder, two plain-clothed men jumped on him, wrung his hands and dragged on the asphalt. Policemen took the journalist in their service car to the Kastrchnitski district department for internal affairs, where at first they declared that he possessed a stolen camcorder and then that he looked like a wanted maniac-pedophile. Three hours later, they let the reporter go – during this time the event, which he was supposed to cover, ended.

On April 21, in Minsk, police officers detained Paviel Padabied, cameraman of the non-governmental news agency *BelaPAN*, thus having prevented him to perform his professional duties. The detention took place at the Independence Square near the House of the Government. The journalist, on assignment from his editorial office, was shooting material for a story about a petition of a group of citizens to the authorities to initiate creation of an independent public commission for review of criminal and civil cases. Policemen from the Maskouski district department for internal affairs detained him to check his identity and took him to a police precinct, where they hold him for an hour and a half.

On July 6, it became known that the employees of the Brest region cultural center were presented with the list of some non-governmental publications and web sites, and they got a "recommendation" to refrain from providing any comments to correspondents of these media outlets. Such a recommendation, according to some employees, was of mandatory nature. They were also prohibited from visiting the web sites of these publications. The lists were distributed in consultations with the management of the department of culture of the region executive committee.

The "black list" included independent regional socio-political publications: *Brestskij Kurjer*, *Brestskaja Gazeta*, *Intex-Press* from Baranavichy, *Hantsavitski Chas*, *Inform-Progulka* from Luniniets, *Variag-Press* from Pinsk, as well as advertising and entertainment publications. Even the newspaper *Dukhovnyj Vestnik*, which covers the Orthodox life in the region, was included in the list. As regards the online resources, the list contained about twenty "undesired" web pages, among which were web sites of political parties, civic organizations and initiatives, including the web page of the Belarusian Association of Journalists.

On July 18, it became known that employees of the State radio were presented with the list of songs and expressions that should not be aired. Among the prohibited songs were "Changes" of Viktor Tsoj and "Hraj" and "Belarus Freedom" of Lyapis Trubetskoy. These songs joined the previously prohibited songs of the rock groups "N.R.M.", "Krambambulia", "Krama" and others. *Belsat* got this information from a correspondent of the *First Channel of the Belarusian Radio*.

According to the information source, at the desktop of each radio presenter there was a printout of expressions which were prohibited from being said on the air. "After **the incident with Aliaksandr Ryhoravich ShOS on the 'Russkoje Radio'** the management called a meeting where the staffers were told that it was forbidden to say "ShOS" or simply "Aliaksandr Ryhoravich" on the air. [ShOS is an abbreviation for "Let you drop dead!" used by some opposition-minded people to the address of Aliaksandr Ryhoravich Lukashenka - *translator's note*]. "Now, all the messages from listeners are re-read several times before they are put on the air", says the journalist of the State radio.

On July 20, it became known that the management of the Palace of Culture in Maladziechna refused to rent premises for the exhibition of photographs of the finalists of the contest "Press Photos of Belarus 2011".

Despite the previously made arrangements and preparation to the event, the administration of the Palace made known over the phone its decision not to host the exhibition a day before its opening. They invoke the repair works and the instructions of the City Executive Committee not to hold any events before "Dazhynki".

On July 25, it became known that chairman of the Salihorsk district executive committee Anatol Kazakievich prohibited his subordinates from contacting with non-governmental media outlets on their own. This was reported in an official letter (dated May 20, 2011) to the address of the heads of departments and offices of the district administration. At the same time, "in order to promote State-owned media outlets and to uphold the status of the district executive committee, the district council of deputies, and the village executive committees...", the officials were told to cooperate with State-owned local media: the newspaper *Shakhtsior* and the *Salihorsk TV Channel*.

"The contacts with other mass media outlets ... should be agreed with the office for ideological work", stated Anatol Kazakievich and reminded about "personal responsibility for work with the media", as provided in the presidential edict No 65 from 6 July 2009.

On September 15, at the Minsk House of Justice at the beginning of the trial for the explosion at the "Kastrychnitskaja" metro station judge Aliaksandr Fiedartsou prohibited the journalists from communicating with the victims. According to the judge, interviews with these people can be regarded as pressure on the court.

Representatives of mass media were prohibited from taking pictures and shooting video during the trial, and there was no access to mobile and Internet networks in the courtroom from the beginning of the process. According to Aliaksandr Lastouski, press secretary of the city department for internal affairs of the Minsk city executive committee, "it was done deliberately to ensure integrity of the process". Also, journalists were advised to refrain from commenting on the materials of the high-profile case.

On September 15, journalists of the news agency *Associated Press* Juras Karmanau and Siarhiej Hryts, as well as photo journalist of the *European Pressphoto Agency* Tatstsiana Ziankovich were denied accreditation at the Chamber of Representatives of the National Assembly to cover a meeting of a Chinese parliamentary delegation with Belarusian MPs.

The application for accreditation of Juras Karmanau and Siarhiej Hryts for coverage of this event was sent by fax to the Chamber of Representatives on September 13. On September 15, head of the information department of the Chamber of Representatives Mikalaj Lis said to the journalist of AP that they would not be able to get to the meeting, because the delegation was large and the room for the meeting was small. However, representatives of State-owned media received the accreditation.

On September 26, it became known that journalist of the non-governmental regional newspaper *Hantsavitiski Chas* Sviatlana Malyshka was denied information in the district

center for hygiene and epidemiology, where the journalist addressed her request for clarification how to protect themselves from wasps' bites, who must deal with them and where the readers should go to in case of an emergency.

Center's employee Lidzija Koush first intended to answer these questions. However, after having learned what publication the journalist represented, she said that she was prohibited from giving information to *Hantsavitski Chas*. She did not explain who had issued that order.

"This is not journalists who need information but society. Such attitude of the disinfector is incomprehensible. When people are in serious danger, she is not taking necessary measures, but neglects an opportunity for prophylactic work and follows someone's strange instructions", say journalists of *Hantsavitski Chas*.

On September 29, it became known that it was forbidden to bring photo cameras and camcorders with a lens of more than 4 cm without a "special permit" to the territory of the "Dazhynki-2011" festival in Maladziechna. According to press secretary of the office for internal affairs of the Minsk region executive committee Aliaksandr Danilchanka, it was a requirement of the presidential security service. He said that the pictures could only be taken by the journalists accredited at the Presidential Administration. Meanwhile, according to Iryna Kanavalava, a staffer of the Minsk region executive committee, the accreditation of journalists for "Dazhynki" was closed already on September 20.

According to photo journalists, this was for the first time that they encountered a restriction on the size of their equipment during the coverage of mass events.

On November 23, in Barysau, a number of organizations and enterprises held staff meetings where deputy directors for ideological work warned heads of departments about the ban on communication with journalists of the non-governmental media.

The list read out at the meetings included, alongside with local non-governmental publications *Borisovskije Novosti* and *Homan Barysaushchyny* and nationwide newspapers *Narodnaja Volia* and *Nasha Niva*, the publications of Russian holdings – *Komsomolskaja Pravda v Belorussii* and *Argumenty I Fakty v Belarusi*.

On November 30, in Pinsk, a visiting session of the Collegium of the Ministry of Information of Belarus was held. According to the web site of the Brest region executive committee, the meeting was attended by deputy chairmen of town and district executive committees of the region in charge of the social sphere, heads of offices for ideological work, and editors of printed and electronic media outlets of the region. At the same time, they did not deem necessary to invite editors of independent socio-political publications at the meeting, despite the fact that in the Brest region there were more such media outlets than in other regions of the country.

"It is common practice to ignore us, said director and editor-in-chief of *Brestskaja Gazeta* Viktor Marchuk. The Ministry of Information must work with all mass media, despite their form of ownership. However, it does not seem to notice that alongside the State-owned publications, media space also has the non-governmental publications, many of which, by the way, have higher circulation than district newspapers".

On November 30, judge of the court of the Babrujsk district and the city of Babrujsk Tatstsiana Tarabujeva prohibited editor-in-chief of *Bobrujskij Kurjer* Anatol Sanatsenka and journalist of the newspaper Viktor Kachan from attending open court hearings. On that day, the court was to consider the administrative case of four young dwellers of Babrujsk who had been detained for lighting candles in a church on the Day of Remembrance of Ancestors and intending to go with them to the nearby monument to the victims of political repression.

On the eve of the hearing, the accused visited the deputy chairman of the court with a request for the hearings to be held not in the office of the judge, but in a room which could accommodate all those who wanted to attend the hearings. This request was granted. Nevertheless, judge Tarabujeva decided to hold the hearings in her office, and when she saw the journalists of *Bobrujskij Kurjer*, she refused to let them attend the hearings, summoned the policeman on duty and demanded them to leave. After the incident, Anatol Sanatsenka was received by the chairman of the Babrujsk court who, after having listened to the journalist, decided to postpone the hearings to another day and to hold them in the courtroom.

On December 1, deputy chairman of the Slonim district executive committee Viachaslau Apanovich did not want to let journalist of the non-governmental *Hazieta Slonimskaja* attend a meeting with Chairman of the Hrodna Region Executive Committee Siamion Shapira who, on that day, was receiving district dwellers on personal matters. However, journalists of State-owned mass media were invited at the meeting.

The editorial office of *Hazieta Slonimskaja* sent in advance the applications for accreditation of its journalist to the Slonim district executive committee and the Hrodna region executive committee. The editorial office received a response from the district authorities only. The officials denied accreditation with reference to the Law on Petitions of the Citizens.

The editorial office did not receive a response from the Hrodna region executive committee at all. When journalist of *Hazieta Slonimskaja* Hanna Valashchuk called the executive committee and asked what decision was taken, she was not given a clear answer either at the reception or at the office for ideological work. Then, the journalist headed to the room where the reception of citizens by Siamion Shapira was scheduled to be held.

Before the beginning, deputy chairman of the Slonim district executive committee Apanovich invited representatives of the State-owned media to go to the reception room, but the presence of the journalist of *Hazieta Slonimskaja* provoked outrage in him, and he ordered her to leave the premises. However, the journalist refused to leave and decide to wait for the chairman. Only then the official had to invite her to join her colleagues in the room.

On December 27, journalist of the non-governmental regional newspaper *Inform-Progulka* Maryja Jurko was not allowed to attend a meeting of the Luniniets district council of deputies. Earlier, the journalist informed chairman of the district council Vital Adzishchau about her intention to attend the event (the journalists of the newspaper were instructed to give notice about their desire to attend the events organized by the district council by a letter of the chairman of the district council dated January 24, 2011). However, the official denied this request, despite the fact that Maryja Jurko was accredited at the district council. Viktor Adzishchau made reference to the prohibition of deputy chairman of the district executive committee Viktor Rafalovich to admit representatives of the independent publication to the meetings and to give them any information.

Conflicts Related to Access to and Dissemination of Foreign Information and Activities of Foreign Mass Media

On January 17, journalist of the Russian publishing house *Kommersant* Movsun Gadzhiev learned that the Ministry of Foreign Affairs of Belarus denied his accreditation to work in the territory of the country. As he was told over the phone by an employee of the Foreign Ministry (who refused to name himself), the work of the journalist during 2010 did not satisfy the Belarusian side. Gadzhiev was not told which stories gave grounds for grievance.

On March 10, journalist Andrzej Poczobut received an official warning from the Prosecutor's Office for Hrodna region for his work for the Polish newspaper *Gazeta Wyborcza* without accreditation. Andrzej Poczobut believes that the Prosecutor's Office and the Foreign Ministry violate his constitutional right to gather and disseminate information and is not going to abandon his journalistic activities.

On March 24, a border detail of the military unit 1242 of the Coast Guard detained two German journalist — head of the office of *Deutschland Radio* in Moscow Robert Baag and journalist of *Rhein-Zeitung* Doris Heimann. After the detention, they were brought to the office of the Coast Guard where they were submitted to a personal inspection and questioned. Then, a protocol on administrative offense and a decision on administrative penalty were drawn up. The journalists who were going to the town of Kamaryn in the Brahyn district to write stories in connection with the anniversary of the Charnobyl disaster were detained for 9 hours.

On March 24, the court of the city of Orsha and the Orsha district (judge Ina Kokhava) sentenced Russian journalist, human right defender and editor-in-chief of the news agency *Freedom* (the city of Samara) Alexander Loshmankin to three days of administrative arrest. He was charged with disorderly conduct (Article 17.1 of the Administrative Offences Code) — allegedly for using foul language during his detention. In protest, journalist went on hunger strike in the courtroom. Loshmankin served the term of his arrest in the Orsha temporary detention center. He was detained by transport police in the night of March 24 in Orsha, when he was taken from the train "Chelyabinsk – Brest". The journalist was travelling to Minsk in order to cover trials of participants in "mass rioting" and possible street rallies on March 25.

On March 28, the Ministry of Foreign Affairs of Belarus denied the accreditation to Alexander Loshmankin, despite the positive decision which had been taken earlier in this matter. Also, the Ministry "left without consideration" his new application submitted on March 18. (The term of the existing accreditation was to expire on March 31, and the journalist sent the application to the Foreign Ministry even before his trip to Belarus).

On May 17, Belarusian correspondent of the radio station *Voice of Russia* Jauhien Ahurtsou was informed by the Ministry of Foreign Affairs of Belarus that he was again denied accreditation. A Foreign Ministry employee who did not want to name himself said over the phone that his application for accreditation was denied because the journalist had worked for a foreign media outlet in Belarus without accreditation. The official cited Article 10 of the Regulations on the Accreditation of Journalists of Foreign Mass Media in the Republic of Belarus.

For the first time, Jauhien Ahurtsou, who worked as a correspondent for *Voice of Russia* in Belarus for nearly 8 years, encountered problems with accreditation in November 2010, on the eve of the presidential election.

On May 23, Belarusian border guards revoked the visa of chairman of the board of *Radio Racyja*, editor-in-chief of the weekly of Belarusians in Poland *Niva* Jauhen Wapa. Mr. Wapa is also a member of the Advisory Council for Belarusians abroad at the Ministry of Culture of Poland and a member of the Great Council of the "Motherland". The incident took place when Mr. Wapa was crossing the border to visit Belarus.

In its reply to a letter of the Association of Belarusians in the World "Motherland", the Foreign Ministry said that it was not possible to provide information about the reason for cancelling the visa. In the official reply, deputy minister Siarhiej Alejnik cited Article 31 of the Law on Legal Status of Foreign Citizens and Stateless Persons in the Republic of Belarus, according to which the State bodies did not have to inform about the reasons for their decisions.

On May 30, in the evening, reporter of the Russian TV channel *Rain* Rodion Marinichev was deported from Belarus. During the next 5 years he will not be allowed to visit the country. The decision on deportation was signed by head of the Partyzanski district department for internal affairs in Minsk Andrej Parashchuk. The reporter was detained on the same day, May 30, near the Gorky Park in Minsk after his interview with journalist Iryna Khalip, wife of former presidential candidate Andrej Sannikau. Marinichev was stopped by policemen at the exit from the park. They showed interest in the contents of his bag and documents. After having checked his passport, they saw the press card of the TV channel *Rain* and asked about accreditation. The policemen were not satisfied with explanation about the work "on a private basis", and they asked him to accompany them into a police precinct. There, all personal belongings of the journalist were checked, and a memory card with all video recordings was confiscated. The journalist was released in three hours after his detention.

On June 7, it became known that a list of persons, contacts with whom can be dangerous for people, was disseminated at enterprises in Hrodna. All persons included in the list were suspected of collaboration with the TV channel *Belsat*.

On June 27, the Embassy of Belarus in London informed journalists of the British TV channel *BBC* Nick Sturdee and Lucy Ash that their visas were revoked. The journalists had valid Belarusian visas and accreditation at the Foreign Ministry of Belarus and planned to visit the country for the Independence Day (July 3). However, they got a call from the Belarusian embassy and were told that the Foreign Ministry decided to cancel their visas. The British journalists were not given reasons for such a decision. They also got a recommendation not to apply for the Belarusian visa at the nearest future.

On June 29, in Minsk, Latvian journalist Ugis Libietis was detained by law-enforcement agents while covering a "silent" street protest rally. He had his accreditation card hanging on his neck, but the policemen were not stopped by it. Also, during the footage, unknown plain-clothed persons beat reporter and cameraman of the Russian service of *BBC* Oleg Boldyrev and Maxim Lomakin.

On July 5, in Hrodna, unknown plain-clothed men obstructed the work of journalists who were covering the trial of reporter of *Gazeta Wyborcza* Andrzej Poczobut. Photo journalists of *Associated Press* Siarhiej Hryts and *Reuters* Vasil Fiadosienka suffered, among others, from actions of these people. A group of unknown people were pushing the journalists, grasping their hands and photo lenses.

On August 16, the Ministry of Foreign Affairs of Belarus again denied accreditation to Hrodna correspondent of *Radio Racyja* Viktor Parfionienka. This was already the third unsuccessful attempt of the journalist to become accredited. The reason for the refusal is always the same — Article 10 of the Regulations on the Accreditation of Journalists of Foreign Mass Media in the Republic of Belarus. In other words, the reporter was not able to get accreditation because earlier he had worked for the same media outlet without an authorization from the Foreign Ministry. During the phone conversation, an employee of the Foreign Ministry recommended Viktor Parfionienka not to publish his materials for a year in order to be able to receive accreditation next time.

On August 19, the Lida district Court (Hrodna region) began its consideration of the administrative case of reporter of the TV channel *Belsat* Siarhiej Karpienka. The journalist, detained on June 22 after a "silent" protest rally, was charged with using foul language and resisting police. The first session lasted two hours, and then the trial was postponed till August 22, because witnesses from police failed to attend the hearing. The presiding judge was Maksim Filatau.

Under the charges brought against Siarhiej Karpienka, he faced a fine in the amount of up to 50 basic units or an administrative arrest. In his turn, the journalist filed a complaint to the Prosecutor's Office against actions of police officers. According to Siarhiej Karpienka, the policemen invited him for a talk, but after he refused, they used brute force against him and smashed his head as a result.

On August 20, the Office of the Prosecutor General officially confirmed that detention of reporters of the *European Radio for Belarus* by plain-clothed police during silent protest rallies (from June 22 to July 6) was illegal. According to the document, after an investigation the Office of the Prosecutor General came to the conclusion that during the detention of Paviel Sviardlou and Andrej Jelisiejeu their rights were violated, and also "their rights as representatives of mass media were unduly restricted".

During the visit of a reporter of the *European Radio* to the Prosecutor's Office, he was shown a document "for official use only" (he was not allowed to take a picture or scan it) which listed the names of five police officers who detained journalists and prevented them from working.

On August 24, Belarusian border guards did not allow a group of Lithuanian TV journalists, who were going to Hrodna, to enter the territory of Belarus. Reporter of the TV channel *LTV* Ruta Lankininkaitė was told that she was *persona non grata* in the country and her visa was revoked. She was given advice to get more information from Minsk. The Lithuanians wanted to shoot a story about life in Belarus in inflationary environment.

It shall be reminded that earlier Ruta Lankininkaitė worked in Belarus during almost 6 years. Annually, she and cameraman Jonas Griskonis received working visas and year-long accreditations which allowed visiting the country.

On August 30, journalist of *Radio Racyja* Grażyna Shalkievich was summoned to the Inspection for Taxes and Dues of the Republic of Belarus for the Leninski district in Hrodna. As the summons stated, the journalist was supposed to provide explanation for an issue of "tax control".

On October 26, in the night, reporter of the newspaper *Moskovskij Komsomolets* Igor Karmazin was deported from Belarus. The journalist was banned from the country for one year. Igor Karmazin came to Belarus on assignment from his editorial board to write a story about the Belarusian opposition. He was detained in the evening of **October 25**, immediately after a meeting with journalist Iryna Khalip, wife of former presidential candidate Andrej Sannikau. Igor Karmazin was taken to the Partyzanski district department for internal affairs in Minsk, where he was searched, all recordings were deleted from his voice recorder and he was fingerprinted. After that, he was given the document establishing the ban on entry in Belarus signed by deputy head of the district department for internal affairs Aliaksandr Hladun.

As press secretary of the Foreign Ministry Andrej Savinykh said later, Karmazin was in Minsk without an appropriate work permit, i.e. accreditation of a representative of a foreign media outlet at the Foreign Ministry, as it was required by the Belarusian law.

On November 9, it became known that the Belarusian embassy in Berlin denied visa to the oldest journalist of the Belarusian service of *Radio Liberty* Halina Rudnik. No reason for refusal was provided. Mrs. Rudnik wanted to present in Minsk her book of memoirs "Migratory Birds", which appeared in the series "Library of Liberty". The presentation was scheduled for October, but only now the reason for cancellation became known.

Note: Halina Rudnik (born Hancharenka) was born in Babrujsk in 1930. Her parents were repressed. In 1944, she went to the West, in Berlin, and then to the United States. After

getting the diploma of the New York City College, she came to Munich. From 1954 to early 1990 she worked for the Belarusian service of *Radio Liberty*. She now lives in Germany.

On November 26, in the morning, policemen confiscated advertising materials of *Radio Racyja* from human rights defender from Hrodna Viktor Sazonau. Sazonau's car was stopped by road police who told him that he had to go to the Leninski district office for internal affairs to have his car searched. As a result, the advertising products of *Radio Racyja* were confiscated – tea shirts, pocket calendars, etc. Policemen said that the confiscated products would be sent for inspection.

On November 26, the web site of *Radio Racyja* was hacked. As a result of the hackers' attack, a notice appeared that the web site began to disseminate a virus, and on November 27, the IT service of the radio station had to switch it off. On November 30, the web site resumed its normal activities. "The objective of the attack was to take over the control over the server in order to have possibility to make changes in the publications. When the servers were protected, they launched another attack, related to false information that we send out viruses. There are no viruses at our web site. The objective was to include our web site in the list of dangerous sites", said Jauhen Wapa, chairman of the board of *Radio Racyja*.

On December 5, in the night, representatives of the Norwegian PEN Center (Secretary General Carl Morten Iversen, member of the board William Nygaard and publisher Trygve Aslund) and the Danish PEN Center (member of the board and journalist Niels Ivar Larsen) were denied visas in the International Minsk Airport. Having arrived at the airport at about one o'clock in the night, the Scandinavian visitors wanted to get two-day tourist visas. They had all necessary documents with them.

(In Minsk, the visitors planned to meet representatives of the Belarusian Association of Journalists, the Belarusian PEN Center, the Union of Belarusian Writers, local authors and publishers).

At first, the visa officer wanted to talk to the person who was meeting them, then he wanted to speak to representatives of the travel agency, which invited the foreign visitors, but it was about three o'clock in the morning. Then, the visa officer began to prepare documents and got the consular fee from the foreigners for four visas - 360 Euro. But after a while, a border guard came out and explained that the consul decided to deny visas, and they were to be able to appeal this decision. She stressed that the Belarusian authorities had the right to deny visas even if they had collected the consular fee.

Citizens of Norway and Denmark were held till morning at a location without access to food and drink while waiting for the return flight.

On December 19, in the morning, camerawoman of the Ukrainian Movement "Femen" Kitty Green (an Australian citizen) was detained among other journalists near the building of the KGB in Minsk on the Independence Avenue during an event organized by the Ukrainian movement. She was taken to the building of the KGB. At 17.30, it became known that Kitty Green was deported from Belarus to Vilnius accompanied by KGB officers.

Photo journalist of the news agency *France Presse* and *Komsomolskaja Pravda v Belorussii* Viktor Drachou, who is accredited in Belarus, was also taken to the KGB and then to the Centralny district department for internal affairs. He came to the site of "Femen"'s event after it already started and had no time to take pictures. However, he was also detained, his documents and equipment were checked, and he was released at about 14.30 without a police report.

Restrictions on the free use of the Web

On January, 28 Minister of Information Aleh Praliaskouski said that he considered it necessary to introduce some changes in the Law on Mass Media. The law includes a rule that the registration of online media outlets is conducted in accordance with the procedure determined by the Council of Ministers, said the Minister. However, this procedure was not approved to date. "I was instructed to finalize the drafting and approval of this document in the nearest future", said Aleh Praliaskouski.

On April 7, the Office of the Prosecutor General issued decisions restricting access to information web sites *Charter'97* and *Belorusskij Partizan*, referring to the violations by them of the Law on Mass Events in the Republic of Belarus. According to the Prosecutor's Office, "the organizers of a mass event as well as other persons do not have the right to advertise its date, venue and time in a media outlet before receiving permission to hold it". On the basis of the decision of the Office of the Prosecutor General, these portals are included in the list of restricted access put together by the Belarusian State Inspection of Telecommunication.

Most Belarusian Internet providers already received the updated list and were bound to block the access to these web sites for government institutions and agencies as well as institutions of education and culture in accordance with the edict.

On April 12, information portals *Charter'97* and *Belorusskij Partizan* were not accessible to users because of a DDoS attack. The web site of *Nasha Niva* also sustained a powerful DDoS attack, and the data processing center of the state provider *Beltelecom* had routing problems for some time (from 12.00 to 14.00).

On April 19, the news web site *charter97.org* became inaccessible. According to the editorial office of the portal, a powerful DDoS attack against the portal began at 15:13 Minsk time.

Let us remind that the web site *charter97.org* is blocked for the government agencies and institutions of education and culture since April 7.

After the debacle in the Minsk office of *Charter'97* at the night from December 19 to December 20, 2010 and arrests of staffers the editorial office, the web site resumed its work in Vilnius.

On June 6, the web site *charter97.org* sustained a massive DdoS attack. The server was disconnected and became inaccessible to visitors for some time.

On June 9, it became known about blocking of access to the popular city blog *s13.ru* at Hrodna's enterprises. Hrodna city blog *s13.ru* accumulates information about various events in the city and region. Today, the blog has more than 6,000 registered users.

On June 22, at 19:15, the foreign server of the *European Radio for Belarus* (*euroradio.fm*) suffered a powerful DdoS attack which exceeded tenfold the server's capacity. Fifteen minutes later, the hoster had to block access to the site until the attack stops. All attacking IP-addresses were in Russia. According to Vital Zybliuk, the *European Radio's* managing editor, the attack was probably related to the reporting on the silent protest rally.

Approximately at the same hour, the web site of the United Democratic Forces came under the DDoS attack. The attack lasted about 24 hours.

On October 8, during the day, especially in its first half, problems with access to some online socio-political portals were recorded in Belarus. They include the web sites of the "People's Assembly", *Charter'97*, *Radio Liberty*, the *European Radio for Belarus*, *Belorusskij Partizan* and *Vkontakte*.

On October 20, on the eve of the street rally of solidarity with political prisoners, traditional problems with access to information web sites *charter97.org*, *svaboda.org*, *belaruspartisan.org*, as well as the social network *Vkontakte* were recorded.

On October 24, in the evening, the external web site of the non-governmental information agency *BelaPAN* *BelaPAN.com* stopped working for some time. The foreign server where the web site was hosted was hacked by unknown. The visitors of the web site from outside of Belarus saw a picture of Aliaksandr Lukashenka with the caption: "The great site you have here! Honestly! Delivered!"

On November 8, the Council of the Republic of the National Assembly adopted the Law on Amendments in the Administrative Offences Code and the Code of Execution Procedure of the Republic of Belarus on Administrative Offences. Among other things, the amendments provide for responsibility for violation of requirements to restrict access of users of online services to information prohibited in accordance with the law.

On November 10, it became known that thirty-five web sites were included in the list of restricted access. The access to these web sites is blocked on mandatory basis in the government agencies and the institutions of education and culture. The list is put together by the Belarusian State Inspection of Telecommunication following the decisions of the heads of the Committee for State Control, Office of the Prosecutor General, the Operations and Analytical Center and other government agencies.

On November 28, the state provider *Beltelecom* introduced restrictions on the use of the Belarusian segment of the Internet in the activities of the governmental agencies and institutions. The civil servants were prohibited from accessing a number of web sites, including the information portals *Belorusskij Partizan*, *Charter'97*, as well as the blog of Jauhien Lipkovich.

The restriction was introduced in accordance with the edict of the President of the Republic of Belarus No 60 dated February 1, 2010 on the measures to improve the use of the national segment of the Internet.

According to Ela Chazava, head of the press service of the Ministry of Communication and Informatization, to have a web site included in the list of restricted access, any citizen could submit such a proposal to some government agency (the Office of the Prosecutor General, the Ministry of Internal Affairs, the court, etc.), and they adopt the relevant decision.

On November 26, the web site of *Radio Racyja* was hacked. As a result of the hackers' attack, a notice appeared that the web site began to disseminate a virus, and on November 27, the IT service of the radio station had to switch it off. On November 30, the web site resumed its normal activities.

"The objective of the attack was to take over the control over the server in order to have possibility to make changes in the articles. When the servers were protected, they launched another attack, related to false information that we send out viruses. There are no viruses at our web site. The objective was to include our web site in the list of dangerous sites", said Jauhen Wapa, chairman of the board of *Radio Racyja*.

On December 27, it became known that *Beltelecom* began blocking the Internet access in those organizations which had not changed the settings of the DNS servers following an order. The Vitsiebsk region was the first in the list. Port 53 which is used to address the DNS servers was blocked. Moreover, there was no Internet access even when the automatic settings were applied. When the "recommended" settings were applied, the web sites of the "restricted list" were blocked, such as *Charter'97* and *Belorusskij Partizan*. Visitors complained that many social networks, web sites with anti-virus databases and other resources were blocked accidentally. *Beltelecom* did not issue any official comments.

On December 29, the information web site *charter97.org* sustained a powerful DDoS attack. At 17:00 Minsk time, the web site was attacked; hackers gained access to the administrative part of the content management, deleted some articles and published an insulting story about journalist Iryna Khalip and her husband, convicted former presidential candidate Andrej Sannikau. According to the technical service of the web site, the server and the programming part were not hacked. An investigation showed that the hackers had used the password to the administrative part, where news was published. As a result of the attack, a part of the archive was destroyed – several weeks of December 2011.

On December 30, at approximately 15.00, the web site was hacked again. The unknown persons began changing contents of information materials, so the editorial board had to withdraw all recent publications from the web site. The web site did not work for several days. The editorial board of *charter97.org* was convinced that Belarusian security agencies were implicated in these attacks.

Let us remind that the editorial office of *Charter'97* was located in Vilnius where its editor Natalia Radzina received political asylum. She was charged in the framework of the criminal case on mass rioting on December 19, 2010 at the Independence Square in Minsk.

Economic Pressure, Interference with Printing and Distribution

On February 7, in Vitsiebsk, local distributor of independent periodicals Barys Khamajda was detained. Officers of the Chyhunachny district office for internal affairs drew up a police report against him, charging him with violation of Article 23.34 of the Administrative Offences Code (unauthorized picketing). **On February 28**, the court of the Chyhunachny district fined him for 1,050,000 rubles "for organizing and holding an unauthorized picket".

On March 21, two incidents took place on the same day, related to the distribution of the officially registered newspaper *Novy Chas* in Minsk and Slutsk. In the capital city, a distributor of the newspaper was detained. He was taken to the Centralny district department for internal affairs, but after a while he was released without a police report.

On the same day, in Slutsk, an unknown person, who introduced himself as a police officer, confiscated the package with 200 copies of *Novy Chas* from volunteer Zinaida Tsimoshyk. The copies were supposed to be distributed among town dwellers. No reason for confiscating the newspaper was given to the lady, and no acts or police reports were drawn up. Zinaida Tsimoshyk filed a complaint to the Prosecutor for the Slutsk district, asking him to investigate the incident and to take prosecutorial action.

On April 14, the editorial office of the non-governmental newspaper *Nasha Niva* informed that the price for paper for the print edition rose sharply. If previously the editorial office was buying newsprint paper from the Syktyvkar plant in Russia at the price of 2,050,000 Belarusian rubles per ton, excluding VAT (20%), now, wholesalers offered it at 3,500,000 rubles per ton. The price increased by 70%, while the official inflation rate in Belarus was 6% in the first quarter.

In Belarus, one can also buy newsprint paper manufactured by the Shklou Plant. The newspaper was able to buy six tons of this paper at the price of 2,300,000 rubles per ton, excluding VAT, but these were the last stocks from the supplier. The publication was told that the next batch of paper from Shklou would be sold at higher price. In a month, *Nasha Niva* uses about 1,4 ton of paper. The editorial office said that it would have to raise the retail price of the newspaper again.

On April 20, the Shklou plant of the newsprint paper increased prices by 20%. Also, it became known that printing services would cost 20% more from May 1. Problems in the economy began to adversely affect the mass media market. Some non-governmental periodicals announced that they were on the verge of bankruptcy. So, one of the most popular non-governmental sports newspaper *Pressbol* urged its readers to switch to the electronic version.

On May 25, it became known from officials of the Shklou plant of newsprint paper that the enterprise was selling its products at different price for State-owned and non-governmental newspapers. Thus, the price of the brand "O" paper for the State-owned newspapers was 2,884,080 rubles, and for the non-governmental newspapers it was over 4,000,000 rubles.

"Unequal economic conditions deprive the non-governmental media of their last chance to compete, said editor-in-chief of the newspaper *Rehijanalnaja Hazieta* (Maladziechna) Aliaksandr Mantsevich, commenting on this situation. The increase of prices for paper, printing services and distribution forces the newspapers to raise the price of the periodicals. When a State-owned newspaper in color is sold at the newsstand for 600 or 700 rubles, we have to sell lower print quality issues with fewer pages for 1,500 rubles".

On May 3, another leaseholder demanded to vacate the premises which housed the editorial office of the regional web site *ex-press.by* (previously known as *Borisov Elektronnyj*). During the existence of the web site, it already encountered six refusals to its requests to rent the premises when the rent was already agreed, and staffers and informers of the web site were repeatedly summoned to the KGB.

On June 3, journalists got a copy of a document which bore evidence of the ongoing practice of compulsory subscription to the State-owned printed media. This is a circular letter of the Administration of the Piershamajski district in Minsk to all top managers of enterprises, institutions and organizations instructing them "to take under personal control the subscription campaign for major nationwide and local periodicals in their entities" in order to maintain the number of subscribed copies. The list included the newspapers *Sovetskaja Belorussiya*, *Minskij Kurjer*, *Vechernij Minsk*, *Narodnaja Gazeta*, *Respublika*, *Zviazda*, *Znamia Junosti*, and the magazine *Planeta*.

On July 8, volunteer distributor of non-governmental printed media Barys Khamajda was detained in Vitsiebsk. The detention took place near the "Blue House" on Lenin Str., where Mr. Khamajda usually displayed the periodicals. He was taken to the Chyhunachny district office for internal affairs after having been cited an order from police authorities. Perhaps, the public activist was a victim of the mopping-up of the city before the "Slavic Bazaar" festival. **On July 7**, officers of the Kastychnitski district office for internal affairs stopped Mr. Khamajda on the street to check the contents of his bags. However, after a personal search, the policemen apologized and released the activist.

On July 11, in Navapolatsk, volunteer distributor of the bulletin *Tut I Ciapier* Mikalaj Chartkou was sentenced by the court to a fine in the amount of two basic units for petty hooliganism (Article 17.1 of the Administrative Offences Code of the Republic of Belarus) – he had allegedly used foul language in a public place. Mikalaj Chartkou was detained **on July 11** and spent the night before the court hearing in the precinct.

On July 12, the hearing of the administrative case on illegal distribution of media materials was scheduled to be held (Article 22.9 of the Administrative Offences Code of the Republic of Belarus). However, the hearing was postponed to **July 18** because witnesses failed to attend it.

On July 14, it became known that the non-governmental regional newspaper *Niasvizhski Chas* was again denied possibility of distribution through the newsstands of

"Minabsajuzdruk". At the end of June, the editorial office sent a cooperation offer. It received the reply that "Minabsajuzdruk" had terminated the contractual campaign for distribution of periodicals in 2011 on January 3, 2011 and it did not plan to distribute the newspaper *Niasvizhski Chas* in the current year.

On July 29, it was announced that the daily newspaper *Sport-Express v Belorussii* suspended its publication in Belarus. As journalists were told in the Minsk office of the periodical, the newspaper stopped publishing because of the impossibility to buy newsprint paper of the Shklou plant.

It shall be reminded that in early July, there were reports that the Shklou plant of newsprint paper refused to sell paper to the non-governmental media outlets. Then, these problems were faced by the regional periodicals *Intex-press* (Baranavichy) and *Brestskij Kurjer*. Deputy director of the plant Aleh Padabied then told that there would be a different approach to providing paper to the State-owned and non-governmental periodicals: the media outlets included in the "government contract" would be supplied with paper, and the others would have to buy it at the commodity exchange. The Minsk office of *Sport-Express* said that it was simply impossible to buy this paper.

On September 3, at an entrance point to Mahiliou, road police officers detained local activist of the campaign "Tell the Truth" Aksana Samujlava and confiscated 38,546 copies of special editions of the campaign's newspapers, as well as leaflets and brochures of the campaign, from her car. At first, the policemen said that the "car was suspected of involvement in a fatal accident" and that it must be taken to a police precinct. At the Leninski district department for internal affairs in Mahiliou the car of the civil activist was searched, and the printed materials were seized. Aksana Samujlava was told that she would soon be summoned to the court.

On September 9, the non-governmental newspaper *Turism I Otdykh*, popular in Belarus, announced that it was on the verge of bankruptcy. To that day, the newspaper worked steadily at the media market during 17 years. According to editor of the newspaper Liliya Kobzik, it became unprofitable to publish the newspaper because of high inflation and the double exchange rate of US dollar (the commercial rate and the rate of the National Bank). "By no means all publications are affected. It is possible that those who have the State as their sponsor and investor are able to publish luxury and glossy large-circulation newspapers and magazines even in these economic conditions", said the editor of *Turism I Otdykh*.

The editorial office of the newspaper hoped to find a remedy in the development of the online portal.

On September 27, police seized about one hundred copies of a special edition of the newspaper *Narodnaja Volia* and information leaflets for the "People's Assembly" from detained activist of the civic campaign "European Belarus" Viktor Kaliesnik in Lepel. Policemen did not draw up any report.

On September 30, it became known that the Shklou plant of newsprint paper continued to sell its products in accordance with different lists. One of them had a fixed price for the State-owned periodicals, and another one had market prices for the non-governmental periodicals. The difference in price for the State-owned and non-governmental publications amounted to about 80%, the marketing department of the Shklou plant of newsprint paper confirmed. The plant did not provide exact figures. However, taking into account that in May 2011 the price of a ton of the brand "O" paper was worth about USD 580 (in the dollar equivalent) for the State-owned newspapers, its price for the non-governmental media outlets could be about USD 1,000 at that moment.

Such steps of the government, in addition to difficult financial and economic situation in the country, literally put the non-governmental periodicals on the brink of survival.

On October 7, police detained public activist Siarhiej Trafimchyk in the town of Masty in the Hrodna region. They confiscated advertising materials of *Radio Racyja* and the TV channel *Belsat* from his car. The activist was held for several hours in the police precinct.

On October 8, Trafimchyk was summoned to the Mastouski district office for internal affairs. He was questioned by policemen and told that the printed materials seized from his car would be sent for an expert evaluation to check for presence of illegal content.

On October 12, it became known that the only Belarusian-language children newspaper *Ranitsa* which was previously published weekly, was adjoined to the Russian-language publication *Perekhodnyj Vozrast*. In their explanation, the management of the publishing house referred to economic problems.

On October 13, it was announced that since the beginning of 2012 the oldest Belarusian-language magazine for teenagers *Biarozka* would also cease its publication. The periodical would lose its cover and would become an annex to the magazine *Maladosts*. Economic problems were also cited as the reason.

Note: *Biarozka* was published since 1926; many renowned Belarusian writers started in this magazine. In September the 1,000th issue was published, and in 2010 *Biarozka* celebrated its 85th anniversary.

On October 25, it became known that many non-governmental nationwide and regional socio-political periodicals were still absent from the subscription catalogue of "Belposhta" for the first half of 2012.

It shall be reminded that in early 2006, more than a dozen of independent periodicals found themselves outside of the state distribution system. "Belsajuzdruk" and "Belposhta" motivated this step by economic non-feasibility of cooperation with non-governmental socio-political media. In 2008, the newspapers *Nasha Niva* and *Narodnaja Volia* returned to the subscription catalogues of the postal service and to the newsstands of "Belzajuzdruk". However, nothing changed for some other non-governmental periodicals for already 6 years.

On November 3, it became known that the commercial center "BelMarket" in Horki refused to sell another issue of the Horki non-governmental newspaper *UzHorak*. Editor Halina Budnaja was told that the contract was cancelled by the head office of "BelMarket" in Minsk.

It shall be reminded that *UzHorak* is a regional general political newspaper circulated in the Horki, Drybin and Mstislau districts of the Mahiliou region. The publication provides objective coverage of local events and speaks of nationwide problems.

On November 15, journalists learned that the Vaukavysk district executive committee ensure subscription for several State-owned periodicals by companies and individuals for the first quarter of 2012. The letter signed by deputy chairman of the district executive committee Uladzimir Zakharchuk also demanded to report on the results of the subscription campaign to the office for ideological work of the district executive committee before December 24, 2011. The list of "controlled publications" include *Sovetskaja Belorussiya*, *Respublika*, *7 Dnej*, the regional newspaper *Hrodzienskaja Prauda* and others.

On November 20, it became known that officers of the KGB branch in Babrujsk prohibited the drivers of buses from bringing the newspaper *Novy Chas* to Babrujsk from Minsk. This information came from civil activist Volha Pimienava who distributed *Novy Chas* in Babrujsk among her friends and relations for a number of years already. According to her, the driver of the bus who used to bring *Novy Chas* said that he would not bring the newspaper anymore, because KGB agents had talked to him and promised big problems. Other drivers also refused to bring the newspaper, because all of them had a "prophylactic

conversation" with law-enforcement officials. Meanwhile, *Novy Chas* is officially registered at the Ministry of Information.

On November 17, in Vitsiebsk, a police report was drawn up against public activist Tamara Kandakova for illegal distribution of a periodical — the newspaper *Vitebskij Kurjer*. Tamara Kandakova was detained when she was distributing the non-governmental publication at Tserashkova Str. The court of the Kastychnitski district in Vitsiebsk sentenced the distributor to a fine of 700,000 rubles for violation of the order of distribution of publication.

It shall be reminded that *Vitebskij Kurjer* is distributed in Vitsiebsk for free by volunteer distributors, because the newspaper is unable to obtain the right to be sold at the newsstands of "Belsajuzdruk" and to be included in the subscription catalogue of "Belposhta" for several years already.

On December 27, volunteer distributor of the non-governmental newspaper *Vitebskij Kurjer* Tamara Kandakova filed a complaint to the Vitsiebsk region court against the decision of the district court. Tamara Kandakova disagreed with the decision of judge Ina Hrabouskaja who had proceeded from the understanding that *Vitebskij Kurjer* was a foreign periodical, whose distribution needed a special authorization. The newspaper was published in Smolensk, i.e. in the territory of the Union State, the distributor believed. Besides, the court did not decide what would happen to the seized newspapers (151 copies). The court decision provided for their "confiscation". It did not say, however, whether the confiscated copies should be given to someone (for example, for sale), destroyed or stored somewhere "for history".

On November 2, journalists learned that the Pukhavichy district executive committee (Mahiliou region) sent official letters to top managers of local enterprises and organizations demanding them "to fulfill the conveyed plan of subscription for the controlled printed periodicals" and to report in written form on the results of the subscription. The document was signed by chairman of the district executive committee Fiodar Karalenia. The list included the State-owned periodicals *Respublika*, *Minskaja Prawda*, *Pukhavitskija Naviny*, *Planeta*, *Bielaruskaja Dumka*, etc. The letter demanded to give special attention to the "controlled nationwide newspaper *Sovetskaja Belorussiya*."

On December 13, it became known that top managers of public and private enterprises of Maladziechna and the Maladziechna district received official letters demanding them to organize subscription to a number of State-owned periodicals. The document was signed by chairman of the local district executive committee F. Damatsenka. According to the letter, departments of the organizations, war and labor veterans, ideological activists and best workers should receive the standard package: *Sovetskaja Belorussiya*, *Minskaja Prawda* and *Maladziechanskaja Hazieta*. Besides, it is desirable to provide the workers with the "major nationwide publications", which included *Respublika*, *Zviazda*, *Narodnaja Hazieta*, *Belorusskaja Niva* and the magazine *Planeta*. The report on the implementation of this order must be submitted to the office for ideological work of the district executive committee before December 21 by calling one of the six (!) phone numbers.

On December 14, it became known that the compulsory subscription to State-owned publications was also taking place in the Bialynichy district (Mahiliou region). In particular, officials from the office of education of the district executive committee strongly "encouraged" the school and kindergarten teachers to subscribe to certain periodicals and threatened with problems those who would not want to subscribe to them. The directors of schools and kindergartens were responsible for implementation of the subscription plans in their institutions.

Employees of postal offices of the Bialynichy district also told that they had been given plans to ensure subscription to State-owned periodicals. "If I don't subscribe people to the

required number of copies of, let's say, *Sovetskaja Belorussiya*, I will be stripped of bonuses for the entire quarter, said a postman of one of the postal offices in the district. That's why, when we don't have enough subscribers, we have to subscribe ourselves to several copies of periodicals".