

Belarusian Association of Journalists (BAJ)

# MASS MEDIA IN BELARUS 2012

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## VIOLATIONS OF JOURNALISTS' AND MASS MEDIA RIGHTS IN 2012 (Summary)

General situation in the Belarusian mass media field was changing in 2012 alongside the social, political, and economic situation in the country.

The first half-year was characterized by aggravation of tension in relations between the authorities and the press. The main tools of pressure on journalists and media outlets included issuance of official warnings by the KGB and public prosecution bodies, issuance of bans on foreign trips to a number of media workers and activists, and a propagandist campaign against the Belarusian Association of Journalists (further - BAJ) on the Belarusian state TV.

The critical point of Belarusian mass media year 2012 came in the summer, when three suits against journalists were filed.

Certain reduction of general pressure on the media by the beginning of elections to the Chamber of Representatives at the National Assembly of Belarus was caused by importance of getting international recognition to the Belarusian government. The criminal proceedings against the media workers were “frozen”. One of the cases was closed. The illegal bans on media workers’ foreign trips were lifted. However, there took place separate conflicts in the media field, connected with access to information and news distribution, every now and then. Quite a few of them happened during the election period.

The end of the year was characterized by the shift of emphasis on economic issues, including foundation of state newspaper holding companies and provision of financial support to the state-owned media, on the one hand, and prosecution of independent publishers under the pretext of their “engagement in illegal business” or violation of state standards, on the other hand.

### CRIMINAL PROSECUTION OF JOURNALISTS

Three suits against media workers were filed in different Belarusian regions in the summer of 2012. All of them were related to the journalists’ professional activity. In particular, Andrzej Paczobut (Hrodna) was accused of casting aspersions on the President of Belarus. Anton Surapin (Slutsk, Minsk region) was accused of assisting a group of people to cross illegally the Belarusian state border. Mikalay Petrushenka (Vitsiebsk) was charged with defaming a public officer.

Criminal proceedings against a journalist and civil activist Mikalay Petrushenka (Vitsiebsk) were initiated by Vorsha City Department of Legal Investigation Committee on August 17, 2012. Initially, the media worker used to be charged with defaming a public officer (article 369 of Belarus Criminal Code).

The criminal charges were grounded on M. Petrushenka’s article, published on nash-dom.info Web-site on August 8, 2012 that, allegedly, contained offensive public statements in relation to Deputy Chairperson of Vorsha City Executive Committee. The criminal case was passed to Vitsiebsk Regional Department of Legal Investigation Committee. On October 17, 2012, the criminal proceedings against M. Petrushenka were terminated due to the absence of corpus delicti, confirmed by linguistic examination of the text.

Anton Surapin, 20, a student of Journalism at the Belarusian State University was the first to upload and publish on-line photos of teddy bears with slogans in support of freedom of speech, dropped from a small airplane that crossed illegally the Belarusian-Lithuanian state border on July 4, 2012. A Swedish PR-company Studio Total took responsibility for the action “in support of democratic values in Belarus”.

A KGB search was conducted at A. Surapin's rented apartment on July 13, 2012. His photo camera and PC were seized. A. Surapin spent more than a month in the KGB pre-trial jail in Minsk afterwards.

His attorney wasn't permitted to inform the press and the journalist's relatives about the legal investigation procedures and even about the detainee's judicial status at that. It was only on August 7, 2012 that the KGB of Belarus informed the public about presentation of criminal charges to A. Surapin for assisting a group of people to cross illegally the Belarusian state border. The young journalist was released from custody on August 17, 2012, following a wave of appeals on the part of Belarusian and international civil society structures. However, he was forced to sign a recognizance not to leave the place of his residence.

None of legal investigation procedures have been implemented with the media worker since then. He is still regarded as the alleged offender by the Belarusian judicial authorities and he cannot leave the place of his residence.

The arrest of Anton Surapin by KGB led the top-ten list of the most absurd and unjust arrests of 2012, published by Amnesty International.

A. Paczobut's fate arouses anxiety most of all. A criminal case was filed against the Belarusian correspondent of "Gazeta Wyborcza" (Poland), following a mass examination of analytical articles, contributed by the journalist to a number of on-line news resources within the preceding half a year term.

Consequently, A. Paczobut was charged with the repeated defamation of the President of Belarus (article 367, part 2 of Belarusian Criminal Code). The criminal case was grounded on A. Paczobut's publications on various Web-sites.

The journalist was taken into custody on June 21, 2012. The police conducted a search of his apartment. The reporter's PC was seized.

A. Paczobut was released from pre-trial jail on signing a recognizance not to leave the place of his residence on June 30, 2012. He had been brought an indictment on article 367, part 2 of Belarusian Criminal Code before that.

The terms of legal investigation on the case were prolonged several times. However, none of investigatory actions have been conducted with the media worker yet.

On November 29, 2012, the journalist was informed by Hrodna Regional Department of Legal Investigation Committee officers that the fourth linguistic examination had been initiated within the case. Reportedly, legal investigation on the case was suspended for the period of linguistic examination. However, the journalist still cannot leave the city of Hrodna, since he has been forced to sign the recognizance not to leave the place of his residence.

The situation is aggravated by the fact that A. Paczobut was sentenced to three years of jail with deferment of execution for two years for casting aspersions on the President of Belarus in 2011. Presently, the journalist can be sentenced to up to 5 years of jail to be added to the previously pronounced prison term.

It has to be underscored that all three suits against media workers in 2012 were filed on the grounds of their Web publications.

## OTHER FORMS OF PRESSURE ON JOURNALISTS

Detentions and official warnings from KGB and public prosecution bodies remained to be the main forms of pressure on journalists in 2012.

BAJ registered around 60 cases of detentions of journalists, independent press distributors, and active social networkers by representatives of different law-enforcement bodies in 2012. The detained journalists were usually released in 2-3 hours. However, there were registered cases,

when the detained media workers were taken to court and sentenced to fines and different terms of arrest (up to 15 days) under administrative law.

At least 13 journalists were officially warned by public prosecution offices for cooperation with foreign media without valid press credentials in 2012. At least 4 journalists were urged to come for 'a talk' to the local KGB departments. The peak of warnings was registered in February – March 2012.

A rather new form of pressure on journalists, politicians, and civil activists in the form of illegal foreign travel bans was practiced by the Belarusian official authorities in 2012.

Thus, among other, the BAJ Chairperson Zhanna Litvina, the BelSat TV channel representative Mikhail Yanchuk, and the 'Nasha Niva' newspaper's Chief Editor Andrei Dynko were deprived of their right to leave Belarus in March 2012. The bans were lifted as soon as the journalists went to law in August – September 2012. The Citizenship and Migration Department officers explained the ban by a soft-ware bug.

## OBSTACLES TO FOREIGN CORRESPONDENTS' PROFESSIONAL ACTIVITY

Apart from issuing official warnings to the Belarusian journalists that contribute to foreign media, the Belarusian official authorities also implemented other measures to tighten control over international distribution of information about events in Belarus. Thus, the officially accredited TV crews of TV3 (Estonia) and SVT (Sweden) channels were detained in Minsk in March 2012.

Some foreign correspondents faced problems with coverage of elections to the Chamber of Representatives at the National Assembly of Belarus, held on September 23, 2012.

More than 350 foreign journalists were officially accredited at the parliamentary elections in Belarus. However, four journalists from Germany and Sweden were banned entrance to the country.

But for that, Swedish correspondents Erik Von Platen and Gustaff Andresson had to spend approximately 16 hours at the national airport of Minsk, waiting for their airport visas and press credentials, on September 21, 2012.

On the same day of September 21, 2012, the Belarusian customs officers seized all professional technical equipment and information carriers from an Australian journalist Amos Roberts (SBS Broadcasting Corporation) on his way home at the national airport of Minsk. They didn't explain the grounds for the seizure. Moreover, the seizure record wasn't presented to the media worker on his request. The journalist had a possibility to leave Belarus on the following day only. The technical equipment and records haven't been returned to him so far.

## PRESSURE ON BOOK / MEDIA PUBLISHERS AND DISTRIBUTORS

The official authorities resumed persecution of "ARCHE –Pachatak" magazine in October 2012. It is worth mentioning that the intellectual magazine publishers were accused of distributing extremist materials in the aftermath of elections to the Chamber of Representatives in 2008. However, the criminal proceedings were terminated then. Presently, the wave of pressure on the "ARCHE-Pachatak" intellectual magazine publishers and editorial has been initiated, following the detention of its Editor-in-chief Valery Bulhakau at the "Sovetization of Western Belarus" book presentation in Hrodna on September 14, 2012. He was accused of breaking the law on business activity by means of selling books at the presentation event and fined afterwards.

A large-scale financial examination of “ARCHE” Establishment that acts as the founder and editorial of “ARCHE-Pachatak” magazine started immediately afterwards. On October 4, 2012, the Department of Financial Investigations blocked accounts of “ARCHE” Establishment. Consequently, publication of “ARCHE-Pachatak” magazine had to be suspended. The Belarusian state TV broadcast two video-reports, dedicated to the ‘book case’, where V. Bulhakau was accused of distributing extremist literature. It was hinted unambiguously, that the case could be further considered under criminal law. V. Bulhakau was forced to flee Belarus in November 2012.

Another conflict, connected with mass media and book publishing, took place on November 12, 2012. More than 40 copies of “Belarus Press-Photo 2011” photo album were seized from independent photo journalists Yuliya Darashkevich and Aliaksandr Vasiukovich at the Belarus-Lithuanian border by Belarusian customs officers under the pretext of checking them for the presence of “information that may be dangerous to the Belarusian state”.

Consequently, Ashmiany Customs Department informed the journalists that the Department on Ideological Work at Hrodna Regional Executive Committee examined the album and found the printed production to be “illegal and subject to destruction”.

## INTERNET

According to the National Statistic Committee of Belarus (Belstat), the number of Belarusian Internet-users totaled 6.8 million, including 6.1 million individuals’ IPs, at the beginning of 2012, the Interfax news agency reported. The number of Web-users had grown by 34.2% within a year’s course.

At the same time, the GemiusAudience statistic data for September 2012 was modest by far. Accordingly, no more than 4.4 million Belarusians used Internet in September 2012. The number of Web-users had increased by 14% within a year’s course. According to GemiusAudience, 80% of Belarusian Web-users enter the global network at least once a day. This way or another, the growth of Web-visitors in Belarus is evident.

The change of provisions on identification of visitors of Internet-cafes, Wi-Fi areas etc. was adopted at the end of 2012. In particular, the Council of Ministers of Belarus adopted executive order no. 1191 of December 22, 2012 that introduced alternative means of identifying Web-users, apart from ID or passport presentation, since the end of January 2013. Among other, the alternatives include photo- or video-registration, SMS-registration etc.

It is worth mentioning that the compulsory identification of Web-users in Internet-cafes and other places of collective Internet-connection got introduced by the presidential decree of February 1, 2010 “On measures to improve the use of the national Segment of Internet”.

## STATE ECONOMIC POLICY IN MASS MEDIA FIELD

The Belarusian official authorities continued the economic discrimination policy in relation to independent media in 2012. None of periodical editions, which used to be ousted from the “Belposhta” and “Sayuzdruk” state-owned monopolist press distribution systems, have been returned to the news-stalls and subscription catalogues in 2012.

At the same time, there have been strengthened various forms of state support to the state-owned media, including compulsory subscription to the official press and direct financial backing. According to the Belarus law “On the national State Budget 2013”, adopted in October 2012, the state budget subsidies to the state-owned media totaled 669 206 189.2 thousand Belarusian rubles that equals to around EUR 60 million. The amount of subsidies is almost by EUR 15 million bigger in comparison with the year of 2012.

The majority of budget funds are directed to support the state TV and radio broadcasters (approximately, EUR 46 million). Around EUR 6 million have been allocated to support the periodical press and publishing houses EUR 7.5 million will be used for funding “other issues in the media field”.

The considerable increase of budget funding to the state-owned media contradicts to declarations of top governmental officials about the necessity of saving and cutting budget investments in the media. Thus, the president of Belarus Aliaksandr Lukashenka noted during a reporting meeting with the head of the National State TV and Radio Company Henadzi Davydzka on November 27, 2012 that the state subsidies to the Belarusian TV channels could be significantly cut in 2013. (Surprisingly, the State Budget Law for 2013 had been signed by him before that.) However, on December 22, 2012, the president prolonged implementation of his decree on exemption of the national State TV and Radio Company with all affiliates from vat and income taxation in 2013.

Similar processes take place in the field of periodical press of Belarus. Thus, the state officials declared amalgamation of 11 nation-wide printed periodical editions to two holding companies in the autumn of 2012.

Apart from “Zviazda” newspaper, the “Zviazda” Publishing house will gather cultural periodical editions, including “LiM” Publishing and Editing Enterprise, “Literature and Art” newspaper as well as “Polymia”, “Maladosts”, “Neman”, and “Vozhyk” magazines.

The social and political Publishing house will unite 5 largest nation-wide sociopolitical newspapers: “Sovetskaya Belorussia”, “Narodnaya Gazeta”, “Respublika”, “Belaruskaya Niva”, and “Znamya Yunosti”.

However, the declared “print media optimization” doesn’t lead to reduction of their support from the state budget. Just on the contrary, the state subsidies increase. It should be underscored that the budgetary funding is distributed on the out-of-competition basis. On December 13, 2012, the Council of Ministers of Belarus adopted the List of Mass Media, to be supported from the state budget in 2013. The list consists of 25 periodicals, including the media outlets to be united in the holding companies, mentioned above.

It is worth mentioning that the financial support to the state-owned media appears to be quite inefficient. The Independent Institute for Social, Economic, and Political Studies surveyed the Belarusian residents in December 2012. The public opinion poll results showed significant decrease of confidence in the state owned media by approximately 14.8% of Belarusian respondents, compared to December 2010. at the same time, the level of confidence in the independent media increased by 1.8%.

Despite the incomparable print-runs of the print media and the existing state monopoly in the field of TV and radio broadcasting, non-state media enjoy confidence of 48.1% respondents. At the same time, the state-owned media can boast of 38.1% trusting respondents only.

## CHANGES IN THE LEGISLATION

The most important legislative acts related to mass media in 2012 were adopted at the end of the year.

**On October 26**, the Law of the Republic of Belarus No. 432-3 "On the Republican Budget for 2013" was adopted. In 2013, the republican budget provides for allocation of 669,206,189,200 Belarusian rubles (about 60 mln Euro) to finance state-owned and state-supported mass media. Most of the funds – 514,674,681,300 Belarusian rubles (about 46 mln Euro) – will be allocated for television and radio. For printed media and publishing houses, 70,128,094,400 Belarusian rubles (more than 6 mln Euro), and for other needs in the mass media sphere, 84,403,413,500 Belarusian rubles (more than 7 mln Euro), will be allocated.

**On December 17**, it was established by the Edict No. 557 of the President of the Republic of Belarus that the National State Television and Radio Company and its affiliated organizations will be exempt in 2013, as it was in 2009 – 2011, from paying the corporate profits tax and the value added tax (with exception of the value added tax levied on the goods imported in the territory of the Republic of Belarus).

**On December 17**, the Law of the Republic of Belarus "On Introduction of Amendments and Additions to Some Laws of the Republic of Belarus on Advertising". The law introduces an amendment to the Law of the Republic of Belarus "On Languages in the Republic of Belarus" as well as amendments and additions to the Law of the Republic of Belarus "On Advertising".

The law provides for downsizing of volume of television and radio advertisement in prime time (18.00 to 22.00) from 18 to 16 minutes per hour. It is also established that a show, including a feature film, can be interrupted for advertisement no more than four times in any hour.

The words "gift", "free of charge", "zero rubles" etc. cannot be used in advertisement of services or works if provision of such services (or execution of works) is done against payment.

Another novelty applies to advertisement of casinos and gambling. "It is completely prohibited on television and radio from 7.00 to 22.00, and in health care, culture and sports institutions, on toys, in publications for minors and those specializing in environment, education and health care", according to the Ministry of Commerce.

The ban on broadcasting advertisement for beer on television and radio which was earlier set from 7.00 to 20.00, will be extended till 22.00 in accordance with the law. Also, this advertisement (similar to the advertisement of alcoholic beverages) must contain a warning label about danger of excessive consumption.

The list of prohibitions established in regard to advertisement of medicines, medical devices and medical equipment was complemented by prohibition to make reference to specific cases of recovery, recommendations of state agencies as well as offers of material incentives for purchase of the advertised item. A separate article establishes requirements to advertisement of nutritional supplements to food.

The law also establishes rules aimed at preventing advertisement of financial pyramids schemes, whereas it is prohibited to advertise activities of entities which are not registered as organizations or individual entrepreneurs involving borrowing money, e-money and other property of people against income payment.

At the same time, it has been decided to abolish the administrative procedure of getting approval for advertisement of veterinary services and medical services (works) if this advertisement only contains information included in the license for medical activities and contact information. It is permitted not to indicate the name of the advertiser, the taxpayer number, license data and the number of the registration certificate for medicine and nutritional supplements in radio, outdoor and some other forms of advertisement.

In order to avoid disputes about the legal nature of the contract for placing advertisement, it is established that such legal relationship shall be regulated by a contract for paid services.

It is additionally permitted to place advertisement in a foreign language (other than advertisement which was allowed for placement in a foreign language earlier) for brand names of goods, creative works, aliases and Internet domain names.

The law allows references to sponsors of cultural and sports events organized with participation of government agencies in social advertisement. An inter-agency council on advertisement will evaluate quality of social advertisement.

Amendments and additions also affect the language of advertisement, conceptual framework, general requirements to advertisement of specific goods and services, means of advertisement, exclusion of improper advertisement, provision for rights and obligations of the advertiser, producer of advertisement and distributor of advertisement in submission of relevant information. The law also clarifies the authority of government agencies in the sphere of advertisement; it provides for establishment of the Inter-Agency Council on Advertisement and sets out its goals.

**On December 22**, the Resolution of the Council of Ministers of the Republic of Belarus No. 1191 (enters into force from January 29, 2013) establishes, among other things, that data transfer or telematic services can be provided to users in Internet cafes after their identification which is done through checking their ID or with use of other services that allow to establish their identities (a registered club card, an access card etc.) or with use of technical means of photo and video recording or another software and hardware method (including a text message) that provides referencing of network details of users with their personal data.

In provision of data transfer and telematics services to users in a computer club or an Internet café, the manager or an authorized person shall ensure that the following data is recorded, registered and stored:

- personal data of users of data transfer and telematic services (first name, patronymic name, last name, type and number of the personal ID, ID's issuing authority);
- information about start and end time of provision of data transfer and telematics services and the PC equipment used;
- electronic register which includes identification data about the user terminals (MAC address, internal and external IP addresses), date, time and domain names or IP addresses to which the user established connection.

These data shall be stored by the managers of the computer club or Internet café or a person they authorized during one year after the date on which the service was provided.

If means of photo or video recording are used in the computer club or Internet café, they shall be positioned in a way to capture entrances (exits) in the premises of the computer club or Internet café, the general view of the premises with layout of workstations, as well as the checkout point(s), and to exclude the possibility of capturing information of the display and information keyed in by users into message entry devices.

**On December 29**, the Law "On Publishing Activities in the Republic of Belarus" was adopted which enters in force from July 7, 2013.

This law defines the framework of publishing activities, directions of state policy in the field of publishing and sets the procedure of state registration, and re-registration of publishers, producers and distributors of printed materials.

## INFRINGEMENT OF THE RIGHTS OF MASS MEDIA AND JOURNALISTS, CONFLIKTS IN THE SPHERE OF MASS MEDIA

### Criminal Cases

#### Service of Sentence by Paval Sieviaryniec

*Paval Sieviaryniec, a member of the Council of the BAJ, politician and social commentator, was sentenced on May 16, 2011 by the Court of the Zavodski District in Minsk to three years of custodial restraint under Article 342, Part 1 of the Criminal Code of the Republic of Belarus (organization and preparation of activities that outrage public order or active participation in such activities) after protest actions in December 2010 related to the presidential election. He serves his sentence in the special settlement No. 7 in the village of Kuplin, Pruzhany district, in the Brest region. His term of sentence will expire on October 19, 2013.*

**On January 31**, it became known that the Supreme Court dismissed a complaint against the sentence to Paval Sieviaryniec submitted in exercise of supervisory functions. This information was received from Vadzim Mushynski, lawyer of Sieviaryniec.

**On April 27**, administration of the special settlement No. 7 deprived Paval of the opportunity to be released on parole despite the certificate of good conduct which they had issued to Paval themselves. This decision was based on the fact that Paval Sieviaryniec did not admit his guilt.

"In my opinion, both the sentence and the decision are unlawful", Paval Sieviaryniec said.

**On July 9**, President Aliaksandr Lukashenka signed the Law "On Amnesty of Certain Categories of People Who Committed Crimes". Human rights defenders drew attention to the fact that the law on amnesty 2012 differed from those of previous years – this time, Article 342 "Organization and preparation of activities that outrage public order or active participation in such activities" was included in the list of articles which were not covered by the amnesty.

Paval Sieviaryniec, as well as most political prisoners, including journalists (Iryna Khalip, Siarhiej Vazniak, Aliaksandr Fiaduta and others, who received suspended or deferred sentences) was sentenced under this very article.

**On July 26**, administration of the special settlement No. 7 officially informed Sieviaryniec that he was not included in the amnesty.

#### Service of sentence by Ales Bialiacki

*Ales Bialiacki, a member of the BAJ, Chairman of the Human Rights Center "Viasna" and Vice President of the International Federation for Human Rights (FIDH), was convicted on November 24, 2011. Siarhiej Bandarenka, Judge of the Piershamajski District Court in Minsk, found him guilty of concealment of income on a large scale and sentenced him to four and a half years of imprisonment in a reinforced security colony with confiscation of property. Besides, Bialiacki had to pay 757,526,717 Belarusian rubles (about USD 90,000) to the state. Ales Bialiacki did not admit his guilt and said that the sentence was politically motivated.*

*The criminal prosecution of the human rights defender was based on information about his accounts in foreign banks which was transmitted to the Belarusian authorities by the Ministry of*

*Justice of Lithuania and the Office of the Prosecutor General of Poland. This money was not his property but was directed to support of repressed people, payment of lawyers' fees and other human rights defense needs.*

*International democratic community, leaders of the European Union, the United States and a number of other countries see him as a political prisoner and demand the release of the human rights defender from the official Minsk. Parliamentarians of 27 countries – members of the Council of Europe supported nomination of Ales Bialiacki to the Nobel Peace Prize.*

**On January 18**, Natallia Pinchuk, wife of the human rights defender, transferred the entire amount which Bialiacki had been sentenced to pay in favor of the state to the account of the Piershamajski District Court. This money was collected by general public with expectation that the payment would help to reverse or mitigate the sentence to Ales Bialiacki.

**On January 24**, the Minsk City Court did not grant the appeal of Ales Bialiacki and upheld the decision of the Piershamajski District Court in Minsk. Bialiacki was not brought to the courtroom. The decision of the Court was announced by Judge Uladzimir Sciapurka. The fact that the court-appointed penalty amount had been paid on January 18 did not influence the Court's decision in any way.

**On February 17**, it became known that Ales Bialiacki, the convicted human rights defender, was convoyed from the Prison No. 8 in Zhodzina to the Penal Colony No. 2 in Babrujsk.

**On March 29**, the Court of the Piershamajski district in Minsk ordered to collect more than 140,000,000 Belarusian rubles of fine from Ales Bialiacki, the convicted human rights defender, on civil complaint from the tax inspection of the Piershamajski district – for alleged late payment of the outstanding amount. And this is despite the fact that the court-appointed amount which was paid by Bialiacki in January was already indexed for inflation and was consequently increased more than twofold. The civil claim was examined by Volha Bahomja, Judge of the Piershamajski Court, with participation of Sobalieva, Todryk and Kartashova, representatives of the tax inspection of the Piershamajski district. Neither Bialiacki's colleagues nor his lawyer and family knew about this judicial process. The court decision was sent by Bialiacki himself to his wife Natallia by mail.

The human rights defense center "Viasna" regarded this decision as politically motivated and aimed at creating formal grounds for impossibility of releasing Ales Bialiacki, and also as an element of reprisal against him and pressure against his associates.

**On May 4**, it became known that Ales Bialiacki was restricted in his correspondence in the colony No. 2 in Babrujsk. This information was received from human rights activist Nastassia Lojka who in April sent him two letters with postal cards, blank envelopes, postal stamps as well as the Criminal Procedure Code of the Republic of Belarus. Later, Nastassia Lojka learned that Ales Bialiacki had not received her letters.

As her letters did not enclose any forbidden items, Ms. Lojka decided that the administration of the colony arbitrarily restricted Bialiacki's right for correspondence. She filed the appropriate complaint to the Office of the Department of Correction of the Ministry of Internal Affairs for the Mahiliou region. Copies of the complaint were also sent to the Prosecutor's Office of the Mahiliou region and the Mahiliou Region Public Supervisory Commission at the Main Directorate of Justice of the Mahiliou Region Executive Committee.

In his letter from **June 3**, Ales Bialiacki told his colleague Valiancin Stefanovich that he had received a reprimand and an extra duty. Ales Bialiacki related a few more facts demonstrating attitude of the administration of the colony No. 2 of Babrujsk towards him. "The list for family meetings that was posted in the prison unit had four fields which characterize the inmates. It turns out that I was the worst there", wrote Ales Bialiacki.

The colony's administration determined that Mr. Bialiacki did not undertake written commitments to reform (i.e., he did not admit his guilt), did not participate in amateur performances and was issued a reprimand. This assessment influenced the duration of the meeting (one day instead of two days) and reduction of volume of the food parcel from 30 to 15 kilograms. Besides, additional 5 kilos of fruit and vegetable for the summer period were annulled for Ales Bialiacki.

Valiancin Stefanovich was concerned that on the eve of adoption of the Law "On Amnesty" the colony's administration was trying to present Ales Bialiacki as a "malicious infringer of the regime" and thus was depriving him of the right to amnesty.

**On June 19**, the United Nations Committee for Human Rights registered a complaint filed on behalf of Ales Bialiacki who serves his sentence in the penal colony No. 2 in Babrujsk. The complaint was submitted by his wife Natallia Pinchuk and Antoine Bernard, Executive Director of the International Federation for Human Rights (FIDH).

This document lodged a complaint against violations by the Republic of Belarus of the rights guaranteed by the international treaty signed and ratified by our country – the International Covenant on Civil and Political Rights. The question was, in particular, about unlawful restriction of the right to freedom of association (Article 22), as well as violation of the right to a fair trial (Article 14) and the right to liberty and security of the person (Article 9).

The United Nations Committee for Human Rights officially accepted the complaint for consideration and sent it to Belarus which is obligated to submit information or its objections to the facts exhibited in the complaint during 6 months.

**On July 3**, it became known that the administration of the Babrujsk penal colony No. 2 where Ales Bialiacki serves his sentence was punishing other inmates for contacts with him by putting them in the punitive isolation ward. This was reported by a former inmate of this colony. According to him, inmates could be transferred to another unit or deprived of some indulgency for having talked to Ales Bialiacki or expressed sympathy towards him. The colony's administration explained its actions by the fact that Bialiacki did not want to repent.

**On July 12**, the Minsk City Court rejected the appeal of convicted human rights activist Ales Bialiacki against the decision of the Piershamajski District Court in Minsk on collecting from him more than 140,000,000 Belarusian rubles as a penalty for alleged late payment of taxes from considerable income. Initially, the district court decided to collect more than 352,000,000 Belarusian rubles from Ales Bialiacki but later indexed the payment to the amount of 750,000,000 Belarusian rubles. In its turn, the tax inspection of the Piershamajski district inflicted a penalty for late payment of taxes in the amount of 140,000,000 Belarusian rubles. The amount paid by Bialiacki in January in accordance with the sentence was already indexed for inflation, after which it increased twofold. The lawyer of Ales Bialiacki tried to prove the illegality of this decision in the Minsk City Court but the judges dismissed the complaint.

**On July 24**, it became known that Natallia Pinchuk, wife of political prisoner Ales Bialiacki, received a reply from the Office of the Department of Correction for the Mahiliou region to the complaint sent to the Department of Correction of the Ministry of Internal Affairs.

The complaint dealt with severity and incommensurability of punishment with seriousness of the last violation which had been allegedly committed by the imprisoned human rights activist and requested to cancel the punishment or to replace it by a less strict one. As a result of imposition of the last punishment and accumulation of the previous ones, Ales Bialiacki was identified as a "malicious infringer". He was deprived of the long-term family meeting and the maximum amount of money transfers was reduced from 500,000 to 100,000 Belarusian rubles per month. The human rights activist received his third penalty **on June 1** for having "slept dressed on his bunk". In his explanation, Ales Bialiacki cited fatigue, poor health and the fact that a day before, **on May 31**, he had visited the prison's therapist where he had been prescribed medication which triggers drowsiness directly or as a side effect.

The reply to the complaint stated that the "penalty was imposed in accordance with law and matched severity of the committed offense". According to officials of the Department, "the committed offense was not related to health and medication but was a purposeful violation of the order of the day".

**On August 13**, it became known that Ales Bialiacki was denied his short-term meeting with family. It was supposed to take place after August 15. The administration of the colony No. 2 in Babrujsk punished Bialiacki in this way for alleged "violation of the regime" – because he curtained his bunk and took a piece of bread from the canteen after dinner. Earlier, when Ales Bialiacki was qualified as a "malicious infringer of the regime", he was deprived of the long-term meeting with his family that was scheduled for September. Besides, the human rights activist was deprived of the food parcel.

**On September 21**, it became known that the Supreme Court denied the appeal against the sentence to Ales Bialiacki, the imprisoned chairman of the human rights defense center "Viasna". This information came from the decision of the Supreme Court regarding the supervisory appeal against the sentence to Bialiacki which was passed by the Piershamajski District Court in Minsk on November 24, 2011.

"The Court (...) provided for comprehensive and objective investigation of the case and appropriate legal assessment of collected evidence and found them in good faith to be sufficient to establish guilt of Ales Bialiacki in committing the crime for which he was convicted. The sentence is commensurate with the deeds of the convicted person and is fair", said the document signed by Valery Kalinkovich, Deputy Chairman of the Supreme Court.

**On October 19**, Natallia Pinchuk, wife of imprisoned human rights activist Ales Bialiacki said that the administration of the penal colony No. 2 in Babrujsk had refused to accept parcels with medication that had been sent to Bialiacki. The jail-keepers had issues either with weight of the parcel – they demanded it to weigh no more than one kilogram (according to the postal standards, the parcel must weigh up to two kilograms) or with the expedition date.

According to Natallia Pinchuk, she spoke to relatives of other inmates and they never faced similar problems. "It turns out that now Ales will be in the colony without medication and vitamins till winter", said the wife of the political prisoner.

**On November 26**, the apartment which belonged to Ales Bialiacki, the convicted human rights activist and leader of the human rights center "Viasna" that was closed down by the Belarusian authorities, was confiscated in profit of the state. The activists of the Center worked in this apartment during last 12 years. During the existence of the office of "Viasna" it was visited by thousands of people who were provided with legal assistance; funds for supporting political prisoners were raised and press briefings, trainings and seminars were held there.

**On December 20**, Ales Bialiacki's wife and sister visited the political prisoner and human rights activist in the colony No. 2 in Babrujsk. The short-term meeting lasted for about two hours. Officials of the administration of the colony were present during the conversation which was conducted over the phone through a glass. As Natallia Pinchuk, wife of Ales Bialiacki, said later, they avoided speaking on topics related to politics and human rights as the meeting could be interrupted.

According to Natallia, Ales did not complain about his health; he was in good mood. The human rights activist wished them Merry Christmas and said that he was also receiving many holiday wishes.

It should be reminded that the previous short-term meeting that was scheduled for August was canceled by the colony's administration.

**On December 22**, it became known that the United Nations Working Group on Arbitrary Detention (WGAD) came to the conclusion that the detention of Ales Bialiacki, head of the

human rights center "Viasna" and Vice-President of the International Federation for Human Rights, was arbitrary.

The imprisonment of the human rights activist "contradicts Article 20, paragraph 1 of the Universal Declaration of Human Rights and Article 22 of the International Covenant on Civil and Political Rights", said the conclusion of the Working Group. WGAD stressed that "a way out of the situation would be to release Mr. Bialiacki and to accord him his legitimate right to compensation".

The decision of the United Nations Working Group was adopted on the basis of a communication sent by the Observatory for the Protection of Human Rights Defenders of the WGAD on April 2, 2012, and it contests legitimacy of Ales Bialiacki's imprisonment. The Observatory for the Protection of Human Rights Defenders is a joint program of the International Federation for Human Rights (FIDH) and the World Organization Against Torture (OMCT).

### Case of Andrzej Poczobut

*On July 5, 2011, Andrzej Poczobut, a journalist from Hrodna and Belarusian correspondent of the Polish newspaper Gazeta Wyborcza, was sentenced to 3 years of imprisonment suspended for 2 years under Article 367, Part 1 (Defamation of the President). This decision was taken by Vital Liacko, Judge of the Lieninski District Court in Hrodna. The reporter who passed several months behind the bars was released in the courtroom. Initially, Poczobut was charged with violation of two articles of the Criminal Code: Article 368 (Part I) — "Insult" and Article 367 (Part I) — "Defamation" of the President. As a result, the journalist was acquitted under the article for the insult.*

**On June 21**, it became known that a new criminal case was opened against Andrzej Poczobut under Article 367, Part 2 of the Criminal Code – "Defamation of the President of the Republic of Belarus committed by a person who was previously convicted for this crime". This information came from Arsien Nikolski, Major Crimes Investigator from the Hrodna Region Prosecutor's Office, who visited Andrzej's apartment accompanied by policemen. According to the investigating authorities, the grounds for the legal action were created by Andrzej Poczobut's publications at information web sites *Charter'97* and *Bielorusskij Partizan*.

The journalist's apartment was searched, and his work computer was confiscated. Poczobut was taken for interrogation, but he refused to talk to the investigator and then he was taken to the Hrodna prison.

**On June 22**, information about initiation of new criminal proceedings was disseminated by news agencies *Interfax* and *BelTA*. According to them, the case was opened by the Department of the Investigative Committee for the Hrodna region "based on materials of an investigation of the Department of the KGB". "It follows from the materials of the investigation that a number of publications prepared by Andrzej Poczobut and disseminated through online resources contain defamatory statements in regard to the President of the Republic of Belarus. Several linguistic expert reviews were scheduled and held in the framework of the investigation. According to the experts, these publications contain words, sentences and expressions used in regard to the President of the Republic of Belarus which defame and discredit the Republic of Belarus", said the communication.

The communication of the Investigative Committee did not specify which resources, publications and expressions were in question.

Under the Criminal Code, the journalist can be sentenced to a custodial restraint of up to 5 years or to imprisonment for the same term. This term can be topped up by the three-year imprisonment to which Andrzej Poczobut was sentenced on July 5, 2011 with suspension for two years. At that time, the reporter was found guilty of violation of Article 367, Part 1 (Defamation of the President).

**On June 22**, the Belarusian Association of Journalists protested against another criminal case against Andrzej Poczobut, a journalist from Hrodna and member of the BAJ, under Article 367 of the Criminal Code ("Defamation of the President of the Republic of Belarus"). The BAJ demanded to release Andrzej Poczobut urgently, to stop criminal prosecution of the journalist and to abandon the practice of using the Criminal Code to restrict the freedom of expression in the country.

**On June 22**, statements in defense of Andrzej Poczobut were also adopted by such international organizations as *Reporters without Borders*, the International Federation of Journalists, the Committee to Protect Journalists and the OSCE.

**On June 30**, Andrzej Poczobut was released from the pre-trial detention center on parole. On the same day, Poczobut was formally charged with defamation of the head of state under Article 367, Part 2 of the Criminal Code.

**On July 11**, Andrzej Poczobut was summoned to the Department of the Investigative Committee for the Hrodna region. Investigator Arsien Nikolski presented to the reporter the decision that set up an investigation team which would investigate the criminal case initiated against him, as well as materials of an expert review of the documentary *Skazany na polskosc* that was aired by the TV channel *TVP Bialystok* on March 24, 2012.

According to Nikolski, the case against Poczobut could be extended, as claims could be made against authors of the film as well as Poczobut as the principal character of the documentary. The expert review was made by a group of researchers. Some of the experts saw *corpus delicti* in some episodes of the film.

**On August 28**, Arsien Nikolski, Major Crimes Investigator from the Hrodna Region Prosecutor's Office, said that the criminal case against journalist from Hrodna Andrzej Poczobut for alleged defamation of President Lukashenka had been extended. He did not specify the term of extension. Andrzej Poczobut was still on parole.

**On September 21**, it became known that the criminal case against Andrzej Poczobut, a journalist from Hrodna and correspondent of the Polish newspaper *Gazeta Wyborcza*, was extended till **October 21**.

**On October 21**, the term of investigation of the criminal case against reporter from Hrodna Andrzej Poczobut for alleged defamation of the President (Article 367, Part 2 of the Criminal Code) expired. No investigating actions were carried out with his participation during the term of investigation, and he was not summoned by the investigation team. The investigative authorities took the decision to extend the investigation till **November 21**. "The term of the preliminary investigation was extended by a month to carry out additional investigating actions", said Siarhiej Sharshanievich, Lieutenant Colonel of Justice and official representative of the Department of the Investigative Committee for the Hrodna region. The pre-trial restrictions against Poczobut were not changed, and he remained free on parole.

**On November 21**, Siarhiej Sharshanievich, officer of the Department of the Investigative Committee for the Hrodna region, said to mass media that the preliminary investigation in the case of Andrzej Poczobut, a journalist from Hrodna and member of the BAJ, was extended till **December 21**. He explained it by the need "to conduct additional investigating and procedural actions" and said that "a number of linguistic expert reviews were scheduled in order to get unbiased assessment of acts of the accused person". According to Andrzej Poczobut, he was not yet acquainted with the case's materials. The journalist believed that some political reasons were behind the suspension of his case.

**On November 29**, Andrzej Poczobut, a journalist from Hrodna and member of the BAJ, was summoned to the Department of the Investigative Committee for the Hrodna region. The investigators presented him with the results of the technical expert review of the computers which had been confiscated from him during the search and told him that another linguistic

expert review was scheduled which would be carried out by staffers of the Hrodna State University named after Janka Kupala.

Andrzej Poczobut was told that the investigation would be suspended for the term of the expert review but he remained an accused person and released on parole.

"After the linguistic expert reviews of the Management Academy under the President, the Belarusian State University and the Academy of Science which ran through my articles "modestly" and found a whole bunch of criminal articles there, the Investigative Committee needed, for some reason, an additional opinion from the Hrodna University", said Andrzej Poczobut.

*(On March 15, 2013, the Department of the Investigative Committee for the Hrodna region decided to stop the preliminary investigation in the case of Andrzej Poczobut due to lack of evidence of participation of the accused person in commission of the crime).*

### Case of Anton Surapin

**On July 13**, officers of the KGB raided the rented apartment of Anton Surapin, a 20-year old student of the Institute of Journalism of the Belarusian State University, member of the BAJ and editor of the web site *Belarusian News Photos (bnp.by)*. The special services were interested in the origin of the pictures of teddy bear with slogans in defense of freedom of speech which had been dropped over Ivianiec and Minsk from a Swedish single-engine airplane. However, Anton Surapin explained in the captions to the pictures that they had been sent by a person who lived outside of Minsk and asked to remain anonymous. After the search, Surapin was taken in for questioning.

*A single-engine plane with a Swedish crew composed of employees of the "Studio Total" company crossed illegally the air border of Belarus in the morning of **July 4**. It spent about one hour and a half in the airspace of the country and dropped more than 800 teddy bear with notes in support of democracy in Belarus over Ivianiec and the outskirts of Minsk. From the very beginning, the Belarusian military and border guards denied categorically the fact of illegal border crossing.*

**On July 14**, an investigator of the KGB called Anton Surapin's parents and told them that their son had not been charged but he was detained for 72 hours in order to clarify his involvement in the incident of teddy bear dropped on July 4.

**On July 16**, three days after Anton Surapin's detention, the parents of the journalist had no information about their son's fate. Immediately after the 72-hour term of detention expired, they visited the KGB again. They were accompanied by Zhanna Litvina, Chairperson of the BAJ, and her deputy, lawyer Andrej Bastuniec. In the reception room, no information was given about Anton. They were told that they had no right to interfere in investigating actions.

**On July 17**, the duty lawyer who had been present at the questioning of Anton Surapin in the pre-trial detention center of the KGB on **July 16**, told the parents of the journalist that their son had been detained in the framework of investigation of the criminal case initiated under Article 371, Part 3 of the Criminal Code – illegal crossing of the state border of the Republic of Belarus made by an organized group of people.

The lawyer said that Anton was suspected of facilitating these criminal acts, and custodial detention was chosen as a measure of restraint against the journalist. (It could last for 10 days after the moment of actual detention, and then the measure of custodial restraint should be changed in regard of the detained person or he should be charged). If charged, Anton Surapin would face up to 7 years in prison.

**On July 17**, the organizers of the "teddy landing", representatives of the Swedish PR company "Studio Total", declared that the freelance press photographer from Belarus had not

been involved in their operation. "We do not know Anton Surapin. We do not have any relations with him. We had no contacts with anyone in Belarus in the matter of getting assistance in organizing the operation", said Tomas Mazetti, one of the organizers.

Meanwhile, a number of international human rights organizations spoke in defense of the journalist. His immediate release was demanded by *Reporters without Borders*, the *International Federation of Journalists*, the *European Federation of Journalists* and the *Committee to Protect Journalists (CPJ, New York)*.

**On July 23**, young freelance journalist Anton Surapin was left in the pre-trial detention center of the KGB after the 10-day term of detention expired. According to the lawyer, on that day, some procedural actions with Anton's participation were held. The lawyer could not tell exactly which actions, invoking secrecy of investigation.

**On July 24**, the international human rights organizations *Index on Censorship* and *Amnesty International* called the Belarusian authorities to release the journalist immediately. "The accusations made against Anton Surapin are another nail in the coffin of freedom of expression and association in Belarus", said John Dalhuisen, Director of *Amnesty International* for Europe and Central Asia.

**On July 25**, the Belarusian Association of Journalists sent an appeal to Vadzim Zajcau, Chairman of the Belarusian KGB, demanding an immediate release of Anton Surapin from the pre-trial detention center and cessation of criminal prosecution against him. In its appeal, the BAJ pointed out that the right to collect, store and disseminate information was one of the fundamental rights in any democratic society. This right is guaranteed by Article 34 of the Constitution of Belarus.

**On July 25**, *Amnesty International* recognized Anton Surapin as a prisoner of consciousness.

**On July 26**, the lawyer of the arrested freelance journalist Anton Surapin was not able to meet her client in the pre-trial detention center of the KGB. The meeting was denied because of alleged lack of free meeting rooms in the pre-trial detention center.

**On August 2**, the BAJ formally requested Mr. Frank La Rue, the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, to react to the fact of detention of journalist Anton Surapin and also to ask the Belarusian authorities to release him from prison and to stop criminal prosecution. Also, the journalistic association asked the United Nations Special Rapporteur to make recommendations to the Belarusian authorities about cessation of practice of using mechanisms of criminal prosecution to restrict freedom of expression in the country against the journalists carrying out their professional and social duty.

**On August 7**, the Center for Information and Public Relations of the KGB of the Republic of Belarus announced that freelance journalist Anton Surapin and realtor Siarhiej Basharymau who were held in the pre-trial detention center of the KGB at that time were charged under Article 16, Part 6 (aiding and abetting in commission of an offense) and Article 371, Part 3 (illegal crossing of the state border of the Republic of Belarus) of the Criminal Code. According to the Center for Information and Public Relations, the KGB initiated and was investigating the case on the fact of illegal crossing of the state border of Belarus by citizens of Sweden on a single-engine plane.

**On August 13**, top managers of the Belarusian Association of Journalists vouched for arrested journalist Anton Surapin. The intercession of Zhanna Litvina and Andrej Bastuniec about change of the custodial restraint for the journalist was sent to the Committee of the State Security which is in charge of investigation of the case of arrested member of the organization. Under the Criminal Code, a surety for an arrested person can be provided by two or more previously not convicted reputable citizens. In this connection, the BAJ asked all caring citizen to sign the relevant surety and send it to the KGB of Belarus' address.

**On August 14**, the BAJ launched a signature collection campaign for release of Anton Surapin. The human rights organization appealed all sympathizers to put their signatures in defense of the imprisoned photographer.

**On August 16**, the BAJ sent a letter to the academic teaching staff of the Institute of Journalism of the Belarusian State University asking them to support their student Anton Surapin and to contribute to his release.

In the evening of **August 17**, arrested freelance journalist Anton Surapin was released from detention on parole and under a gag order. From the pre-trial detention center, he was taken to Sluck to his parents. His lawyer was not present at his release. Anton was prohibited from leaving the town boundaries. According to Anton, he only received letters from his relatives in the pre-trial detention center of the KGB.

**On August 20**, the BAJ announced that it would continue to collect signatures under the appeal to the KGB and the Office of the Prosecutor General to stop criminal prosecution of Anton Surapin who had been released from the pre-trial detention center of the KGB. "The journalist is still targeted by investigators which can return him to prison at any time. This is why this situation continues to demand solidarity of all journalist community. The same solidarity is needed in the situation of other members of our organization – Andrzej Poczobut and Paval Sieviaryniec", said Zhanna Litvina.

**On September 13**, the BAJ sent signatures in favor of discontinuation of the criminal case against photographer and journalist Anton Surapin to the KGB. Copies of the completed petitions for cessation of criminal prosecution of the journalist were also sent to the Office of the Prosecutor General.

**On September 18**, Anton Surapin, freelance journalist and former inmate of the pre-trial detention center of the KGB, saw his parole location changed from Sluck to Minsk, because Anton had to do an internship, and starting from October 1, he would continue his studies in the Institute of Journalism in the Belarusian State University.

**On September 26**, the BAJ received a reply from the Office of the Prosecutor General to its appeal for cessation of criminal prosecution of journalist Anton Surapin. (The appeals were sent to the KGB and the Office of the Prosecutor General). The Office of the Prosecutor General in the letter signed by D. Charkas, Deputy Head of Division, said that they would send their copy of signatures to the KGB as well. Thus, the decision to stop the criminal prosecution was now within the authority of the institution which started this prosecution.

**On December 26**, Anton Surapin said that he did not know at which stage his criminal case was. After having been released from the pre-trial detention center of the KGB four months before (on August 17), the young man was not summoned to questioning anymore. According to Surapin, it was possible that some clarity would appear after the trial of the border guard who had missed the Swedish "teddy landing". At that time, the young man was a full-time student in the fourth year of the Institute of Journalism of the Belarusian State University and remained on parole.

**On December 29**, it became known that the arrest of Anton Surapin was at the top of the list of ten most absurd arrests of the year made by Amnesty International. "You can be surprised what can lead someone to jail in some parts of the world, and how heavy sentence one can get", reported the human rights organization.

### Case of Mikalaj Pietrushenka

**On August 22**, Mikalaj Pietrushenka, a journalist from Viciebsk and civic activist, was summoned to the Orsha City Office of the Investigative Committee of the Republic of Belarus. He was informed that criminal proceedings were instigated against him under Article 369 of the

Criminal Code – for "insulting a government official". The criminal prosecution was based on an article of Mr. Pietrushenka published on August 8 on the web site nash-dom.info under the title "A pedophile won awards for the best children playgrounds". The piece was published in the section "Blogs".

According to the decision dated **August 17** and signed by Senior Investigator S. Shcharbianok, the author allegedly said that the Deputy Chairman of the Orsha City Executive Committee was suspected in promoting activities of a pedophile. By doing this, Pietrushenka "publicly insulted" the city official "as a representative of the authorities in connection with his official duties", stated the decision.

**In early September**, the case of Pietrushenka was transmitted to the Department of the Investigative Committee of the Viciebsk region "in order to ensure unbiased and professional investigation of all circumstances".

**On October 11**, it became known that the linguistic expert review of the text in the criminal case for "insulting a government official" against journalist from Viciebsk Mikalaj Pietrushenka was over. On the instructions of the investigator, the expert review was conducted by the Viciebsk Teachers' Training University named after Piotr Masherau. The experts of the university did not find anything criminal in the controversial text.

**On October 17**, the criminal case against journalist from Viciebsk Mikalaj Pietrushenka was stopped. "Owing to lack of elements of crime in his actions", the journalist was told in the Department of the Investigative Committee of the Viciebsk region.

Almost at the same time, Mikalaj Pietrushenka was defendant in a civil case for protection of honor, dignity and business reputation and compensation of moral harm.

*On July 17, it became known that the Court of the Talachyn district in the Viciebsk region received a claim against the editorial board of the newspaper Vitebskij Kurjer registered in Russia and journalist Mikalaj Pietrushenka from Jury Lychkouski, chairman of the Talachyn branch of the Republican State and Public Association "Belarusian Society of Hunters and Fishermen". The claimant took offence in the publication of Mikalaj Pietrushenka "From forest to captivity: still waters run deep" ("Vitebskij Kurjer" No. 7 from February 23, 2012). The publication was dedicated to the problem of poaching in the region. Mr. Lychkouski demanded to find the published information to be untrue, to compel the newspaper to print a retraction as well as to recover five million Belarusian rubles of compensation jointly from the defendants.*

*On September 11, the Talachyn District Court partially granted the claim. Judge Natallia Barysaviiec decided to collect three million Belarusian rubles as compensation for moral damages and 600 thousand rubles in fees (altogether about 300 Euro) from Mikalaj Pietrushenka. The judge denied the claim against the editorial board of Vitebskij Kurjer.*

## Case of the magazine ARCHE-Pachatak and Valier Bulhakau

**On September 14**, Valier Bulhakau, Candidate of philosophical science and Editor-in-Chief of the independent culture and popular scientific magazine *ARCHE-Pachatak*, was detained in Hrodna. The incident took place just after the presentation of the book "Sovietization of Western Belarus" written by historian Jan Shumski and new issues of *ARCHE*.

Policemen and tax inspectors were involved in the operation. They made an "evidentiary purchase" of publications which were distributed by Bulhakau during the presentation. The tax inspectors demanded documents from him and asked him about the grounds for distribution of materials. They made a list of all seized publications (194 copies) and loaded them in their truck. The process of confiscation was recorded on a video camera. Mr. Bulhakau was taken in the tax inspection from where he was released in about two hours after giving explanations.

**On September 21**, employees of the Financial Investigations Department of the Committee for State Control came with an audit to a Minsk printing house where *ARCHE* was published.

**On September 24 – 28**, all documents for the last two years of the magazine's publication were recovered from the printing house.

**On October 2**, more than 5,000 copies of books from the personal collection of Valier Bulhakau were arrested.

**On October 4**, Andrej Dynko, the founder of the magazine *ARCHE*, was summoned to the Office of the Financial Investigations Department for Minsk and the Minsk region. After the visit, he took the decision to remove Valier Bulhakau from the position of editor-in-chief and appoint his earlier deputy Aliaksandr Pashkievich as acting editor-in-chief.

**On October 4**, the Financial Investigations Department blocked the account of *ARCHE*, and as a result, the magazine lost the possibility to pay for printing new issues. The layout of one of the issues was fully prepared and was in the printing house. The magazine's accountant noted that they had received no request before, and later, at the Department's demand, they submitted all documentation for the full period of publication of the magazine.

No official charges were made against the publishers of *ARCHE*. Employees of the publications began to be summoned for explanations.

**On October 18**, the Economic Court of the Hrodna region fined Valier Bulhakau, former editor of the culture and popular science magazine *ARCHE-Pachatak*, for five basic units (about 50 Euro). Also, the total revenue from sale of the magazine was confiscated for the total amount of 875,000 Belarusian rubles (a rough equivalent of 80 Euro). A representative of the tax inspection of the Kastychnicki district in Hrodna explained to the court that Bulhakau had been selling books but he was not registered as an entrepreneur and did not issue receipts.

**On October 23**, the state TV channel *Belarus-1* (National State Television and Radio Company) aired a story "unmasking" the independent culture magazine *Arche-Pachatak* and its editor Valier Bulhakau in its criminal news magazine *Zone X*.

The story's authors called Bulhakau a "boss of the magazine". The books which were confiscated as a result of the "special raid" of officers of the Financial Investigations Department (arrested books from the private collection of Bulhakau) were described in the story as "literature that smells bad" or "paintings with a claim to extremism", etc.

It follows from the story that the harsh epithets addressed to the magazine and its editor were provoked by a "dubious interpretation of the Belarusian history during the Nazi occupation".

**On October 24**, Belarusian historian Uladzimir Liakhouski sent a letter to the administration of the National State Television and Radio Company where he demanded public apology. Otherwise, the historian expressed his intention to go to court to protect his honor and professional dignity. The monograph of Uladzimir Liakhouski "From Homanaucy to Hajsaki. Activities of Belarusian Youth Organizations in the Second Half of XIX Century and the First Half of XX Century (before 1939)" was shown in the TV magazine *Zone X* against the background of accusatory comments. The monograph's cover was shown in close up in the video story about confiscation of books with the following commentary: "This literature gives dubious interpretation to the history of Belarus during the Nazi occupation". Later, it was said that the publications belonged to "literature that smells bad and has swastikas".

"My book is dedicated to Belarusian patriots who fought for independence of Belarus against the Tsarist regime, Stalinist tyranny and Polish police. My monograph does not contain any topic about the Nazi occupation of Belarus or eulogy to the Nazi ideology and its symbols (swastika). The book ends with 1939 and does not touch upon the war events of 1941 – 1945 in

any way", pointed out historian Uladzimir Liakhouski in his address to the top managers of the state television.

**On October 25**, in the office of the Belarusian Association of Journalists, a press conference was held with participation of founder of *ARCHE* Andrej Dynko and acting editor-in-chief of the magazine Ales Pashkievich. At their meeting with journalists, representatives of the editorial board responded to accusations made in the story of the state television.

According to Ales Pashkievich, the topic of the war was dealt with in just two publications: the book of German historian Mark Bartushka "Guerilla Warfare in Belarus in 1941 – 1944" and the "war" issue of *ARCHE* (No. 5 in 2008) which contained scientific articles of authors from Belarus, Poland, Germany and Israel based on sources. Besides, as Ales Pashkievich pointed out, this issue was published more than 4 years ago and, in accordance with the requirements to the registered publications, it was sent to the Ministry of Information and the Book Chamber, sold in different bookstores in Belarus and never caused any claims.

Chairperson of the BAJ Zhanna Litvina expressed an opinion that it was a politically motivated action aimed at destruction of the independent magazine.

**On October 26**, the magazine *Zone X* of the state TV channel *Belarus-1* showed a new story about the case of the magazine *ARCHE-Pachatak*. In many ways, it duplicated the previous release. However, this time, the state television mentioned possible criminal responsibility of former editor of the magazine Valier Bulhakau. According to Aliaksandr Viarbicki, a journalist of the TV channel, the possible reason for opening the criminal case could be "extremist" contents of the literature confiscated from the editor if it was supported by the second expert review.

**On November 6**, the administration of the BAJ sent an official letter to Ryhor Viaremka, Director of the Financial Investigations Department of the Committee for State Control, with a request to unblock the account of the magazine *ARCHE-Pachatak*. The journalistic association expressed concern that the events around the magazine could put an end to its further existence.

In particular, in the framework of the audit of the activities of the editorial board, the Office of the Financial Investigations Department for Minsk and the Minsk region issued an order to suspend all operations on the accounts of *ARCHE-Pachatak*. "The order was issued on the basis of an alleged refusal to submit accounting and tax records and other documents related to financial and economic activities of the editorial board. According to information which the BAJ received from employees of the magazine, they never refused to submit documents to the Office of the Financial Investigations Department. This situation is a result of conflicting demands of officials of the Office which were expressed orally", said the BAJ in its letter to the head of the Financial Investigations Department.

**On November 13**, it became known that Valier Bulhakau, the former editor-in-chief of the magazine *ARCHE-Pachatak*, decided to leave Belarus. According to the journalist, he was forced in doing this by the investigation launched by the authorities against the independent intellectual publication. Also, the state TV channel *Belarus-1* in its criminal news magazine *Zone X* on two occasions made accusations in dissemination of extremist literature. The last time, it was said that the "book" case could become a criminal case.

"My decision is not final. The further development of the situation will depend on whether our law enforcement authorities will aggravate the situation or not", explained Valier Bulhakau.

**On November 16**, the editorial board of the magazine *ARCHE-Pachatak* announced its decision not to include the publication in the subscription catalogue of "Bielposhta" for the 1st half of 2013. The editorial board also asked "Bielposhta" to reimburse the money paid for the 2nd half of 2012 to the subscribers.

The reason for this was inability of the editorial board to meet its obligations towards the subscribers because the account of the magazine was still blocked at the order of the Financial

Investigations Department of the Committee for State Control. The petitions which were addressed directly to the Department and complaints to higher authorities were not successful.

**On November 30**, the BAJ received a reply to its written petition to unblock the bank account of the magazine *ARCHE-Pachatak* from the Office of the Financial Investigations Department for Minsk and the Minsk region. The letter signed by A. Lahunou, Deputy Head of the Office of the Financial Investigations Department for Minsk and the Minsk region, said that the account of the magazine would not be unblocked yet because the editorial board had not submitted the documents required for the audit. As the documentation "was not submitted in full" to date, the Office saw no reason to revoke its order.

The editorial board of *ARCHE-Pachatak* pointed out that they had submitted all required documents to the Financial Investigations Department. Ales Pashkievich, acting editor-in-chief of the magazine, expressed surprise for the grounds of the Office's statement. "We did everything that was required from us. I personally received the letter requesting the documents, I took bags with documents to their office and handed them against a receipt and we were not presented with any claims".

### Attacks against Journalists

**On September 18**, in Minsk, plain-clothed law enforcement agents rudely detained journalists who were covering an election campaign station of the youth wing of the *Tell the Truth* campaign. During the incident, Siarhiej Hryc, a news photographer of Associated Press, was hit on the head; his spectacles were broken and his face was cut and bleeding. Also detained were Aliaksandr Barazienka, a freelance TV cameraman, Vasil Fiadosienka and Tacciana Ziankovich, news photographers of *Reuters* and *EPA (European Press Agency)*, Paviel Padabied, a *BelaPAN* reporter, as well as a camera crew of the German TV channel *ZDF* – cameraman Zmicier Rudakou and producer Aliaksiej Akulau.

The journalists were rudely loaded in a station wagon and taken to the Frunzienski District Department for Internal Affairs. First, they were held for about twenty minutes in an assembly hall and then taken to office rooms where the journalists awaited a decision. They were told that they had been detained in order to get "proof of their identities" during an event which was "deemed unauthorized" by police. They were released in about two hours. In the District Department for Internal Affairs, all pictures were erased from Siarhiej Hryc's camera.

**On September 19**, the news photographer of *Associated Press* visited the Frunzienski District Department for Internal Affairs and filed a complaint about having been inflicted an injury.

**On October 7**, Siarhiej Hryc, news photographer of *Associated Press*, received an official reply from the Frunzienski District Department for Internal Affairs to his complaint about having been inflicted an injury while exercising his professional duties and erasure of pictures from his camera by police. The journalist demanded to initiate criminal proceedings against perpetrators (Article 174, Clause 2, Part 1 of the Criminal Procedure Code of the Republic of Belarus and Article 198 of the Criminal Code of the Republic of Belarus).

In its reply, the District Department for Internal Affairs stated that it did not find *corpus delicti* in actions of its agents. The order to dismiss criminal complaint, dated **September 28**, was signed by A. Chumik, Deputy Head of Law and Order Protection and Crime Prevention Unit of Public Security Police of the Frunzienski District Department for Internal Affairs, and R. Vaskrasienski, Deputy Head of the Frunzienski District Department for Internal Affairs. The police officials also stated that "it had not been possible to substantiate the fact of erasure of materials" from the journalist's camera.

## Detention of Journalists, Judicial Administrative Prosecution

**On January 5**, the Bieshankovichy District Court (Judge Volha Bielavus) fined Hieorhij Stankievich, the founder and publisher of the small-circulation local newspaper *Kryvinka*, for 40 basic units (1,400,000 Belarusian rubles) for illegal distribution of a periodical without imprint. Mr. Stankievich refused to participate in the court proceedings and left the courthouse in protest. Before that, the judge did not grant his request to have a lawyer present at these proceedings.

"I have learned about the court hearings accidentally: they were scheduled for January 4, but I got sick – I damaged an eye. I informed the court about it, and on January 5, I brought the medical certificate there so that they didn't think that I was hiding from punishment. However, Judge Bielavus said that she would put me on trial in any case, because two months from the date of recorded offence were running out, and she would have to abandon the case", Hieorhij Stankievich provided some details.

It shall be reminded that the editor of *Kryvinka* was detained on November 5 when he was distributing the newspaper to dwellers of the district center. The grounds were provided by complaints of two local dwellers (functionaries) who said they were not subscribed to *Kryvinka* but found it in their mailboxes.

**On January 6**, freelance TV reporter Tacciana Bublikava was detained in the courthouse of the Piershamajski district in Minsk. The incident took place during the court hearings on the claim of Aliaksandr Pracko, a resident of Homiel, against the Belarusian Television and Radio Company which she attended.

"I was outraged by the development of the proceedings, and finally, I expressed this outrage out loud and left the room", told Tacciana Bublikava. Immediately after her, the court secretary went out and told the journalist that the judge decided to punish her for contempt of court.

At the request of the guards, a report was drawn up against Bublikava, and then she was taken to the Piershamajski District Department for Internal Affairs. About three hours later, police released the reporter and promised to send her a subpoena.

**On January 8**, freelance TV cameraman Ales Barazienka was detained in Minsk when he was filming a solidarity event with political prisoners near the KGB building. First, the journalist was taken to the KGB premises, then, an hour later he was taken to the Centralny District Department for Internal Affairs and, three hours later, he was sent to the pre-trial detention facility on Akrescina Str.

**On January 9**, the Centralny District Court in Minsk (Judge Ivan Majsiejchyk) sentenced Ales Barazienka to 11 days of administrative arrest for participation in an unauthorized rally (Article 23.34 of the Administrative Offences Code). After sentencing, the reporter went on hunger strike.

**On January 11**, in the first half of the day, Barazienka's lawyer was not allowed to visit his arrested client. The lawyer came to draft the appeal and learn whether the journalist was doing well and inquire about his health. The meeting was denied because of alleged lack of free meeting rooms. The lawyer managed to get in the pre-trial detention center on that day only at his second attempt. Ales Barazienka told the lawyer that he was not going to end the hunger strike yet.

**On January 12**, a complaint was filed to the Minsk City Court against the decision of the Centralny District Court which had found Ales Barazienka guilty in violation of Article 23.34 of the Administrative Offences Code (participation in an unauthorized event) and punished him with 11 days of administrative arrest.

**On January 12**, on Karpovich Str. in Homiel, riot police detained Vasil Paliakou, chairman of the regional branch of the United Civic Party, and member of the party Uladzimir

Niepomniashchykh. The incident occurred when the civic activists were handing out the party's information bulletin *Holas Razuma* to passers-by. In the Centralny District Department for Internal Affairs, a police report was drawn up against the detained persons for violation of legislation on mass media (Article 22.9 of the Administrative Offences Code).

The bulletin distributed by the activists included New Year wishes, addresses of the party leaders and information about economic situation in Belarus. Imprint was also printed.

**On February 1**, the Maskouski District Court in Minsk fined minor National-Bolshevik activist Uladzislau Lobau for 1,050,000 Belarusian rubles (30 basic units) for participation in a flash mob near the building of the Belarusian Television and Radio Company in Minsk.

It shall be reminded that **on December 3, 2011** three young men splashed out a bucket of noodles on the porch near the central entrance to the building of the Television and Radio Company on Makajonka Str. and scattered leaflets. The leaflets said on behalf of the National-Bolsheviks: "The Belarusian television has always been known for its openly biased and politically engaged stories that cause laugh or incomprehension. <...> But enough! Eat your own noodles; we want to get true and honest information about objective reality!"

Immediately after the announcement, Uladzislau Lobau declared his disagreement with the decision of the judicial commission. Earlier, activists of the National-Bolshevik movement Dzianis Sakhar and Jauhien Kontush were fined in the framework of the same case.

**On February 8**, it became known that the Viciebsk Regional Court (Judge Iryna Smaliakova) did not uphold the complaint of Hieorhij Stankievich, editor and publisher of the small-circulation newspaper *Kryvinka*, who wanted to challenge the sentence of the Bieshankovichy District Court for violation of the procedure of dissemination of the publication. Hieorhij Stankievich attracted attention of the judge of the regional court to violations of his rights during the hearing of his administrative case in Bieshankovichy – in particular, he was denied his right to defense. However, the regional court did not consider these violations as grounds for a retrial.

It shall be reminded that the administrative report against Mr. Stankievich was drawn up on the basis of complaints of two citizens that a publication, which they did not subscribe to, was being put in their mailboxes. The court ruled that the editor and publisher of *Kryvinka* violated legislation on mass media.

**On February 14**, in Rahachou, civic activist Dzianis Dashkievich was forcedly brought to the local police station where he was handed a summons to appear on the same day as a witness. After the conversation in the police station, Dzianis Dashkievich said that the questions had concerned him personally, and police had warned him that they could initiate criminal proceedings against him. According to Dashkievich, the law enforcement agents said that they had four complaints against him, and they were still deciding under which article they should initiate the case: for defamation of an official or for alleged stealing of information from a local state newspaper.

Dzianis Dashkievich made connection between his summons to the District Department for Internal Affairs and functioning of the local socio-political news site *vrogacheve.ru*. According to the activist, the site was created recently but it already became a popular source of independent news in Rahachou.

**On February 15**, in Barysau, police detained Aliaksandr Jarashevich, a reporter of *Radio Racyja*, when he was doing his work. The incident took place when the journalist was doing a story about the protest of workers of the Barysau Automobile and Tractor Electrical Equipment Plant (JSC "BATE"). During the process of detention, he showed his press card to police but it was not sufficient for them. Jarashevich did not have his passport with him, so he was taken to the local District Department for Internal Affairs "to have his identity proved". There, his press card was checked, they made some phone calls, held him for about two and a half hours and then released.

**On February 21**, police forced three journalists of independent mass media to leave the village of Niaznanava in the Navahrudak district, the Hrodna region, where, according to some unconfirmed information, incidents of the African swine fever was diagnosed. Siarhiej Balaj, a reporter of the online newspaper *Salidarnasc*, and Aliaksiej Maciushkou and Dzmitry Korsak, reporters of the newspaper *Obozrievatiel*, tried to uncover the cause of forced extermination of the entire livestock of pigs in this village. However, soon after they came to the village, officers of the Navahrudak District Office for Internal Affairs arrived there. Two police lieutenant colonels said that the journalists were prohibited from remaining in the territory where "veterinary exercise" was held. They threatened that they would take the journalists to the police station "to determine circumstances" in case of disobedience. Also, the policemen categorically demanded to erase all pictures of them.

**On February 21**, at an entry point to Viciebsk, road police detained journalist Paviel Sitnik. He was driving a car with members of the Youth Front (an organization registered in the Czech Republic) who were going to the trial of Siarhiej Kavaliienka, a civic activist from Viciebsk. All of them were detained and taken to the Viciebsk District Office for Internal Affairs where police reports for disorderly conduct – using obscene language – were drawn up (Article 17.1 of the Administrative Offences Code).

**On February 22**, the Viciebsk District Court (Judge Tacciana Lipskaja), after hearing the testimony of policemen, fined Paviel Sitnik for three basic units.

**On February 23**, in Homiel, an unidentified plain-clothed person prevented Larysa Shchyrakova, a freelance TV reporter and member of the BAJ, from filming distribution of greeting leaflets "Stop drinking and start feeding the family and defending the country" by the coalition "Our alternative". When riot police began detaining the activists, the plain-clothed man aggressively covered the lens of Shchyrakova's camera.

**On March 11**, in Rahachou, the local police drew up an administrative report against civic activist Dzianis Dashkievich under Article 9.21 of the Administrative Offences Code. He was accused of copyright infringement. The complaint was filed by Andrej Shyshkin, editor of the state-run district newspaper *Svobodnaje Slova*, who was unhappy that the independent news web site *vrogacheve.ru* had reprinted nine articles from the newspaper as well as a picture of V. Banchuk, Chairman of the District Executive Committee.

**On March 12**, police detained in Minsk a camera crew of the Swedish TV channel *SVT* – cameraman Sven Bergmann, reporter Olaf Chistopherson and producer Isabel Sommerfeld. The incident occurred on Niezaliezhnasci Square where the foreign journalists wanted to record interview with Raman Pratasievich, a participant in "silent" protest rallies. Uladzimir Chudziancou, a reporter of the radio station *Russian News Service* in Belarus, and Illja Kuzniacou, a member of the BAJ, who accompanied the TV crew, were detained with them. The detained persons were taken to the Maskouski District Department for Internal Affairs "to have their documents checked". All personal data of the journalists was written down in the police station and the filmed material were copied. They were released in about three hours after the arrest.

**On March 24**, police detained in Minsk Aliaksandr Jarashevich, a reporter of *Radio Racyja*, who, on assignment of his editorial board, attended a concert of the international movement "Food Not Bombs" organized in the Palace of Culture of the Minsk Tractors Plant.

At about 19 o'clock, riot police burst in the hall; about 100 people were detained and taken to a police station to provide written explanations. The official reason for detentions was an enquiry in use and distribution of drugs. In the Centralny District Department for Internal Affairs, a police report "for using foul language" was drawn up against Aliaksandr Jarashevich.

**On March 26**, the Centralny District Court in Minsk fined Aliaksandr Jarashevich, a reporter of *Radio Racyja*, for three basic units under Article 17.1 of the Administrative Offences Code. Judge Valiancina Svistunova found the journalist guilty on the basis of testimony of police

officers. Prior to the court hearings, Jarashevich was held for almost three days in the pre-trial detention center on Akrescina Str.

In the night of **March 28**, Aliaksandr Atroshchankau, a journalist and press secretary of the civil campaign "European Belarus", was taken off the train "Minsk – Moscow" by customs officers in Orsha together with other politicians. The politicians were going to Brussels through Moscow to meet representatives of the European Commission. The customs officials said that they were suspected of drug trafficking. The detained persons spent almost 24 hours in the pre-trial detention center in Orsha waiting for the court hearings.

In the evening of **March 29**, Judge Natallia Bajcova from the Orsha City Court charged Aliaksandr Atroshchankau with hooliganism and fined him for 10 basic units (350,000 Belarusian rubles).

**On April 5**, officers of the KGB threatened Anatol Sanacenka, Editor-in-Chief of *Bobrujskij Kurjer*, with a "criminal case for discrediting the Republic of Belarus". Earlier, the journalist was invited over the phone by tax inspector Halina Tanvirava who was in charge of the file of his advertisement and publishing company. During their conversation, two KGB officers entered the room who introduced themselves as Lieutenant Colonel Dzmitry Lianidavich and simply Dzmitry Hienadzjevich. The conversation lasted for two and a half hours.

Dzmitry Lianidavich showed to Anatol Sanacenka photocopies of his journalistic publications for 2011 and 2012 published in the online *Bobrujskij Kurjer*, on the web site of the Belarusian Association of Journalists and on the web site of *Bieloruskij Partizan*. The KGB officer said that these publications were biased, they were distorting the situation in Belarus, and for this reason, Article 369, Part 1 of the Criminal Code "Discrediting the Republic of Belarus" could be used against the journalist. According to the KGB officer, as Sanacenka's articles were published online, they could be read by foreigners as well.

Anatol Sanacenka told the KGB officers to present claims against him in a written form.

**On April 17**, the Rahachou District Court (Judge Iryna Malashkievich) began its consideration of the administrative case against civic activist Dzianis Dashkievich. At the instigation of Andrej Shyshkin, Editor-in-Chief of the official district newspaper *Svobodnaje Slova*, police accused Dashkievich in a copyright infringement – a reprint of newspaper articles without permission on the web site *vrogacheve.ru* (Article 9.21 of the Administrative Offences Code). Dashkievich refuted the claim and explained to the court that he was neither administrator nor the founder of this web site. The plaintiffs themselves – Editor Andrej Shyshkin and Police Lieutenant Alieh Lukashievich, a neighborhood police inspector, who had drawn up the administrative report and was representing the Rahachou District Office for Internal Affairs by proxy at the hearings – failed to provide specific evidence of it. As a result, the judge took a recess to consult the Supreme Court.

**On April 18**, the Minsk City Court (Judge Liudmila Shapashnikava) did not grant the appeal of Aliaksandr Jarashevich, a reporter of *Radio Racyja*, against the decision of the district court and upheld the charge of hooliganism.

It shall be reminded that on March 24, the *Radio Racyja's* reporter was detained by riot police in the Minsk Club "Jo-Majo" and was charged with using foul language. Two days later, the Centralny District Court in Minsk (Judge Valiancina Svistunova) fined Jarashevich for three basic units. The journalist was held in the pre-trial detention center for two days before the court hearings.

At the same time, the Investigative Committee and the Minsk City Prosecutor's office were conducting an investigation on the fact of illegal actions of law enforcement agents who had detained more than one hundred people at the concert "Food Not Bombs".

**On April 18**, the Viciebsk Regional Court (Judge Sviatlana Ivanova), having considered the appeals, upheld the sentences to members of the BAJ Aliaksandr Atroshchankau and Valiery Shchukin who were accused of hooliganism.

It shall be reminded that in the night of **March 28**, Aliaksandr Atroshchankau, a journalist and press secretary of the civil campaign "European Belarus", was taken off the train "Minsk – Moscow" by customs officers in Orsha together with other politicians. The politicians were going to Brussels through Moscow to meet representatives of the European Commission. The customs officials said that they were suspected of drug trafficking. The detained persons spent almost 24 hours in a pre-trial detention center in Orsha waiting for the court hearings.

In the evening of **March 29**, Judge Natallia Bajcova from the Orsha City Court charged Aliaksandr Atroshchankau with hooliganism and fined him for 350,000 Belarusian rubles.

Valiery Shchukin was fined for 1,190,000 Belarusian rubles **on March 30** for hooliganism and disobedience to police during the hearings in the case of the detained politicians. (In protest against the fact that the hearings were practically closed, Mr. Shchukin blocked the passage to the third floor of the court building having sat in the doorway.) The case of Shchukin was considered by Judge Tacciana Rybakova.

**On April 25**, police tried to prevent a meeting of Russian journalists in Viciebsk with mother of Uladzislau Kavaliou who had been executed in the case of explosion in the Minsk subway. Liubou Kavaliouva was offered to be interviewed on video for the TV show *Man and Law*.

The meeting was arranged to take place in her apartment but police awaited the reporters near the entrance to the apartment house. Once the camera crew got out of the taxi, their path was barred by police. Liubou Kavaliouva saw this from her window and went down to "liberate" the crew. The journalists were finally let in but their passport data were recorded.

**On April 25**, Judge Iryna Malashkievich from the Rahachou District Court decided to send back for additional investigation the administrative case of civic activist Dzianis Dashkievich who had allegedly committed a copyright infringement (Article 9.21 of the Criminal Code).

The case was initiated by Andrej Shyshkin, Editor-in-Chief of the state-run district newspaper *Svobodnaje Slova*, and Lieutenant Alieh Lukashievich from the local District Office for Internal Affairs who had drawn up the administrative report. Dashkievich was accused of allegedly reprinting nine articles from *Svobodnaje Slova* as well as a picture of V. Banchuk, Chairman of the District Executive Committee, without permission from the newspaper on the independent news web site *vrogacheve.ru* which he ran as an administrator. Later, the number of reprints was changed to five in the materials of the case, and the claims regarding the photo pictures were also withdrawn. Dashkievich refuted the claims. In their turn, editor Shyshkin and police inspector Lukashevich were not able to prove that he was the administrator of this web site.

"The case is not closed. I returned the report for further investigation. I do not know whether it will return to the court", Judge Malashkievich explained.

**On April 30**, freelance TV reporters Viktoryja Kolchyna and Siarhiey Krauchuk were detained in Minsk. They attended a presentation of the documentary film "The Last Dictator of Europe" organized by representatives of the "Free Theater". Five minutes after the screening began, riot police broke into the room. All twenty spectators were put face to the wall and then taken to the Saviecki District Department for Internal Affairs. There, the detained persons were questioned, photographed and fingerprinted. They were released in about three hours.

During the process of detention, police knocked Siarhiey Krauchuk's camera out of his hands, and it was damaged. After he was released and his equipment was returned, he noticed disappearance of a memory card. Viktoryja Kolchyna was not able to turn on her own computer as it was locked.

**On May 5**, Anatol Sanacenka, Editor-in-Chief of the newspaper *Bobrujskij Kurjer*, received a reply to his letter to the Babrujsk tax inspection. In his letter to the tax inspection, Sanacenka drew attention of the administration of this institution to violation of his rights by KGB officers who had been intimidating him as a journalist during two and a half hours in the office of the tax inspection because of his media publications on social and political topics.

Anatol Sanacenka asked to be offered formal apologies as a compensation of moral harm, to replace the tax inspector who "oversees" his company and also to pay attention to the Labor Code because during his "conversation" with the KGB officers the tax inspectors left their workplaces for more than two hours.

In his reply, Y.D. Tarabujeu, First Deputy Head of the Inspection, recognized the fact of invitation of the journalist to the tax inspection, but did not say a word about the "episode" with the KGB as though this meeting never happened.

It shall be reminded that **on April 5**, Anatol Sanacenka was invited by the tax inspector to discuss professional matters. However, in her room, the journalist was "met" by two KGB officers.

**On May 8**, at about 13 o'clock in the center of Minsk, plain-clothed men detained Zmicier Bartosik, a renowned Belarusian bard and member of the BAJ. He was taken in the Piershamajski District Department for Internal Affairs where he was held for about three hours and then released without police report.

It was already the second detention in a week. The first time, Bartosik was detained **on May 6** near Minsk during an improvised open air concert. Together with other participants of the concert, he was taken to the District Department for Internal Affairs in the urban settlement of Zhdanovichy where he was fingerprinted and questioned and then released.

**On May 12**, customs officers in the Minsk-2 airport searched Danish journalist Jens Nielson for four hours. After the search, they confiscated electronic media, a laptop, materials for a news story about the Belarusian trade unions as well as the book "Aliaksandr Lukashenka. The Contours of the Belarusian Model", by Roy Medvedev. Jens Nielson was not given reasons for confiscation.

While the journalist was searched, his plane left. However, Jens Nielson was not offered another flight, so he had to go to Vilnius urgently by train in order not to violate the visa regime.

In the morning of **May 23**, freelance TV reporters Ales Liubianchuk and Liubou Liebiedzieva were detained in Minsk. It happened when the journalists were interviewing Andrej Bandarenka, a representative of the public association "Platforma". The detained persons were taken to the Kastychnicki District Department for Internal Affairs where they were questioned and later released, after having been warned that this story would not stop there for them. According to the journalists, police knew their personalities and their profession in advance.

"Six persons were involved in the detention, and five of them were plain-clothed. The journalists were taken into a car. I tried to talk to police but they refused to name themselves", said Andrej Bandarenka who witnessed the detention.

**On May 23**, Anatol Sanacenka, Editor-in-Chief of the non-government newspaper *Bobrujskij Kurjer*, received a reply from the Prosecutor's Office of the Mahiliou region to the complaint he had filed in April regarding unlawful actions of the Babrujsk branch of the KGB.

It shall be reminded that **on April 5**, the journalist was summoned to the tax inspection where during two and a half hours two KGB officers tried to exert legal and psychological pressure on him accusing him of "possible" violation of Article 369 of the Criminal Code "Discrediting the Republic of Belarus".

In his reply (dated **May 16**), M.A. Ramanouski, Senior Assistant to the Prosecutor of the Mahiliou region, admitted the fact of a "conversation" between officers of the Babrujsk branch of the KGB and the journalist. According to him, the Prosecutor's Office of the Mahiliou region

found that some articles of Anatol Sanacenko "contained unsubstantiated information and speculation aimed at discrediting Belarusian society and State" that supposedly resulted from the journalist's contemptuous attitude to the law on mass media. Meanwhile, M.A. Ramanouski expressed concern that "further adherence to such practice of writing materials could potentially lead to an offence".

Further, Prosecutor Ramanouski stated the right of "state security bodies" to implement preventive measures. And the conversation that the journalist had with the KGB officers was, according to him, "the mildest of the measures of individual crime prevention".

In the evening of **May 25**, Natallia Vierashchahina, editor of the trade union web site *praca-by.info*, was detained at the checkpoint "Gudogaj" on the border between Belarus and Lithuania. She was taken off the train together with leaders of the radio-electronics industry trade union when they were returning from Vilnius after a meeting with Lithuanian trade unionists. The journalist was taken for a personal inspection: first, they checked the contents of her hand bag, and then made her to strip to the underwear. After an almost three-hour search procedure, her money, laptop and USB stick were confiscated. They promised to return them within a month, after an "inspection".

In the evening of **May 26**, Maryna Koktysh, Deputy Editor-in-Chief of *Narodnaja Volia*, was taken off the train "Vilnius – Minsk" at the checkpoint "Gudogaj" on the border between Belarus and Lithuania. She was inspected and searched at the customs control. She was not provided with reasons for such actions. The journalist had no electronic media with her, so there was nothing to confiscate from her. Maryna Koktysh got back home on the next train. She had to pay herself for the train ticket, she said later.

**On May 31**, reporters Siarhiej Balaj (online newspaper *Salidarnasc*) and Ina Sudzinskaja (*Radio Liberty*) as well as freelance TV reporters Alina Radachynskaja and Ales Barazienka, were detained in the Svietlahorsk district in Homiel region. They were returning after covering a meeting of dwellers of the village of Jakimava Slabada who protested against construction of a bleached pulp plant near the village. Members of the BAJ Siarhiej Vazniak and Aliaksandr Ulicionak and activists of the "Tell the Truth" campaign Hanna Kurylovich and Mikhail Pashkievich were also detained together with the journalists.

The car which they were driving was stopped by road police when leaving the village. Police told them that they had violated traffic regulations. They all were taken to the Svietlahorsk District Office for Internal Affairs to provide explanations, where they were held for two hours.

Police confiscated a USB card from Siarhiej Balaj's camera. They said that the pictures would be used as evidence against participants in the unsanctioned rally in the village. Siarhiej Vazniak had to undergo the blood alcohol test.

**On June 1**, freelance TV reporters Tacciana Bielashova and Volha Chajchyc were detained in Minsk. The incident took place in the Gorki Park where they were covering the International Children's Day. The journalists were taken to the Partyzanski District Department for Internal Affairs. First, they gave written explanations to Juvenile Inspector Andrej Dyjanovich. Then, KGB officers came to "talk" to the reporters. Because they did not want to identify themselves, Volha Chajchyc refused to answer their questions, and she was released some time later. Later, Tacciana Bielashova also left the District Department for Internal Affairs.

It shall be reminded in late March, member of the BAJ Volha Chajchyc received a written warning from the Minsk Prosecutor's Office about inadmissibility of violation of the mass media legislation for cooperation with the satellite TV channel *Belsat* without official accreditation.

In the morning of **June 1**, police detained in Hrodna journalists and members of the BAJ Jan Roman, Andrzej Poczobut, Julija Kaliada and Grazyna Shalkievich. The journalists were going to cover a picket of the unregistered Union of Poles in Belarus against introduction of Russian-language classes in the Polish school No. 36.

Jan Roman was detained near his house when he was leaving the building. The journalist was taken first to the Lieninski District Office for Internal Affairs in Hrodna and then to the office of criminal police. In order to spend "to good purpose" the three hours of detention permitted by law, the journalist was offered to read the anniversary edition of the book "History of Criminal Police".

Andrzej Poczobut was summoned to police in the morning before the event as one of its potential participants. Police warned Poczobut about inadmissibility of violation of law. He was held for three hours and released at about 13.30.

During the event, Grazyna Shalkievich, a reporter of *Glos znad Niemna*, was detained together with participants of the picket. A report on administrative offence was drawn up against her for participation in an unauthorized mass event and then she was released. Julija Kaliada was detained near the building of the Region Executive Committee where the event was set to take place. She was taken to the Lieninski District Office for Internal Affairs where her papers were checked. A report on administrative offence was also drawn up against her.

Police also kept sentry for several hours near the building where journalists Andrej Fralou and Ales Dzianisau lived.

**On June 6**, the Lieninski District Court in Hrodna (Judge Natallia Koziel) found journalists and members of the BAJ Grazyna Shalkievich and Julija Kaliada guilty under Article 23.34 of the Administrative Offences Code ("Violation of the order of organization or conduct of mass events") and fined them. The journalists, who **on June 1** covered a picket of the unregistered Union of Poles in Belarus against Russian-language classes in the Polish school and were detained by police, were charged with participation in the event.

Grazyna Shalkievich, Editor of the newspaper *Glos znad Niemna*, was ordered to pay the fine of 5,000,000 Belarusian rubles to the state. She argued in court that she had been carrying out her professional duties during the picket. She also had produced her BAJ membership card. On the video which was shown as a piece of evidence of Shalkievich's guilt, there were just the shots where Grazyna was holding a photo camera. Judge Natallia Koziel paid no attention to all of this. Four policemen who detained the reporter during the picket testified against her.

Julija Kaliada was fined for 2,500,000 Belarusian rubles. The policemen who testified against her said that she was shouting slogans together with other participants in the event.

**On June 6**, the Kastychnicki District Court in Viciebsk examined the administrative case of Siarhiej Kandakou, a volunteer distributor of the newspaper *Viciebskij Kurjer*. Police confiscated eighteen copies of the newspaper from him after detention. Judge Inna Hrabouskaja found the volunteer of the public campaign "Nash Dom" guilty of violation of Article 22.9, Part 2 of the Administrative Offences Code (illegal dissemination of printed media) and fined him for 20 basic units (2,000,000 Belarusian rubles).

It shall be reminded that this was not the first such punishment in regard of volunteers from Viciebsk. Earlier, Judge Hrabouskaja fined distributor Hanna Hadlieuskaja for 2,000,000 Belarusian rubles.

**On June 15**, reporters of independent mass media – Aliaksandr Sajenka, a photographer of the news agency *BelaPAN*, and Mikalaj Dziatchenia and Andrej Fralou, freelance TV reporters, were detained in Lida. The reporters were not allowed to cover the farewell ceremony for Mikalaj Hrydniou, a perished pilot.

After one hour and a half of work at the air base, servicemen of the military unit approached the journalists and asked who they were and whether they had permission to make photo and video recordings. After having checked the ID of the photographer, one of the military men ordered Aliaksandr Sajenka to erase all pictures taken at the funeral ceremony. Then, the serviceman took the camera in his hands, and the photographer was not able to see what he was doing with it. The same was done to the camcorder to Mikalaj Dziatchenia and Andrej Fralou.

The journalists were taken to the police station where they were held for more than two hours and then released without police report.

**On June 22**, unidentified plain-clothed men detained Paviel Sviardlou, a reporter of the *European Radio for Belarus* and member of the BAJ, in Minsk at about 10 o'clock near his house. Five men tracked him, having come in advance in a van. The journalist was taken to the district police precinct where a report on an administrative offence was drawn up against him. Police did not allow him to call his relatives and his office and to record his version of the events in the report. On the same day, the Maskouski District Court in Minsk (Judge Tacciana Matyl) punished the reporter with 15 days of arrest, having found him guilty of disorderly conduct – using obscene language (Article 17.1 of the Administrative Offences Code). Two policemen who testified against him in the court contradicted each other in their statements. According to them, Paviel Sviardlou swore at the same time in two different streets. The reporter pleaded categorically not guilty. The detention and trial were so swift that the lawyer was not able to get to the court.

Sviardlou was sent to serve his sentence to the pre-trial detention center on Akrescina Str. **On July 6**, the Minsk City Court upheld the decision in the case of the journalist. The Supreme Court by its decision on **January 14, 2013** (Deputy Chairman Valiery Kalinkovich) also did not grant the appeal of Paviel Sviardlou against the earlier court decisions.

**On June 22**, in the second half of the day, reporters of the *European Radio for Belarus* noticed several cars which kept vigil under the windows of their office on Karl Marx Str. in Minsk. Unknown plain-clothed persons with peculiar earphones were strolling about these cars. They approached the concierge of the building and showed her pictures of Vital Ruhajn, an employee of the radio station. The cars were on watch there till the evening.

At about 20.30, a group of reporters of the *European Radio* and their colleagues from other mass media left the office and went up Niezaliezhnasci Avenue towards Kastychnickaja Square. The journalists were accompanied by plain-clothed people. This supervised "promenade" in the downtown lasted for more than an hour. After that, the journalists decided to disperse. As of 21.45, there was no information about any arrests.

The *European Radio* did not exclude that all these events were related to a recent news story about bad security provisions in the Minsk underground. When preparing the news story, the reporters went through the metro with a heavy bag without attracting police attention.

**On June 29**, the Minsk City Court was scheduled to consider an appeal in the administrative case of Paviel Sviardlou, a reporter of the *European Radio for Belarus*, who had been sentenced to 15 days of arrest. However, before the beginning of the hearings, Judge Kamisarau said that there would be no hearings because the complaint of the journalist was not received by the Court, and the Court decided not to consider the lawyer's complaint separately. Meanwhile, **on June 25**, Paviel Sviardlou, in accordance with the rules, submitted his complaint to the administration of the pre-trial detention center on Akrescina Str. where he was serving his sentence. From there, it was supposed to be dispatched by courier to the City Police Department and then to the Court.

It shall be reminded that in the morning of **June 22**, the journalist was detained near his house by unidentified plain-clothed men. Five men tracked him, having come in advance in a van. On the same day, the Maskouski District Court in Minsk (Judge Tacciana Matyl) punished the reporter with 15 days of arrest, having found him guilty of disorderly conduct – using obscene language (Article 17.1 of the Administrative Offences Code).

In the meantime, Sviardlou's colleagues conducted their own investigation and found witnesses who were sitting near the entrance hall at the moment of detention. According to the witnesses, when Paviel came out of the house, he was immediately approached by three men who showed identification and took the journalist to their car. Paviel obediently sat in the car and they drove off. The witnesses said that no obscene language had been used.

**On June 29**, police detained two freelance journalists – Julija Cialpuk and Aliaksandr Barazienka – near the building of the Minsk City Court where the appeal in the administrative case of Paviel Sviardlou, a reporter of the *European Radio*, was scheduled to be considered. The incident occurred when they were interviewing the audience. The journalists' passport data were recorded and then they were released.

**On July 6**, the Minsk City Court considered the appeal in the administrative case of Paviel Sviardlou, a reporter of the *European Radio for Belarus*, and upheld the decision of the Maskouski District Court. Thus, the journalist who was sentenced to 15 days of arrest on the charge of using obscene language served his sentence in full and was released on **July 7**.

It shall be reminded that the journalist was detained in the morning of **June 22** near his house by unidentified plain-clothed men who had come in advance in a van and was taken to the District Department for Internal Affairs. On the same day, Judge Tacciana Matyl in the Maskouski District Court in Minsk found him guilty of disorderly conduct (Article 17.1 of the Administrative Offences Code). The journalist appealed the court's decision immediately after his first meeting with his lawyer in the pre-trial detention center **on June 25**. The hearings in the City Court were scheduled for 15.00 **on June 29**. However, it became known during the hearings that the Court did not receive Sviardlou's complaint in these 4 days, and so the hearings were postponed.

In the meantime, the journalist's colleagues conducted their own investigation and found witnesses who were sitting near the entrance hall at the moment of detention. According to them, Sviardlou was detained just after he came out of the house. The witnesses said that Paviel had complied obediently with the demands of police and no obscene language had been used.

**On July 4**, Mikalaj Dziatchenia, a freelance journalist, was summoned to the local police precinct. The neighborhood police officer presented the journalist with copies of the administrative reports drawn up against him and another journalist, Andrej Fralou, on **June 25** in Lida by Valiery Trusau, an officer of the local Department for Internal Affairs.

The case concerned the detention of both journalists on **June 15** in Lida during the burial ceremony for perished pilot Mikalaj Hrydniou. At that time, Fralou and Dziatchenia were prohibited from taking pictures and were ordered to erase the already filmed material from their cameras. The journalists were held for about 3 hours in the police precinct and were released without police reports. Now, they were accused of violating Article 34, Part 2.3 of the Law on Mass Media (working without accreditation).

Deputy Chairman of the BAJ Andrej Bastuniec, commenting on these events, pointed out that the rule which was referenced in the police report did not apply to audio and video recordings, photography and filmmaking in open public places (Article 24, Part 4.8 of the Law on Mass Media). The lawyer pointed out that the farewell ceremony for the perished pilot had been open to public and people were admitted freely in the territory of the military unit to attend this ceremony.

**On July 12**, in Viciebsk, police detained Janina Liasnieuskaja, an activist of the civic campaign "*Our House*", and took her to the Kastychnicki District Office for Internal Affairs "for a conversation". Valiery Shchukin, her public representative and a human rights activist, was not allowed in the room.

The detention was conducted by officers of the Orsha District Office for Internal Affairs. The activist was told that she was suspected of distributing works which were promoting violence and cruelty (Article 17.8 of the Administrative Offences Code provides for a fine of 10 to 30 basic units).

Police considered children's colorings "My father is a policeman. What does he do at work?" to be such works. The reason for detention was one copy of the coloring found in Janina Liasnieuskaja's apartment during a search in February. At that time, law-enforcement officers were looking for printed materials which were sent to the Orsha City and District Office for

Internal Affairs. These materials alleged that police officers themselves breached the law and also showed a low level of culture.

In the morning of **July 24**, Belarusian border guards detained for three hours Vital Ruhajn, a reporter of the Minsk bureau of the *European Radio of Belarus*, at the crossing point "Gudogaj" on the border between Lithuania and Belarus. The journalist was in the train "Vilnius – Minsk" coming back to the country after a month of absence. In the office of the border guards, the journalist's laptop was seized and the seizure report was drawn up. Later, the computer was returned.

It shall be reminded that after the detention of Paviel Sviardlou, a reporter of the *European Radio for Belarus*, in the morning of **June 22**, unidentified plain-clothed people waited for Vital Ruhajn near his office (they showed his picture to the concierge). However, Ruhajn, assisted by his colleagues, was able to remain at large and leave the country for Poland.

In the evening of **July 25**, Vital Ruhajn was detained in the downtown Minsk by a group of plain-clothed police officers. The journalist was taken to the Lieninski District Department for Internal Affairs where an administrative offence report for using obscene language in public (Article 17 of the Administrative Offences Code) was drawn up against him. Then, he was taken to the pre-trial detention center on Akrescina Str. to await his trial.

**On July 26**, the case of Vital Ruhajn was heard in the Centralny District Court in Minsk. Because witnesses from police were confused in their testimony, Judge Tacciana Tkachova returned the case for additional investigation and Vital was released in the courtroom. The hearings were held in the judge's chambers. Journalists were not allowed to attend, and only the lawyer could come.

The editorial board of the *European Radio for Belarus* regards prosecution of its journalists as an act of vengeance for the incriminating news story about substandard protection of the Minsk metro.

**On July 24**, it became known that the Investigative Committee refused to initiate criminal proceedings against policemen who had obstructed professional activities of Aliaksandr Jarashevich, a journalist of *Radio Racyja*, and had detained him. It was stated in the official reply of the Investigative Committee. According to the letter, the investigation had established that police officers had not been committing any illegal acts during the detention. The journalist considered the refusal to be illegal.

It shall be reminded that the incident occurred on **March 24** in the Palace of Culture of the Minsk Tractors Plant. On the eve of the Freedom Day, riot police broke in a concert of alternative music bands and harshly detained those present (more than one hundred people), including Aliaksandr Jarashevich who was attending it on assignment from the editorial board.

**On August 2**, in Minsk, Mikita Brouka, a reporter of the non-governmental newspaper *Novy Chas*, was prevented from carrying out his professional duties. The journalist was making video recordings near St Elisabeth Convent (in the outskirts of Minsk in the neighborhood of Navinki) for his news story about possible demolition of a 5-storey apartment building and proposed transfer of this land for church building development.

The convent's security first tried to take the camcorder away from the journalist. Then, he was approached by a policeman named Auchynnikau who introduced himself as a neighborhood police officer and demanded to stop the work and show an ID. Mikita Brouka showed his press card and passport. After having checked them, the policeman wanted to take the journalist to the Centralny District Department for Internal Affairs for further investigation. However, intervention of house tenants forced the law enforcement officer to abandon his plans. At the same time, local dwellers denied that this policeman was their neighborhood officer.

In the evening of **August 8**, in the downtown Minsk, police detained Iryna Kozlik, a press photographer of *Komsomolskaja Pravda v Bielorusii*, and freelance photographer Julija

Darashkievich when they were being photographed with a teddy bear. At the time of arrest, Julija was holding a photo camera and Iryna was holding a teddy bear with a parachute and the words "No Picture - No Troubles?"

The journalists were taken to the Saviecki District Department for Internal Affairs where administrative reports were drawn up against them for illegal picketing (Article 23.34 of the Administrative Offences Code). The girls spent the night before the trial in the pre-trial detention center on Akrescina Str.

**On August 9**, the Saviecki District Court in Minsk (Judge Dzmitry Pauliuchenka) found reporters Julija Darashkievich and Iryna Kozlik guilty of unauthorized picketing and punished each of them with a fine of 30 basic units (3,000,000 Belarusian rubles). As usual, witnesses in the court were policemen: Aliaksandr Sukhaliat, a squad leader of the Minsk riot police, Sheliest, a squad leader of the Special Forces, and others.

The court hearings were held in fact behind closed doors. None of the journalists who came to cover the trial were allowed by security to enter the court building.

**On August 9**, in Viciebsk, plain-clothed police detained freelance journalists Volha Starascina and Dzianis Mikhajlau when they were carrying out their professional duties. Reporters were preparing a news story dedicated to the parliamentary elections. The film crew was taken to the Chyhunacny District Office for Internal Affairs in Viciebsk where they were held for several hours. A preventive talk was held with them about prohibition to film in the downtown area and then they were released without reports.

"I see this as an intimidation attempt. It is evident that they want to prevent freelance journalists from covering the elections", said Volha Starascina.

**On August 11**, in the urban settlement of Sharkaushchyna in the Viciebsk region, police detained journalists of independent media. Cameraman Viachaslau Piashko and reporter Hanna Aziemsha were filming how Zmicier Lupach, Editor of the non-government regional newspaper *Prefect-Info* (Hlybokaje), was distributing his publication in a public place, when they were approached by a police squad. The journalists were taken to the local District Office for Internal Affairs where their personal identification was checked and then they were released. No detention reports were drawn up.

Zmicier Lupach was held for longer than the others – he was questioned whether the newspaper was registered, who was publishing, for what purpose, etc. As a result, he was released on the condition of sending by fax the documentary evidence of legality of his newspaper.

**On August 16**, the Luninieć District Court (Judge Mikhail Dzienisovich) considered the administrative case against Albert Simanau, a resident of Pinsk, on the damage to the camera of Sviatlana Harda, a member of the BAJ. The defendant was found guilty under Article 10.9 of the Administrative Offences Code and fined for 30 basic units (3,000,000 Belarusian rubles). Besides, he must compensate the material damage caused by his actions.

It shall be reminded that **on July 8**, in the wildlife preserve of republican importance "Luninski" near the lake Bielaje, Sviatlana Harda was making a picture story for the web site *media-polesye.by* in order to attract public attention to violations of environmental laws. When the journalist was taking pictures, Albert Simanau attacked her and damaged the camera.

**On August 17**, in Svietlahorsk, local police prohibited freelance TV reporter Larysa Shchyrakova from recording on camera opinion of town dwellers about planned construction of a bleached pulp plant. First, police did not allow Shchyrakova to enter with camcorder the Town Public and Cultural Center where the so called public hearings were held. The journalist began interviewing people near the building of the Center. People expressed outrage that the organizers from the district executive committee did not grant permission to speak to any representative of population, even among those who had registered to speak. At that time, a Police Major who did

not identify himself accused Shchyrakova of violating public order and demanded her to "come to the police". Town dwellers and colleagues came to the defense of the journalist.

**On August 24**, in Zhodzina, a police squad detained Aliaksiej Lapicki, a human rights activist, for about half an hour for taking pictures in the street and filming policemen. A. Manko, the squad leader, called for a police car in support. The human rights activist was released after verification of his passport data and a preventive conversation.

In the morning of **August 25**, police detained Larysa Shchyrakova, a freelance TV reporter from Homiel, in the village of Liaskavichy, the Pietrykau district, where the festival of ethno-cultural traditions "Call of Paliesje" was held. During her detention, friends of the journalist noticed a printout with a photo and data of Shchyrakova in hands of policemen. Seven policemen surrounded the journalist and her friends and took them away from the site of the festival. They told her that the festival would be attended by President Lukashenka, and Shchyrakova's presence was undesirable. Because the journalist did not want to leave the festival she was taken to the Pietrykau District Office for Internal Affairs "to have her video recordings checked" and she was held there till about 17.30. During this time, she had to provide explanation why she, a journalist and member of a regional history organization, came to the folklore festival.

**On August 27**, it became known that Anatol Sanacenka, Editor-in-Chief of the newspaper *Bobrujskij Kurjer*, who complained to the Office of the Prosecutor General about unlawful actions of officers of the Babrujsk City Office of the KGB received a reply from the Mahiliou Region Department of the KGB.

In his complaint, Sanacenka informed the Prosecutor's Office that on April 5, 2012, in the office of the local tax inspection, KGB officers during two and a half hours had intimidated him by a threat of application of a criminal article for publications in electronic mass media. The journalist asked for a legal assessment of actions of law enforcement officers.

The Office of the Prosecutor General forwarded the complaint to the Prosecutor of the Mahiliou region, and the latter sent it to the Department of the KGB for the Mahiliou region. In his response, I.P. Sierhiejenka, Deputy Head of the Department of the KGB, informed Anatol Sanacenka that an audit had found that the actions of officers of the Babrujsk Office of the KGB had been lawful and founded.

"When I complained to the Office of the Prosecutor General, I wanted the complaint to be reviewed by this Office and not the agency whose staffers had violated my rights", said Sanacenka.

**On August 30**, in Minsk and Viciebsk, law enforcement officers detained and questioned administrators of online communities *Liapis Trubiackoj – free concert in Minsk, Only ShOS!* and *We are tired of this Lukashenka*. On the same day, unknown persons hacked one of the biggest opposition-minded online communities in the social network *Vkontakte*, *We are tired of this Lukashenka*, which had 37,000 followers.

Minsk: Paviel Jeucikhijeu was questioned in his home by plain-clothed people in presence of his mother. They were interested in his relation to the online community *Vkontakte*, *Liapis Trubiackoj – free concert in Minsk*, as well as passwords to the community. The young man refused to answer the questions; he was taken to the Kastychnicki District Department for Internal Affairs, and his computer was seized from his apartment. In response to his mother's objections, she was shown an ID issued in the name of Police Captain Aliaksandr Makarau. No official documents were drawn up. From the police precinct, Paviel was taken to the Kastychnicki District Court and charged with petty hooliganism. He was sentenced to five days of arrest.

Andrej Tkachou, an administrator of the online community *Only ShOS!*, was detained in the apartment of his girlfriend and taken for questioning. After that, he was also sentenced to 7 days of arrest for "petty hooliganism". The apartment of his girlfriend was searched and a computer was seized.

Minor Raman Pratasievich was detained in the street by KGB officers. The young man was pushed in a van and taken to the District Department for Internal Affairs. "Aliaksandr Ioskin, Head of the Public Security Police of the City Department for Internal Affairs of the Minsk City Executive Committee, waited for me there. They demanded me to hand out my login and password to the account in the social network *Vkontakte*. They shouted, beat in the kidney and lever area and threatened that they would slap petty theft charges on me. I was telling them again and again that I didn't know anything. It lasted for four hours. Finally, they took me to another office where they just left me for some time. Then, they told me to take my jacket and bugger off", said Raman Pratasievich.

Viciebsk: Alieh Shramuk, a moderator of the online community *We are tired of this Lukashenka*, was detained. Riot and city police broke in his family's apartment. They took Alieh without providing reasons for doing it and said that they served in the Kastychnicki District Office for Internal Affairs. They also questioned Aliesia Shramuk. Late in the night, it became known that Shramuk was brought to the Corrections Department for questioning. At midnight, Alieh Shramuk said that he had been questioned by the Viciebsk Department of the KGB.

**On August 31**, Aliaksandr Antanovich, Head of the Information and Public Relations Center of the KGB, said to a reporter of *Radio Liberty* that he had no information about prosecution of administrators of online communities.

**On September 6**, Larysa Shchyrakova, a freelance journalist from Homiel, member of the BAJ and the civic regional history community *Talaka*, sent a written complaint to the Prosecutor of the Pietrykau district. He demanded to investigate why her constitutional rights for collection and dissemination of information and freedom of movement had been violated.

It shall be reminded that **on August 25**, the journalist was detained in the village of Liaskavichy in the Pietrykau district, and she was not allowed to cover the folklore festival "Call of Paliesje". She was approached by plain-clothed people; one of them showed his official ID and said that accreditation was needed for filming the festival. Seven policemen took Shchyrakova to the village police precinct where they looked through the footage she had made. Later, police brought the journalist to the Pietrykau District Office for Internal Affairs (30 kilometers away) where they again watched all video recordings and asked for explanation. Deputy Head Andrej Bujski dealt with it. The check with all travel took more than three hours.

**On September 1**, Valier Bulhakau, Editor-in-Chief of the magazine *ARCHE*, was detained in Hrodna. The incident occurred immediately after a presentation of the book *Sovietization of Western Belarus* and new issues of *ARCHE*. Police and tax inspectors were involved in the operation. The tax inspectors requested documents from Bulhakau and asked about grounds for disseminating literature. An inventory was made of all available publications (194 copies) and they were put in a car. The process of confiscation was recorded on video. Mr. Bulhakau was also detained and taken to the tax inspection, from where he was released in about two hours after providing an explanation.

**On September 17**, in Minsk, a security service officer tore in pieces the press card of Mikita Brouka, a reporter of the officially registered non-government newspaper *Novy Chas*. The journalist was filming a sidewalk interview on Chyrvonaarmiejskaja Str. near the building of the presidential administration for the newspaper's web site when he was approached by an unknown plain-clothed person who introduced himself as an officer of the security service but refused to show any ID. "He was behaving aggressively, started to ask what we were filming there and demanded to show my press card. After having seen the name *Novy Chas*, he said that no such publication existed, tore the press card and left", said Mikita Brouka.

**On September 18**, in Minsk, unidentified plain-clothed persons were rudely detaining the journalists who were covering an election campaign station of the youth wing of the *Tell the Truth* campaign. During the incident, Siarhiej Hryc, a news photographer of *Associated Press*, was hit on the head, his spectacles were broken and his face was cut and bleeding. Also detained were Aliaksandr Barazienka, a freelance TV cameraman, Vasil Fiadosienka and Tacciana

Ziankovich, news photographers of *Reuters* and *EPA (European Press Agency)*, Paviel Padabied, a *BelaPAN* reporter, as well as a camera crew of the German TV channel *ZDF* – cameraman Zmicier Rudakou and producer Aliaksiej Akulau.

The journalists were shoved away in a station wagon and taken to the Frunzienski District Department for Internal Affairs. First, they were held during about twenty minutes in an assembly hall and then taken to office rooms where the journalists awaited a decision. They were told that they had been detained in order to get "proof of their identities" during the event which was "deemed unauthorized" by police agents. They were released some two hours later. In the District Department for Internal Affairs, all pictures were erased from the camera of Siarhiey Hryc.

**On September 19**, the news photographer of *Associated Press* visited the Frunzienski District Department for Internal Affairs and filed a complaint about having been inflicted an injury.

**On September 18**, freelance TV reporters Viachaslau Piashko and Valiancin Mikhalcou were detained near Kalinina Square in Minsk. They were making video recordings in the street when they were approached by police. The journalists were first taken to the local police precinct for identification and in about three hours they were brought to the Piershamajski District Department for Internal Affairs. There, Mikhalcou was fingerprinted (Piashko's fingerprints were already in the database) and photographed. Their camcorder was seized "for inspection", and an appropriate report was made. The video tape was also left in the police precinct. They were released late at night.

**On September 21**, Amos Roberts, an Australian journalist, was stopped in the Minsk International Airport when he was going through the customs on his way back home from Belarus. The customs officers and unidentified plain-clothed persons who were present there seized all his equipment and storage media, even the mobile phone (in the list: HD-Camcorder Panasonic HPX-170, HD-Camcorder Go-Pro Hero, digital camera Canon G12, a MacBook, Apple DVD-drive, digital storage media, a mobile phone (iPhone), several DVD, several documents from the SBS archive and a teddy bear with a parachute).

The plain-clothed persons refused to identify themselves. Amos Roberts, in his turn, refused to sign the seizure certificate because he did not realize what kind of documents he was demanded to sign. As a result, he was not given any documents that would confirm that something was seized. Later, when an interpreter and a representative of the BAJ came to the airport, Mr. Roberts went to sign the documents but the customs officers were already denying that they had seized the equipment. All this time the journalists were followed by unidentified plain-clothed persons.

For information: Amos Roberts is a reporter of the Australian TV channel *SBS* who was officially accredited at the Belarusian Foreign Ministry and worked in Belarus during a week. In particular, the journalist recorded a news story about the Swedish "teddy bear airdrop" in Belarus.

In the morning of **September 21**, Australian reporter Amos Roberts was invited to the KGB for a conversation but he refused. The journalist went to the Minsk International Airport and that time he left the country without hindrance. Amos Roberts bought the Belarusian SIM card on September 21, and he got a call from the KGB to this very number.

**On September 23**, Zmicier Lasko, a press photographer of *Komsomolskaja Pravda v Bielorussii*, was detained in the polling station No. 704 in Minsk (Partyzanskaja electoral constituency). A police officer (a criminal investigator) detained the journalist after the latter refused to erase images taken in the polling station. Zmicier Lasko was released immediately after the question of his detention was raised at the press conference of the Central Election Committee which was held on that day.

**On September 23**, Siarhiej Balaj, a photographer of the online newspaper *Salidarnasc*, was detained in Minsk. The incident occurred at about 18.40 when the journalist was taking pictures in the empty Kastychnickaja Square. He was approached by plain-clothed people who asked him why he was taking pictures there, and then they called a patrol car with policemen. His press card did not work, and he was taken to the Centralny District Department for Internal Affairs allegedly for identity check. They did not request explanation from him and no report was drawn up but all photos on the camera's memory card were erased. He was released in about two and a half hours.

**On October 9**, Tacciana Haurylchyk, a camerawoman on the newspaper *Nasha Niva*, was detained in Minsk. Riot police detained the reporter when she was filming an art show in the Kastychnickaja Square in Minsk. She was released about three hours later. No police report was drawn up against the journalist but all footage was erased from her equipment.

**On October 11**, activists of the youth initiative "Alternative" organized a flash mob in downtown Minsk in protest against propaganda on the state television. They put a TV set with the logo of the *First Belarusian TV Channel* and spread noodles on it and also scattered noodles around it. Alieh Korban, the leader of the initiative, and Uladzimir Siarhiejeu, an activist, were detained immediately after the event. They were taken to the Partyzanski District Department for Internal Affairs in Minsk where reports about petty hooliganism were drawn up.

**On October 12**, the Partyzanski District Court in Minsk (Judge Ryta Shahraj) sentenced the organizers of the picket against propaganda on the state television to 5 days of arrest.

**On October 12**, the Economic Court of the Hrodna region fined Valier Bulhakau, former editor of the culture and popular science magazine *ARCHE-Pachatak*, for five basic units. Also, the total revenue from the sale of the magazine was confiscated for the total amount of 875,000 Belarusian rubles. A representative of the tax inspection of the Kastychnicki district in Hrodna explained to the court that Bulhakau had been selling books but he was not registered as an entrepreneur and did not issue receipts.

It shall be reminded that Valier Bulhakau was detained on **September 14** after a presentation in Hrodna of a new book, *Sovietization of Western Belarus*, written by historian Jan Shumski. The tax inspectors who came to the presentation made an "evidentiary purchase". After that, they seized 194 copies of the magazine and books.

According to Bulhakau, since **September 21**, employees of the Financial Investigations Department of the Committee for State Control were auditing a Minsk printing house where *ARCHE* was published. The documents were seized. **On October 2**, more than 5,000 copies of books from Bulhakau's personal collection were also arrested. **On October 4**, Andrej Dynko, the founder of the magazine *ARCHE*, was summoned to the Office of the Financial Investigations Department. After the visit, he took the decision to remove Valier Bulhakau from the position of editor-in-chief and appoint his earlier deputy Aliaksandr Pashkievich as acting editor-in-chief. On the same day, the Financial Investigations Department blocked the account of *ARCHE*, and as a result, the magazine lost the possibility to pay for printing new issues. The layout of one of the issues was fully prepared and was in the printing house. The magazine's accountant noted that they had received no request before, and later, at the Department's demand, they had submitted all documentation for the full period of publication of the magazine.

No official charges were made against the publishers of *ARCHE*. Valier Bulhakau, Candidate of philosophical science, did not exclude the possibility that a criminal case and not only an administrative case could be initiated against him on the charge of "illegal entrepreneurial activities".

**On October 12**, the Rahachou District Court, at the claim of the official district newspaper *Svabodnaje Slova*, fined civic activist Dzianis Dashkievich for 3,000,000 Belarusian rubles for a copyright violation (Article 9.21 of the Administrative Offences Code). The decision was taken by Judge Iryna Malashkievich.

It was the third meeting in the case initiated by Andrej Shyshkin, editor of the official newspaper. At the previous two hearings, Judge Malashkievich rejected the claims and sent the administrative report to police for revision. "This time, announcing the court decision, the judge did not even cite any article or violation I had committed. She just found me guilty and fined me", said Dzianis Dashkievich. The court did not produce any evidence that Dashkievich was the administrator of the web site *vrogacheve.ru*.

It shall be reminded that Andrej Shyshkin complained to police that Dzianis had reprinted in his online resource nine articles from the newspaper and a photo of Viktor Banchuk, Chairman of the District Executive Committee, without authorization from the editorial board of *Svabodnaje Slova*, thus violating the copyright of reporters of the district newspaper. After the court sent the report to police for revision, the number of these reprints was significantly reduced.

**On November 15**, it became known that the administrative case for defamation against Andrej Shyshkin, Editor-in-Chief of the Rahachou district newspaper *Svabodnaje Slova*, was terminated. Local civic activist Dzianis Dashkievich asked to prosecute the head of the state publication on the basis of a number of articles in the newspaper about Dashkievich. However, police found no evidence of offence in actions of the editor of the district newspaper, according to the official response signed by Viktor Piakurn, Head of the Rahachou District Office for Internal Affairs, received by the civic activist in the mail.

**On December 1**, reporters of the online newspaper *Salidarnasc* were detained in Minsk for taking pictures of former Minister of Culture and current Ambassador of Belarus in France Paviel Latushka in an informal setting.

The incident occurred in the club "Center" where a concert was held. Aliena Jakzhyk, a reporter of *Salidarnasc*, asked the photographer to take a picture of the official who was present in the audience. Immediately after that, the photographer and Aliena Jakzhyk were detained by security of the club. As it turned out, the guest did not want his pictures to be published by media. A club official demanded to erase the pictures and promise not to publish them, and also wrote down their contact data. Jakzhyk was released only after a conversation with Latushka. The journalists were accredited to the event.

"I said that I was a journalist and that the club officials were preventing me from carrying out my professional duties, and that Latushka was a public person in a public place. In response, I got something like: "Please, spare us of your journalistic staff" and "You don't have any right at all to take pictures here". And this is not taking into account the veiled insults and threats", said Aliena Jakzhyk later.

**On December 3**, in Viciebsk, police detained for some time Siarhiej Sierabro, editor of the web site *Narodnyja Naviny Viciebsku*, when he was taking pictures of asphalt laying near the woodworking plant. Police were summoned by the plant's security. Later, it became known that the plant was getting ready for a visit by Aliaksandr Lukashenka.

In the morning of **December 24**, police detained freelance journalists and members of the BAJ Siarhiej Vazniak and Mikalaj Pietrushenka, reporter Lola Buryjeva, cameraman Viachaslau Piashko and a car driver in the town of Smaliavichy in the Minsk region. The journalists came from Minsk to cover a meeting of Jahor Liebiadok, a deputy of the Smaliavichy District Council, with dwellers of the district. They were detained immediately after their papers were checked at the entrance to the hall of the House of Culture. The journalists were taken to the local District Office for Internal Affairs, allegedly for identification; their passports were taken away and questioning reports were drawn up. The questioning was done by Lieutenant Colonel Andrej Martysiuk, Head of Public Order Protection and Prevention Office.

All storage media was taken from Lola Buryjeva after a personal search including the mobile phone, allegedly for checking them "for legitimacy". In response to the journalist's demand to show her the search report, police threatened to put her to prison but she managed to

write her comments to the report. As a result, the storage media were returned to Buryjeva. Some four hours later, all journalists were released. When the detained were in the precinct, a duty officer of the District Office for Internal Affairs denied in his phone conversation with Andrej Bastuniec, Deputy Chairman of the BAJ, that the detained journalists were in the precinct.

### Seizure of Equipment, Damages, Confiscation

**On January 18**, Tacciana Haurylchyk, a reporter of *Nasha Niva*, and Julija Darashkievich, a freelance photo reporter, were finally able to collect the professional equipment which was taken from them a month before. Tacciana Haurylchyk got back her camcorder from police, and Julija Darashkievich retrieved her photo camera with a lens and a netbook. Both journalists wrote acknowledgments that they had no claims in regard to the condition of equipment. According to them, their belongings looked intact at first glance but all information related to Femen's performance in Minsk on the steps of the KGB building on December 19, 2010 had been erased.

It shall be reminded that in the morning of December 19 Julija Darashkievich and Tacciana Haurylchyk were detained while carrying out their professional duties – recording a performance of the Ukrainian organization Femen near the KGB building. After the detention, the reporters were brought to the KGB premises and then to the Centralny District Department for Internal Affairs where their equipment was seized and they were held till the evening.

During a month, the journalists were not able to carry out their professional duties waiting for the Internal Ministry to finish checking their professional equipment.

**On April 30**, freelance TV reporters Viktoryja Kolchyna and Siarhiey Krauchuk were detained in Minsk. They attended a presentation of the documentary film "The Last Dictator of Europe" organized by representatives of the "Free Theater".

Five minutes after the screening began, riot police broke into the room. All twenty spectators were put face to the wall and then taken to the Saviecki District Department for Internal Affairs. There, the detained persons were questioned, photographed and fingerprinted. They were released in about three hours.

During the detention, police knocked Siarhiey Krauchuk's camera out of his hands, and it was damaged. After he was released and his equipment was returned, he noticed disappearance of a memory card. Viktoryja Kolchyna was not able to turn on her own computer as it was locked.

**On May 2**, at about 20 o'clock, local precinct police visited the Minsk bureau of *Radio Racyja* (in the vicinity of Victory Square). According to them, they were checking all premises in connection with a rehearsal of the parade dedicated to May 9. At that moment, an employee was in the office who opened the door. When police saw the Radio logo and equipment, they called in their colleagues from the Centralny District Department for Internal Affairs for further investigation. After the inspection of the premises, it was decided to seize the equipment – a laptop and a computer – "for checking". A record of seizure was drafted by Senior Agent Babkou. The operation was led by Arciom Shakhvaj, Deputy Head of the Centralny District Department for Internal Affairs.

**On June 4**, police returned the equipment seized "for checking" from the Minsk office of *Radio Racyja* on May 2. The law enforcement agents said nothing about the outcome of this inspection which took more than a month.

**On May 12**, customs officers in the Minsk-2 airport searched Jens Nielson, a Danish journalist, for four hours. After the search, they confiscated electronic media, a laptop, materials for a news story about the Belarusian trade unions as well as the book "Aliaksandr Lukashenka.

The Contours of the Belarusian Model" by Roy Medvedev. Jens Nielson was not given reasons for confiscation.

While the journalist was searched, his plane left. However, Jens Nielson was not offered another flight, so he had to go to Vilnius urgently by train in order not to violate the visa regime.

In the evening of **May 25**, Natallia Vierashchahina, editor of the trade union web site *praca-by.info*, was detained at the checkpoint "Gudogaj" on the border between Belarus and Lithuania. She was taken off the train together with leaders of the radio-electronics industry trade union when they were returning from Vilnius after a meeting with Lithuanian trade unionists. The journalist was taken for a personal inspection: first, they checked the contents of her hand bag, and then made her to strip to the underwear. After an almost three-hour search procedure, her money, a laptop and a USB stick were confiscated. They promised to return them within a month, after an "inspection".

**On May 31**, reporters Siarhiej Balaj (online newspaper *Salidarnasc*) and Ina Sudzinskaja (*Radio Liberty*) as well as freelance TV reporters Alina Radachynskaja and Ales Barazienka, were detained in the Svietlahorsk district (Homiel region). They were returning after covering a meeting of dwellers of the village of Jakimava Slabada who protested against construction of a bleached pulp plant near the village. Members of the BAJ Siarhiej Vazniak and Aliaksandr Ulicionak and activists of the "Tell the Truth" campaign Hanna Kurylovich and Mikhail Pashkievich were also detained together with the journalists.

The car which they were driving was stopped by road police officers when leaving the village who told that they had violated traffic regulations. They all were taken to the Svietlahorsk District Office for Internal Affairs to provide explanations, where they were held for two hours.

Policemen confiscated a memory card from Siarhiej Balaj's camera. They said that the pictures would be used as evidence against participants of the unsanctioned rally in the village. Siarhiej Vazniak had to undergo the blood alcohol test.

**On June 21**, Arsien Nikolski, Major Crimes Investigator from the Hrodna Region Prosecutor's Office, accompanied by policemen, visited the apartment of Andrzej Poczobut, member of the BAJ and correspondent of the Polish newspaper *Gazeta Wyborcza*. The investigator announced that a new criminal case was opened against the journalist under Article 367, Part 2 (defamation committed repeatedly). The grounds were allegedly provided by publications of Andrzej Poczobut on news web sites *Charter'97* and *Bieloruskij Partizan*.

The journalist's apartment was searched, and his work computer was confiscated. Poczobut was taken for interrogation, but he refused to talk to the investigator and then was taken to the Hrodna prison.

It shall be reminded that on July 5, 2011, Andrzej Poczobut was sentenced to 3 years of imprisonment suspended for 2 years under Article 367, Part 1 (Defamation of the President). This decision was taken by Vital Liacko, Judge of the Lieninski District Court in Hrodna. The journalist who passed several months behind the bars was released in the courtroom. Initially, Poczobut was charged with violation of two articles of the Criminal Code: Article 368 (Part I) — "Insult" and Article 367 (Part I) — "Defamation" of the President. As a result, the journalist was acquitted under the article for the insult.

**On June 27**, a search was conducted in the office of the unregistered Union of Poles in Belarus in Hrodna. In the evening, police with help of locksmiths forced the office door open. Not only the office of the Union of Poles but also other rooms of the building in which the organization was located were searched. According to police, they were looking for printed media "which contained anti-state appeals". As a result, computers were seized.

The reporters who came to the office were prohibited from taking pictures of the events.

The tenant of the office is Andrzej Poczobut, Chairman of the Council of the Union of Poles in Belarus and a reporter, who was in prison at that moment.

**On July 8**, in the wildlife preserve of republican importance "Luninski" near the lake Bielaje, Sviatlana Harda was making a picture story for the web site *media-polesye.by* in order to attract public attention to violations of environmental laws. When the journalist was taking pictures, Albert Simanau, a resident of Pinsk, attacked her and damaged the camera.

**On August 16**, the Luniniec District Court (Judge Mikhail Dzienisovich) considered the administrative case against Albert Simanau under Article 10.9 of the Administrative Offences Code. He was fined for 30 basic units (3,000,000 Belarusian rubles; 300 euro). Besides, he must compensate the material damage caused by his actions.

**On July 13**, in Minsk, KGB officers searched the rented apartment of Anton Surapin, a twenty-year old student of the Institute of Journalism of the Belarusian State University, member of the BAJ and editor of the web site *Belarusian News Photos (bnp.by)*. The special service wanted to know where the pictures of teddy bears which had been dropped from a Swedish single-engine airplane on **July 4** over Ivianiec and Minsk came from. Meanwhile, Anton Surapin explained in the captions under the pictures that they had been sent by a person who lived outside of Minsk and wished to remain anonymous. After the search, Surapin was taken in for questioning.

**On July 14**, a KGB investigator called Anton's parents and told them that no charge was brought against their son, and he was detained for 72 hours in order to determine his involvement in the events related to teddy bears that had been dropped from the Swedish plane.

**On July 17**, in Orsha, police raided the apartment of Ihar Kazmierchak, the founder and editor of the web site *orsha.eu*, as well as his parents' apartment. They confiscated a CPU, two USB cards and a 3G modem. Kazmierchak was questioned about dissemination of pornography through the web site. All this happened a few days after he got registered as an observer at the elections to the Chamber of Representatives in the framework of the campaign "Human Rights Defenders for Free Elections".

The editor said that no pornographic information was published on the web site *orsha.eu*. He did not exclude the possibility that some agencies were very interested by information in his computer, and this was why the excuse with "dissemination of pornography" was invented.

In the morning of **July 24**, Belarusian border guards detained for three hours Vital Ruhajn, a reporter of the Minsk bureau of the *European Radio of Belarus*, at the crossing point "Gudogaj" on the border between Lithuania and Belarus. The journalist was in the train "Vilnius – Minsk" coming back to the country after a month absence. In the office of the border guards, the journalist's laptop was seized and a seizure report was drawn up. Later, the computer was returned.

It shall be reminded that after the detention of Paviel Sviardlou, a reporter of the *European Radio for Belarus*, in the morning of **June 22**, unidentified plain-clothed people waited for Vital Ruhajn near the office (they showed his picture to the concierge). However, Ruhajn, assisted by his colleagues, was able to remain at large and leave the country for Poland.

**On August 30**, in Minsk and Viciebsk, law enforcement officers detained and questioned administrators of online communities *Liapis Trubiackoj – free concert in Minsk*, *Only ShOS!* and *We are tired of this Lukashenka*. Some of them had their computers confiscated.

Paviel Jeucikhijeu was questioned in his home by plain-clothed people in presence of his mother. They were interested by his relation to the online community *Vkontakte Liapis Trubiackoj – free concert in Minsk* as well as passwords to the community. The young man refused to answer the questions; he was taken to the Kastychnicki District Department for Internal Affairs, and his computer was seized from his apartment. In response to his mother's objections, she was shown an ID issued in the name of Police Captain Aliaksandr Makarau. No official documents were drawn up. From the police precinct, Paviel was taken to the Kastychnicki District Court and charged with petty hooliganism. He was sentenced to five days of arrest.

Andrej Tkachou, an administrator of the online community *Only ShOS!*, was detained in the apartment of his girlfriend and taken for questioning. After that, he was also sentenced to 7 days of arrest for "petty hooliganism". The apartment of his girlfriend was searched and a computer was confiscated.

**On September 18**, freelance TV reporters Viachaslau Piashko and Valiancin Mikhalcou were detained near Kalinina Square in Minsk. They were making video recordings in the street when they were approached by policemen. The journalists were first taken to a local police precinct for identification and in about three hours they were brought to the Piershamajski District Department for Internal Affairs. There, Mikhalcou was fingerprinted (Piashko's fingerprints were already in the database) and photographed.

Their camcorder was confiscated "for inspection", and an appropriate report was made. The video tape was also left in the police precinct. They were released late at night.

**On September 21**, Amos Roberts, an Australian journalist, was stopped in the Minsk International Airport when he was going through the customs on his way back from Belarus. Customs officers and unidentified plain-clothed persons who were present there confiscated all his equipment and storage media, even the mobile phone (in the list: HD-Camcorder Panasonic HPX-170, HD-Camcorder Go-Pro Hero, digital camera Canon G12, a Macbook, Apple DVD-drive, digital storage media, a mobile phone (iPhone), several DVD, several documents from the *SBS* archive and a teddy bear with a parachute).

Plain-clothed persons refused to identify themselves. Amos Roberts, in his turn, refused to sign the seizure certificate because he did not realize what kind of documents he was demanded to sign. As a result, he was not given any documents that would confirm that something was confiscated. Later, when an interpreter and a representative of the BAJ came to the airport, Mr. Roberts went to sign the documents but the customs officers were already denying that they had seized the equipment. All this time the journalists were followed by unidentified plain-clothed persons.

For information: Amos Roberts is a reporter of the Australian TV channel *SBS* who was officially accredited at the Belarusian Foreign Ministry and worked in Belarus during a week. In particular, the journalist recorded a news story about the Swedish "teddy bear airdrop" in Belarus.

**On November 29**, the Orsha City Office of the Investigative Committee returned the computer and the USB cards to Ihar Kazmierchak, editor of the independent web site *orsha.eu*, which were seized from him 5 months before, **on July 17**.

As it was communicated before, pressure of the law enforcement bodies on the web site was caused by an alleged link to another resource which contained, inter alia, materials of pornographic nature.

An expert examination was scheduled for the confiscated equipment. Kazmierchak was not informed about its outcome. He believed that the experts confirmed that the editorial board of the web site had no relation to dissemination of such information. Independent observers linked the pressure on the online publication to the campaign of election to the Chamber of Representatives, as this web site, unlike the government media, also covered activities of opposition candidates.

## Threats against Journalists and Mass Media

**On March 3**, unidentified persons organized a provocation against Andrzej Poczobut, a journalist from Hrodna. They posted up posters with a photo picture of the journalist and the text "Caution, a pedophile!" on the entrance halls of the apartment house where he lives.

Andrzej Poczobut took one of the pollsters to the police and filed a complaint. He believed that it was yet another instance of revenge for his public stance and journalistic activities. The journalist did not exclude that the KGB could be behind the provocation.

It shall be reminded that Andrzej Poczobut was sentenced to 3 years of imprisonment suspended for 2 years under Article 367, Part 1 (Defamation of the President). The court found the journalist guilty for a number of articles criticizing the existing authorities. The trial was closed. The journalist spent 3 months behind bars. Now he is prohibited from traveling abroad.

**On June 22**, an unidentified person planted a severed chicken head to the mailbox of Iryna Khalip, a journalist and wife of former presidential candidate Andrej Sannikau. It was wrapped in oilcloth and sealed in an envelope with no postmark. It meant that the package was put directly to the mailbox and not sent by mail.

"I regard this incident is a direct threat to my life", said Iryna Khalip. The journalist filed a complaint regarding this incident to the Partyzanski District Department for Internal Affairs in Minsk.

It shall be reminded that Iryna Khalip was sentenced to 2 years of imprisonment with suspension on the charge of alleged participation in the protest rally against rigging of the outcome of the presidential election on December 19, 2010. He has no right to leave the country and leave the apartment after 22.00. Besides, she is under permanent police supervision.

**On September 11**, Iryna Khalip, a journalist and wife of former presidential candidate Andrej Sannikau, said that her phone was "attacked" by unknown persons. The phones calls were coming in almost all the time, and it made the use of the phones impossible. Listings for sales of cars or rent of apartments were made with reference to her numbers.

"In the morning, I had to switch off the phones, and when I switched them on in the evening to make a phone call, I received a message from the operator of the mobile network that my number was called 223 times", said Iryna. The journalist believed that this was the work of Belarusian secret services.

**On September 14**, Anatol Sanacenko, Editor of *Bobrujskij Kurjer*, who was going to the site of an election campaign picket of one of the democratic candidates (the picket was agreed by the authorities) was threatened and insulted by Aliaksandr Markachou, Deputy Chairman of the Babrujsk City Executive Committee, and the leading ideologist of the city. All this was recorded on a camcorder by the journalist.

"His behavior ... constitutes a certain threat for my subsequent activities as a journalist and manager of a media outlet", pointed out Anatol Sanacenko in his complaint to the Prosecutor's Office which was accompanied by a video recording. He received a reply from the Babrujsk City Department for Internal Affairs dated **December 4**. E. Baradauka, Head of the Police Office No. 2, came to the conclusion that "no elements of any offence have been found in actions of Deputy Chairman of the Babrujsk City Executive Committee Aliaksandr Markachou".

**On September 25**, Natallia Radzina, editor of the web site *Charter'97*, said that she was receiving calls all the time to her mobile phones, and it made their use impossible. The phone calls allegedly came from the number of Dmitri Muratov, editor-in-chief of the Russian newspaper *Novaya Gazeta*. Muratov who is a good acquaintance of the journalist was not aware of this. Natallia Radzina was convinced that the phones were thus blocked by Belarusian secret services. She did not exclude that she would ask the Polish prosecutor's office to investigate this incident.

**On October 18**, on the eve of the eighth anniversary of murder of journalist Vieranika Charkasava, unknown people were trying to break into her relatives' apartment. At 6.20 am, two plain-clothed visitors tried to get into the apartment where the mother and stepfather of the murdered visitors live.

As Uladzimir Mialieshka, Vieranika's stepfather, said, first, they were calling insistently at the door and then they were knocking and pulling the handle of the door to the apartment. It lasted for about an hour. The old people did not have the guts to open the door or to talk to unknown persons and even did not open the door to police who came following their call.

The last visit of police to Charkasava's parents took place in October 2008, also on the eve of the anniversary of the murder. Then, a search was held in the apartment under the warrant of the Prosecutor of the Piershamajski district. Police were looking for "weapons, narcotics, and stolen goods" but, as a result, they took nothing.

It shall be reminded that Vieranika Charkasava was murdered on **October 20, 1994** in her apartment in Minsk. The murderer stabbed her with a knife more than 40 times.

**On October 17**, one day before the attempts of unknown persons to get into the apartment of Vieranika Charkasava's relatives, the BAJ asked the Investigative Committee of the Republic of Belarus, to whose competence the case was transferred in early 2012, for information in the case of the murdered journalist. The BAJ asked to provide information whether the investigation of the murder case was ongoing; if yes, who was the investigator in charge; whether investigative actions were conducted since October 20, 2011 and whether new information in the case was available.

A year before, Sirahiej Balashau, Senior Assistant to the Prosecutor of the City of Minsk, said that the pre-trial investigation in this case was suspended. The operational search in the case was ongoing but the investigation was not able to communicate "anything positive in relation to solution of this crime". The investigation was not resumed since February 2007, and it was suspended "in connection with non-identification of persons who could be prosecuted as criminal defendants".

## Warnings, Administrative Pressure

**On January 10**, the Ministry of Information issued a written warning to the editorial board of the non-governmental magazine *Arche. Pachatak*. The publication was accused of violation of Article 22 of the Law on Mass Media. The Ministry of Information found that "the name of the Republican state administrative body in the field of mass information which registered this printed media outlet" (i.e., the Ministry of Information) as well as "the number and date of issue of the certificate of incorporation" had been indicated incorrectly in the imprint of the magazine No. 10 for 2010.

It shall be reminded that, in accordance with Article 51, Part 2.2 of the Law on Mass Media, issuance of two or more warnings during a year to the editorial board or the founder of a media outlet can entail suspension of publication of this media outlet. Moreover, it is not a calendar year (from January 1 to December 31) that is taken into account but a year from the date of issuance of a warning.

**On January 30**, Grazyna Shalkievich, a reporter of *Radio Racyja* from Hrodna, was warned verbally in the KGB about criminal responsibility for discrediting the Republic of Belarus and insulting the president.

The journalist came to the "conversation" accompanied by a lawyer. However, an officer of the KGB (who did not show his ID) insisted that Ms. Shalkievich was neither a defendant nor a witness, and therefore presence of her representative was unnecessary. First, the questions concerned mostly last year's "silent" rallies during one of which Shalkievich got arrested and fined as a participant. The journalist refused to answer these questions having explained that she did not know how this information would be used later.

Then, her conversation partner switched to the topic of journalistic activities without accreditation and warned Grazyna Shalkievich about responsibility. At the demand of the journalist, a report was drawn up after the meeting.

**On February 16**, the Prosecutor's Office for the Hrodna Region issued a written warning to freelance cameraman Mikalaj Dziatchenia about inadmissibility of work for a foreign media outlet without accreditation. Dziatchenia was shown a photo picture at which he was standing with a camcorder during a ceremony commemorating the Kalinouski brothers in the urban settlement of Svislach and a freeze-frame from a story dedicated to this event in a news bulletin of the independent satellite TV channel *Belsat*.

**On February 17**, Minister of Information Alieh Praliaskouski announced that in 2011, the Ministry of Information issued 83 written warnings to 57 media outlets. This data was made public during a meeting of the Ministry's Board dedicated to the results of 2011.

**On February 21**, Viktor Parfionienka, a reporter of *Radio Racyja* from Hrodna, was summoned to the Prosecutor's Office for the Hrodna region where he was handed a written warning for cooperation with a foreign media outlet which was not accredited in the Ministry of Foreign Affairs. V. Paviadajka, Deputy Head of the Prosecutor's Office, showed print-outs of publications from the web site of *Radio Racyja* to the journalist as a proof.

The prosecutor said that next time, Parfionienka would be prosecuted under Article 22.9, Part 2 of the Administrative Offences Code (illegal dissemination of information). To Viktor Parfionienka's argument that the Foreign Ministry already denied him accreditation on three occasions, the prosecutor recommended him to sue the Ministry.

**On February 21**, Ales Dzianisau, a reporter from Hrodna, also received a written warning for cooperation with the TV channel *Belsat* without accreditation. This time, V. Paviadajka, Deputy Head of the Prosecutor's Office, did not show any proof.

**On February 22**, in Polack, Jauhien Parchynski, the founder of the web site *Svobodny Rehijon*, received a verbal warning from the local KGB department. The activist, who was summoned for a "conversation", was asked about his recently created web site as well as about his participation in the action "Revolution through a Social Network". A KGB officer read several articles from the Criminal Code to Parchynski and warned him that journalistic activities without accreditation were prohibited, especially work without accreditation for foreign mass media.

**On February 24**, the Ministry of Information issued a written warning to the editorial board of the non-governmental regional newspaper *Inform-Progulka* published in Luniniec for "dissemination of false information" (Article 4 of the Law on Mass Media), as the document signed by Minister Alieh Praliaskouski said.

The warning was based on the article "To the independent trade union..." (an issue from December 29, 2012, as the text said). The Ministry of Information considered the phrase "About 600 employees of "Granit" left the trade union organization of the enterprise" to be untrue information.

**On February 27**, Grazyna Shalkievich, a reporter of *Radio Racyja*, was handed a formal warning in the Prosecutor's Office for the Hrodna region for cooperation with a foreign media outlet without accreditation. V. Paviadajka, Deputy Head of the Prosecutor's Office, showed print-outs of his publications from the web site of *Radio Racyja* to the journalist as a proof. The prosecutor also warned Grazyna Shalkievich that if new facts of cooperation with a foreign media outlet without accreditation were established she could face a fine of 20 to 50 basic units in accordance with the Administrative Offences Code.

It shall be reminded that **on January 30**, Grazyna Shalkievich was verbally warned in the KGB about inadmissibility of cooperation with foreign mass media without accreditation.

**On February 28**, Andrej Mialieshka, a reporter from Hrodna, received a verbal warning from the Hrodna department of the KGB. The journalist visited the KGB under a formal summons which was brought to him by a neighborhood police officer in the evening of February 27. Mr. Mialieshka refused to go there on an invitation made over the phone on the same morning. According to Mialieshka, they talked about his journalistic activities. The KGB officer, Zhukau, was interested in the articles which had been written for the Hrodna web site *Tvoj Styl*. "Mr. Zhukau has asked me not to make any journalistic mistakes and to respect the Belarusian law. If it doesn't happen, some "measures will be taken". The conversation lasted for not more than 20 or 25 minutes", said the reporter.

**On March 21**, freelance journalists Volha Chajchyc and Zmicier Krauchuk were summoned over the phone to the Prosecutor's Office. Volha was summoned to the Prosecutor's Office of the Republic of Belarus, and Zmicier was summoned to the Prosecutor's Office for Minsk City.

Volha Chajchyc refused to "talk" to the prosecutor without a formal summons.

**On March 22**, freelance cameraman Zmicier Krauchuk, after his visit to the Minsk City Prosecutor's Office, received a written prosecutor's warning about inadmissibility of exercising professional activities of a journalist of a foreign media outlet in the territory of Belarus without accreditation (Article 35, Part 4 of the Law on Mass Media). The document was signed by Deputy Prosecutor for Minsk Kazimir Kiezhun.

**On March 28**, Alina Radachynskaja and Volha Chajchyc, freelance journalists and members of the BAJ, received prosecutor's warnings about inadmissibility of exercising professional activities of a journalist of a foreign media outlet in the territory of Belarus without accreditation (Article 35, Part 4 of the Law on Mass Media). The documents were signed by Deputy Prosecutor for Minsk Kazimir Kiezhun. Both reporters were accused of cooperation with the satellite TV channel *Belsat*. They were summoned to the Prosecutor's Office for Minsk by formal summons.

**On April 9**, Valieryj Kandratyck, General Director of the Minsk company "Amkador", sent a letter to Minister of Information Alieh Praliaskouski where he "strongly urged" to issue a warning for dissemination of inaccurate information to the newspaper *Nasha Niva* and take "other measures provided for by the law".

Indignation of Mr. Kandratyck was provoked by the publication "A millionaire with a lancet" (No. 13 of *Nasha Niva* from April 4, 2012) dedicated to Senator Aliaksandr Shakucin, "Amkador"'s Chairman of the Board of Directors. The letter listed a number of grievances against the publication. The editorial board of *Nasha Niva* published thorough explanations for each of them in a special editorial.

**On May 29**, the Prosecutor's Office for the Homiel region issued a warning to Larysa Shchyrakova, a freelance TV reporter and member of the BAJ, "for working for the producer company *N.E.W.S. Informacja* (Poland)". The Prosecutor's Office decided that the producer company was a foreign media outlet, and one needs to be accredited in the Ministry of Foreign Affairs in order to have relations with it. The document was signed by Hienadz Ramaniuk, Senior Counselor of Justice and Deputy Prosecutor for the Homiel region.

The sanction was based on the complaint of two citizens against the journalist after she made a video reportage about a meeting of dwellers of the village of Jakimava Slabada who protested against construction of a bleached pulp plant near the village. Shchyrakova was invited to the meeting by members of a citizen's action group. She posted her video materials on the video portal *youtube.com*. Later, they were reposted by other web sites.

In the Prosecutor's Office, to which she was formally summoned, Larysa Shchyrakova said that the Office had received complaints from Uladzimir Akhremkin and Zinaida Khmarun. The former wrote that Larysa Shchyrakova "interviewed village dwellers by deceptive means; they thought that she was representing an official media outlet and wanted to cover the issue of

construction of the plant and bring it to the attention of the president". "In reality, she took advantage of our problems and filmed a story which was advantageous for opposition", said Uladzimir Akhremkin in his complaint and asserted that only after the video story was aired at the TV channel *Belsat*, he learned that Shchyrakova was an "opposition journalist". The other complaint was worded in a similar fashion.

It shall be reminded that in 2011, Larysa Shchyrakova was already summoned to the Prosecutor's Office. At that time, Prosecutor Alesia Rabcava asked whether the reporter was working with the TV channel *Belsat*. But at that time, no formal warning was issued. Larysa Shchyrakova came under pressure from the authorities on several occasions: she was frequently detained by police, and after the 2011 presidential election the journalist was searched and her professional equipment was confiscated.

**On June 14**, the Ministry of Information announced that they had issued 25 written warnings since the beginning of the year. According to Minister of Information Alieh Praliaskouski, the sanctions were used against 24 media outlets. Most of the warnings were made for non-compliance of mass media with conditions of the state registration, in particular, for failure of the founder of the media outlet to report the fact of change of the editorial board's address, profile, publication frequency, etc., as well as for violation of the order of placement of the imprint. Besides, warnings were issued for dissemination of inaccurate information and violation of the order of mailing of mandatory free copies.

Meanwhile, in accordance with Article 51, Part 2.2 of the Law on Mass Media, issuance of two or more warnings to the editorial board or the founder of a media outlet can entail suspension of publication of this media outlet.

**On July 25**, it became known that blogger Jauhien Lipkovich sent complaints against the army newspaper *Vo Slavu Rodiny* to the Prosecutor's Office of the Republic of Belarus and the Ministry of Information. Mr. Lipkovich asked to issue a formal warning to the publication for a violation of Article 44 of the Law on Mass Media.

The reason of this complaint was disregard by the editorial board of a citizen's right for refutation of false information. **On July 18**, Jauhien Lipkovich submitted a claim demanding to refute untrue information. The law gives 5 days to the editorial board to reply to the claimants. However, Mr. Lipkovich received no reply within the prescribed time.

It shall be reminded that the state-run newspaper *Vo Slavu Rodiny* published satirical articles about Jauhien Lipkovich signed by a Colonel Makarau on a regular basis.

**On August 10**, the Minsk City Prosecutor's Office issued a written warning to freelance reporter Tacciana Bielashova about inadmissibility of violation of the Law on Mass Media – working for a foreign media outlet without accreditation.

The warning was signed by Deputy Prosecutor for Minsk Kazimir Kiezhun. The journalist was summoned to the Prosecutor's Office in the framework of investigation of activities of the Polish satellite TV channel *Belsat*. Prosecutor Dzmitryj Pastajalka reminded to Bielashova about her detention in the Gorki Park in Minsk on **June 1** when she had been filming a video reportage. The recordings made by Tacciana were aired by *Belsat*.

It shall be reminded that similar prosecutor's warnings were issued during the year to a number of freelance journalists, and in June, the Investigative Committee announced that it would initiate investigation of activities of the TV channel *Belsat*.

**On August 14**, the Minsk City Prosecutor's Office issued a formal warning to Hienadz Barbarych, a reporter of *Radio Racyja*, about inadmissibility of work for a foreign media outlet without accreditation. The document was signed by Deputy Prosecutor for Minsk Kazimir Kiezhun.

The journalist was summoned to the Prosecutor's Office in connection with an investigation of his work for *Radio Racyja* after a search in the premises of the radio on **May 2**.

During the conversation, Prosecutor Dzmitryj Pastajalka called Hienadz Barbarych a staffer of *Radio Racyja* and said that he had listened to many of his materials aired by the radio and on the computers seized during the search. "In response to these accusations, I said that I was a freelance journalist: on each day, I may write for a different media outlet, and I'm not bound by a work contract with any of them. Having cited my constitutional right, I refused to testify against myself", said Hienadz Barbarych.

It shall be reminded that the editorial board of *Radio Racyja* is based in Poland. The journalists of *Radio Racyja* have to work illegally in Belarus because the Foreign Ministry denied official accreditation to the radio station on several occasions.

**On August 15**, in Barysau, employees of the Housing and Utilities Department No. 1 of the Barysau unitary enterprise "Housing", on the order of the executive committee, removed the signboard of the non-governmental local newspaper *Borisovskije Novosti* which was fixed above an entrance to an apartment building where the editorial board of the publication is located. At the same time, the workers had no written orders for dismantlement.

In the morning of **August 16**, the utility workers tried to dismantle the metal frame on which the signboard had been fixed. Editor-in-Chief Anatol Bukas had to call the police and file a complaint. When a policeman arrived, the workers packed up their tools and left after having dismantled the frame in half.

In the morning of **August 17**, Tacciana Raviaka, a member of the Board of the human rights defense center "Viasna" and member of the BAJ, was invited to the KGB over the phone for a conversation. The human rights activist demanded to send her a formal summons. It followed from the summons that was brought soon that Tacciana Raviaka was summoned as a person "who had knowledge about circumstances of importance for the national security of the Republic of Belarus".

During the conversation, a KGB officer took interest in information that was published on the web site *spring96.org* on **August 15** under the title "The KGB interferes into the election process in Mahiliou". Tacciana Raviaka was asked where this information had come from, whether she was the author of this publication, etc. Tacciana Raviaka was warned that unverified information about the security services should not be published on the web site of the organization.

The human rights activist did not agree that publication of such a material could discredit the KGB in any way. Already before the visit to the KGB, Tacciana Raviaka said that this invitation was related to her professional activities and to pressure exercised by the authorities on the human rights center "Viasna" closed down by the authorities.

**On August 20**, the Prosecutor's Office for the Viciebsk region issued a formal warning to freelance journalist Aliena Sciapanava for working without accreditation for a foreign media outlet. It followed from the document signed by Deputy Prosecutor of the region G.A. Karanko that the journalist was accused of cooperation with an editorial board that did not exist since 2002.

According to the document, the Prosecutor's Office ambushed the reporter in "repeated preparation of audio and video materials as well as interviewing population with aim to prepare reportages which were published on behalf of the Czech edition of *Radio Free Europe – Radio Liberty* on their web site". Prosecutor Zajcau who summoned Aliena Sciapanava and handed her the warning did not want to explain to her who conducted the investigation and how this information was obtained.

Aliena Sciapanava declared her intention to appeal the warning. "As far as I know, the Czech service of *Radio Liberty* stopped working in 2002. Thus, I can't physically cooperate with them", she said.

**On September 28**, Anatol Bukas, editor of the non-governmental regional newspapers *Borisovskije Novosti* and *Rieklamnyj BorJoMi*, announced that the publications remained under pressure from local authorities. In particular, about 60 copies of the newspaper were removed from the shelves of one of the shops at the request of employees of the sanitary inspection. According to Anatol Bukas, employees of the sanitary inspection implemented verbal orders of the administration of the Barysau City Executive Committee which sought to suppress the independent publication financially. It also became known that the Prosecutor's Office for the Barysau district, having considered a complaint of Anatol Bukas, found no violations of the law in the actions of workers of the Unitary Enterprise "Housing" who had dismantled the signboard with the name of the newspaper *Borisovskije Novosti* in August.

**On October 17**, the editor of the non-governmental regional newspapers *Borisovskije Novosti* and *Rieklamnyj BorJoMi* announced that the Barysau City Executive Committee was ordering commercial companies to cancel their ads in these newspapers. The companies had to comply in order to avoid pressure in the form of tax and other audits.

For examples, directors of two trade companies who refused to obey the orders of the executive committee were fined for several millions of Belarusian rubles each. According to Anatol Bukas, fifteen shops refused to sell the newspaper *Borisovskije Novosti* during the short election campaign period under pressure of the local authorities.

**On October 22**, the Prosecutor's Office for the Homiel region issued a formal warning to Larysa Shchyryakova, a freelance journalist and member of the BAJ, for violation of the Law on Mass Media. She was accused of working for a foreign media outlet without accreditation.

"The Prosecutor's Office for the region conducted an investigation based on materials of the Department of the KGB for the Homiel region which established that you exercised activities for the producer company *N.E.W.S. Informacja* (Warsaw) as well as collected information about sports, cultural and socio-political events in the region", said the warning signed by Deputy Prosecutor Vasil Brouka.

Earlier, **on October 22**, Iryna Makarevich, an employee of the Office for Fight against Corruption and Organized Crime of the Prosecutor's Office, demanded explanations from the journalist in connection with a story about the arrest of Viktor Pilipiec, Chairman of Homiel City Executive Committee, aired by the satellite TV channel *Belsat* on September 26. The story was made on behalf of Shchyryakova. "I explained that I had made this story at the request of a reporter of *Belsat*. I do not have contractual relations with the satellite TV channel *Belsat*. And the producer company *N.E.W.S. Informacja* is not a media outlet", said Shchyryakova.

This was the second warning issued to the reporter in 2012. **On May 29**, the Prosecutor's Office for the Homiel region issued a warning to Shchyryakova for "working for the producer company *N.E.W.S. Informacja*", after she had published video materials on the video portal *youtube.com* about dwellers of the village of Jakimava Slabada in the Svietlahorsk district who protested against construction of a bleached pulp plant near the village.

**On December 12**, the Ministry of Information refused to re-register the independent magazine *ARCHE-Pachatak*. The reason for the refusal was ineligibility of the announced editor-in-chief (currently acting editor-in-chief of *Arche* Ales Pashkievich) from the point of view of qualification requirements. The question was of the requirement to have a five-year experience of working in a management position of the corresponding profile (requirements of the Addendum to the Decision of the Ministry of Labor No. 120 from August 31, 2000). The documents for re-registration were submitted in November by the journalists who worked in the publication already.

"We applied for re-registration in connection with the notorious events which led to freezing of the account of the editorial board. After that, the publication of the magazine was paralyzed. An investigation of activities of the "old" editorial board by the Department of Financial Investigations is under way, and it is still unknown how it will end. This is why we

decided to revamp the editorial board hoping to resume normal publication of the magazine", said Mr. Pashkievich.

**On December 18**, the Prosecutor's Office for the Brest region issued a written warning to freelance reporter Alina Litvinchuk about inadmissibility of cooperation with foreign mass media without accreditation. The Prosecutor's Office believed that the materials published on the website of *Radio Racyja* and signed by Alisa Pol were indeed written by Alina Litvinchuk.

Deputy Prosecutor for the Brest region Aliaksandr Tochka who handed the warning to the journalist was not able to explain how the Prosecutor's Office came to this conclusion.

**On December 28**, Dzianis Dashkievich, a civic activist from Rahachou, was summoned to the District Prosecutor's Office where he was issued a formal warning about inadmissibility of violation of the law of the Republic of Belarus. The conversation which lasted for about 2 hours was carried out by Prosecutor Sviatlana Chujeshava.

Dzianis Dashkievich was warned that if the independent news web site *vrogacheve.ru* published articles that would contain inaccurate information about political and social life of the country or insult officials, he could be held criminally responsible under Article 369-1 ("discrediting the Republic of Belarus"), Article 188, Part 2 ("defamation") and Article 189, Part 2 ("insult").

## Dismissals, Labor Disputes

**On July 31**, it became known that Uladzimir Tryzunou, a civic activist from Mahiliou, was fired from the Mahiliou Bread-Making Plant No. 4 where he worked as a freight handler. The official reason was a no-show. However, a few days before, Mr. Tryzunou took several pictures with his mobile phone on which one could see hundreds of kilograms of spoiled margarine and yeast that were still used for making cookies. These pictures got online and were published by independent web sites. The plant's management promptly found out who the "people's reporter" was. Uladzimir Tryzunou was given the real reason for his layoff during his meetings with the ideology worker and director of the plant.

The plant refused to comment on this situation to mass media.

**On August 2**, Maryna Damacievich, Deputy Chairperson of the Rahachou District Court, dismissed the claim of Siarhiej Sierhijenka, a former editor of the rural affairs desk of the local state newspaper *Svabodnaje Slova*, about compensation for wrongful dismissal. Mr. Sierhijenka demanded to recover his average wages for ten months from the editorial office. The judge did not see any violations in his dismissal in early July.

Before his dismissal, Siarhiej Sierhijenka worked in the newspaper during five years. **On June 15**, he was in his office during two hours and then he left for his own business, after leaving an application for a leave of absence. This was the official reason for his dismissal for no-show. On that day, neither Andrej Shyshkin, the editor-in-chief of the newspaper, nor his deputy were in the office, and the application was not considered. And though Sierhijenka showed a copy of the document, the Court did not take it into consideration.

According to Sierhijenka, he had "strained relations with head of the editorial board Shyshkin" because of difference in their opinions on economic and political matters. Because of this, Sierhijenka was sometimes called an "oppositionist" in the office; he was deprived of bonus payments and admonished.

**On December 7**, in Minsk, video engineers of the state-run TV channel *STV* (JCSC "Stalichnaje Teliebachannie") went on strike and did not come to work, demanding a pay raise. Because of this, the sports news bulletins were not aired by the TV channel. As it turned out, the part-time video engineers and not the full-time video engineers went on strike. At that time, the salary of these video engineers of *STV* was about 3,000,000 Belarusian rubles (about USD 350).

After the incident, they were contacted by their direct managers in the TV channel and asked to work till Monday, and then to discuss the salary issue. However, as on **December 13** (Thursday), no representative of the management came to talk to the employees who were unhappy about the salary.

### Attempts at Censorship

**On February 1**, it became known that defense attorneys in Belarus received recommendation to get their interviews to journalists signed off by top managers of their legal aid offices. This follows from a letter of Viktor Chajchyc, Chairman of the Republican Bar Association, which was sent to all regional and Minsk city bar associations. The heads of associations, in their turn, have obligation to review the already published interviews and send information about them to the Republican Bar Association by email.

These recommendations are based on the assertion that "there have been several cases of publication of interviews of some attorneys which contained distorted information, including through journalists' fault, in (mostly electronic) mass media", the letter signed by Viktor Chajchyc said.

According to Harry Pahaniajla, Chairman of the Legal Commission of the Belarusian Helsinki Committee, such recommendations are in contradiction with freedom of speech guaranteed by the Constitution. The persona of the attorney and his or her work are of public nature, so they can only be restricted by "rules of professional ethics and law" in presentation of information, said the lawyer.

**On August 3**, the Belarusian state TV channel *ONT* (Closed JSC "Second National Television Channel") censored a newscast of the Russian TV Channel *ORT*. The Belarusian channel stopped broadcasting the Russian news bulletin *Vremya* at 20.19 (normally, this daily half-hour bulletin is broadcasted from 20.00 to 20.30) – exactly at this time the First Russian Channel whose bulletin is rebroadcasted by the Belarusian channel, showed the story "The Belarusian and Swedish ambassadors lost their jobs after teddy bear landing". The news story told about deportation of the Swedish ambassador from Belarus.

**On August 28**, the election campaign address of Macviej Khatara, a candidate from the United Civic Party (UCP), was not allowed to be broadcasted in Babrujsk. In his statement, the candidate called the voters to boycott the election to the Chamber of Representatives of the National Assembly. Instead of the candidate's statement, the *Belarus 2* TV channel aired a story about urban improvement of Babrujsk.

**On August 28**, after completion of video recording of the address of Anzhalika Kambalava, a candidate from the UCP, employees of the TV and radio company *Brest* told the candidate that they would get a sign-off from the Central Election Commission for airing her statement. A. Kambalava, who ran in the Baranavichy-Zakhodniaja election constituency No. 5, devoted her address to the voters to the issue of political prisoners and named the latter. The candidate also called the voters not to participate in early voting and to actively boycott the elections.

**On August 28**, the Homiel TV channel did not air the address of Vasil Paliakou to voters. The activist of the UCP ran in the Homiel-Savieckaja election constituency No. 34. The recordings of other candidates' addresses were aired. At 19.25, instead of the opposition activist's address, the audience was shown a story about the Homiel Heating Network Company.

**On August 29**, Vasil Paliakou's address was also not broadcasted on radio. During 5 minutes reserved for his statement, the radio aired some music. According to Vasil Paliakou, his statements were censored because he urged to boycott the elections.

**On August 29**, the *Belarus-2* TV channel did not broadcast the address of Mr. Niapomniashchykh, a member of the UCP and candidate to the Chamber of Representatives in the Homiel-Navabelickaja election constituency No. 36. **On August 27**, Mr. Niapomniashchykh came to the studio of the local TV station to record his video address to voters. He was dressed in a T-shirt with the slogan "For Belarus without Lukashenka". Sviatlana Jaurasava, Deputy Director of the TV and radio company, asked the candidate to change his clothes but he refused. In response, she warned Uladzimir Niapomniashchykh that she would consult the constituency commission whether they can air the recorded video address with this inscription on the T-shirt or not.

**On August 31**, it became known that addresses of all candidates from the UCP in the Mahiliou region were not aired on TV and radio. Five members of the party ran in the elections in this region. Also, Sviatlana Dziadushka, Editor-in-Chief of the Mahiliou district newspaper *Prydniaprouskaja Niva*, refused to publish the address of Aliaksandr Shaucou, a candidate from the UCP, to his voters. In her official reply, Sviatlana Dziadushka said that the candidate's program was not in conformity with the Electoral Code.

**On September 3**, the *Belarus-2* TV channel canceled the recording of debates between two candidates in the elections – Anatol Liabiedzka, leader of the United Civic Party, and Mikalaj Samasiejka, a serving MP. "The reason is the equipment failure", Anatol Liabiedzka was told in the morning over the phone. According to the politician, the recording was canceled due to political and not technical reasons.

**On September 4**, Marat Markau, Deputy Chairman of the Belarusian Television and Radio Company, said that the recording of the debates was not canceled but postponed because of "preventive maintenance".

**On September 5**, Jury Khashchavacki, a movie director and candidate in the elections from the United Civic Party, was denied publication of his election program in the state newspapers *Zviazda* and *Respublika*.

"We have a decision of the Central Election Committee which approved a decision of the Supervisory Board on Use of Media during Preparation and Holding of Elections. The decision says clearly: the boycott is not prohibited, but free airtime on TV and radio and free publication space in newspapers shall not be allocated for this", Mikalaj Lazavik, Secretary of the Central Election Committee, commented on this refusal.

### Infringements Related to Access to Information (refusals to grant information, restrictive use of the institute of accreditation)

**On January 3**, the administration of the social and pedagogical center with orphanage of the Luniniec district refused to cooperate with the non-governmental local newspaper *Inform-Progulka*. Previously, journalists of the media outlet organized charitable events for orphans of the center on the Christmas Eve. However, this time, Natallia Cikhaja, Director of the orphanage, refused to cooperate. She told that she was prohibited from cooperating with the independent newsletter and providing any information. She refused to say who issued this prohibition.

**On January 6**, it became known that conditions of access to information got significantly worse for journalists of the independent regional newspaper *Intex-press*. In particular, only one journalist from the media outlet, Editor-in-Chief Uladzimir Janukievich, was accredited for participation in the meetings of the Baranavichy City Executive Committee in 2012. There was no such restriction in the previous years.

Also, the publication encountered unexpected difficulties in cooperation with the Baranavichy City Office for Internal Affairs. *Intex-press'* correspondent Natallia Siemianovich was told on January 6 that police would not provide information to the independent media outlet anymore. The reporter was told off the record that it was the Baranavichy City Executive

Committee which insisted on suspension of cooperation between the City Office for Internal Affairs and the newspaper.

**On January 24**, press photographers were prohibited from taking pictures during adjudication of the cassation appeal in the criminal case of human rights activist Ales Bialiacki in the Minsk City Court.

**On January 25**, it became known that officials of the Luniniec District Executive Committee were obligated by a special document to speak in state-owned regional mass media. In accordance with the "Program of Interaction and Information Cooperation between the District Executive Committee and the Editorial Board of the Newspaper *Luninieckija Naviny* and Local Radio Broadcasting in 2012", each official, beginning with the Chairman of the District Executive Committee, should have his articles printed in different columns of the district newspapers in specified time. The document was agreed with Tacciana Vajciakhouskaja, Editor-in-Chief of *Luninieckija Naviny*, and signed off by Viktor Rafalovich, Deputy Chairman of the District Executive Committee. Meanwhile, the district officials were prohibited from providing information to the local non-governmental publication *Inform-Progulka*.

**On January 30**, a cameraman of the TV channel *Belsat* was attacked by an unknown plain-clothed person in the courtroom of the Centralny District Court in Minsk where the administrative case of Alieh Vouchak, head of the Human Rights Center "Legal Assistance to Population", was heard. He did not like the fact that reporters of the independent TV channel were interviewing Vouchak before the beginning of the court hearings. The unknown person rudely grabbed the cameraman's arm and tried to take the camcorder from him. The human rights activist was on trial on the charge of using foul language and throwing arms about.

Judge Aliaksandr Jakunchykhin forbade making audio recordings in the courtroom. The journalist with a voice recorder was taken out of the room and the others were warned about liability for contempt of court if recording were made.

**On February 1**, it became known that defense attorneys in Belarus received recommendation to get their interviews to journalists signed off by top managers of their legal aid offices. This followed from a letter of Viktor Chajchyc, Chairman of the Republican Bar Association, which was sent to all regional and Minsk city bar associations. The heads of the associations, in their turn, had obligation to review the already published interviews and send information about them to the Republican Bar Association by email.

These recommendations were based on the assertion that "there have been several cases of publication of interviews of some attorneys which contained distorted information, including through journalists' fault, in (mostly electronic) mass media", the letter signed by Viktor Chajchyc said.

According to Harry Pahaniajla, Chairman of the Legal Commission of the Belarusian Helsinki Committee, such recommendations were in contradiction with freedom of speech guaranteed by the Constitution. The persona of the attorney and his or her work are of public nature, so they can only be restricted by "rules of professional ethics and law" in presentation of information, said the lawyer.

**On February 9**, Liudmila Hurkova, Head of the Special Office of the Mahiliou Penal Colony No. 15, refused to inform journalists about the outcome of consideration of the case of Zmicier Bandarenka. A correspondent of the non-governmental news agency *BelaPAN* was not put in communication with the administration of the colony in the reception room of S. Makhankou, Head of the colony. Questions of this kind should be submitted in writing and the application should be submitted during the reception days, the journalist was told in the reception room.

**On February 10**, Uladzimir Autka, General Director of the communal enterprise "Brest City Housing and Utilities Services", promised to sue Stanislau Korshunau, a reporter of *Bresckaja Hazieta*, if his interview was published.

The journalist tried to get a comment from the head of the housing and utilities services in Brest regarding the scale of increase in heating charges because of the frost. At first, Mr. Autka said that "nobody had made these calculations" yet. But when the journalist wanted to ask the second question about the heat meters, the general director said that he was answering "without agreeing on any interview". "First of all, you must have asked as a correspondent whether I agreed on an interview. So, I don't agree on an interview. I simply answered your question. I don't provide any formal comments regarding this", said Uladzimir Autka. When the reporter asked what would happen if he did not follow this "advice", the official responded: "If you print that I gave an interview, we will go to court".

**On February 16**, in Hrodna, freelance reporter Tacciana Bublikava was expelled by security guards from the courtroom of the Hrodna District Court where the criminal case of former policeman Dzinis Linkus, who was charged with abuse of power, was being heard. The journalist took a number of pictures with her mobile phone camera before the hearings began. After that, security guards demanded her to leave the courtroom. Tacciana Bublikava's argumentation that the judge alone can forbid to take pictures and only after the hearings began was not heard.

Lawyers of the BAJ remind that in accordance with the Criminal Procedure Code of the Republic of Belarus (Article 287, Part 6 "Provision of transparency of the court hearings"), "those present at open court hearings have the right to make written and voice recordings". A permission of the person presiding in the court hearings is indeed required for photo, cinema and video recordings but all this applies after the court process started.

**On February 17**, Aliaksandr Palyshenkau, Chairman of the Brest City Executive Committee, tried to expel press photographer Milana Kharytonava from a meeting of the City-Planning Council held in the building of the Executive Committee. The journalist came to take a few pictures at the request of the editorial board of the newspaper *Brestskij Kurjer*. A little while after the beginning of the meeting, Aliaksandr Palyshenkau began to inquire which publication the press photographer represented and said that Milana Kharytonava was not accredited at this meeting. Answering the question of the journalist whether special accreditation was conducted for this meeting, the official said that such accreditation was required for all events organized in the building of the Executive Committee and, allegedly, "no one could attend them without it". After this assertion provoked smiles of some of the journalists who were present there, Aliaksandr Palyshenkau suggested that they should leave the meeting room as well. After having understood that the press photographer would not leave the premises on her own, the Chairman of the Brest City Executive Committee continued the meeting a few minutes later.

**On February 21**, police forced three journalists of independent mass media to leave the village of Niaznanava in the Navahrudak district (Hrodna region), where, according to some unconfirmed information, incidents of the African swine fever were diagnosed. Siarhiej Balaj, a reporter of the online newspaper *Salidarnasc*, and Aliaksiej Maciushkou and Dzmitry Korsak, reporters of the newspaper *Obozrievatiel*, tried to uncover the cause of forced extermination of the entire livestock of pigs in this village. However, soon after they came to the village, officers of the Navahrudak District Office for Internal Affairs arrived there. Two police lieutenant colonels said that the journalists were prohibited from remaining in the territory where "veterinary exercise" was being held. They threatened that they would take the journalists to the police station "to determine circumstances" in case of disobedience. Also, the policemen categorically demanded to erase all pictures of them.

**On February 22**, in Homiel, Aliena Hiermanovich, a reporter of the non-governmental news agency *BelaPAN*, was not allowed to attend an official workshop on cooperation between the authorities and business. Volha Rabikava, a staffer of the Ideology Office of the Region Executive Committee, demanded the journalist to leave the room. The formal reason which was provided was absence of accreditation at the event. According to Aliena Hiermanovich, the state journalists from the TV channels *STV* and *ONT* and the newspaper *Homielskaja Prauda* were not bothered and they recorded comments of participants without hindrance.

The workshop was attended by Aliaksandr Jakabson, Chairman of the Committee for State Control, Uladzimir Dvornik, Chairperson of the Region Executive Committee, and Aliaksandr Kaniuk, Prosecutor General.

**On February 22**, security guards of the Piershamajski District Court in Viciebsk did not allow journalists to attend the trial of civic activist Siarhiej Kavaliienka. Aliena Sciapanava, a freelance journalist, Valier Kalinouski from *Radio Liberty*, cameraman Bahdan Arlou, and Siarhiej Sierabro, editor of the web site *Narodnyja Naviny Viciebsku*, were stopped by police at the entrance to the courtroom. They were told that it was forbidden to enter the courtroom "with any equipment". Aliena Sciapanava only had a voice recorder with her, and Valier Kalinouski had a computer. Mr. Kalinouski complained to Uladzimir Biassmiertny, Chairman of the Piershamajski District Court, about the actions of the guards but the latter said that he "had no right to give orders to police". Also, the journalists (in particular, Bahdan Arlou) who had made photo and video recordings of the conflict between police and Kavaliienka's relatives before the beginning of the trial were demanded to erase their recordings.

Meanwhile, according to the Criminal Procedure Code (Article 287, Part 6 "Provision of transparency of the court hearings"), "those present at open court hearings have the right to make written and voice recordings". A permission of the person presiding in the court hearings is required for photo, cinema and video recordings but all this applies after the court process started. There is no question at all about "preventive" denial of access to journalists to open hearings.

**On February 23**, police again did not let the journalists of independent mass media to attend the trial of Siarhiej Kavaliienka and grossly interfered with their work. The journalists were not even allowed to remain in the hallway of the court building. Aliena Sciapanava was rudely pushed to the street by three riot police officers. Valier Kalinouski, a reporter of *Radio Liberty*, was not allowed to take pictures even in front of the court building – he was slapped on his arms, the lens of his camera was covered. After the beginning of the hearings the reporters were told that Judge Aliena Zhuk dismissed the motion of Siarhiej Kavaliienka to allow representatives of mass media to attend the trial. As it was found out later, journalists of local state-run mass media, in particular, the newspaper *Viciebski Rabochy*, were invited in advance and were present among the audience in the courtroom.

**On February 24**, during the fourth day of Siarhiej Kavaliienka's trial, the journalists of non-governmental mass media were again not allowed to enter the courtroom under the pretext of lack of free seats. Reporters of *Radio Liberty*, the newspaper *Viciebskij Kurjer*, online resource *Narodnyja Naviny Viciebsku*, *Polish Public Radio* and news agency *PAP* were not able to get to the trial. Valier Kalinouski, a reporter of *Radio Liberty*, left a complaint against actions of police in the book of complaints and suggestions of the Piershamajski District Court in Viciebsk.

**On March 2**, in Minsk, journalists were restricted in their access to a meeting of the organizing committee for the events dedicated to anniversary celebrations of Belarusian classical poets Janka Kupala and Jakub Kolas. Only half an hour before the beginning of the event, it became known that it had been decided to close the meeting for the broad circle of mass media. Hanna Smolskaja, Press Secretary of the Ministry of Culture, was not able to explain the reason for such a decision and pointed out that "only one TV channel" had been invited for coverage. The event chaired by Deputy Prime Minister Anatol Tozik was attended by officials from the Ministry of Culture, the Ministry of Foreign Affairs, the Ministry of Information, the Ministry of Education etc.

**On March 1**, Natallia Salamianka, a reporter of the non-governmental newspaper *Intexpress* from Baranavichy, was not provided information in the local registry office. The journalist wanted to learn about the number of marriages registered in the city. Responding to Natallia Salamianka's question, Sviatlana Valyniec, Head of the Registry Office of the Baranavichy City Executive Committee, said that these data would be made public the next day at a meeting of the City Executive Committee. **On March 5**, the official again refused to provide this information to

the journalist over the phone, and this time she recommended going for required information to the state-run newspaper *Nash Kraj*.

As a result, the editorial board of *Intex-press* sent a written inquiry to the Registry Office and filed a claim to the Prosecutor's Office about getting assistance in obtaining information from this institution. In her formal reply, Sviatlana Valyniec, Head of the Registry Office of the Baranavichy City Executive Committee, said that the Registry "had no authority to disseminate statistical information about the number of registered marriages in the city of Baranavichy". In this, she did not refer to an official act that would prohibit the Registry Office from disseminating such information but to the Edict of the President of the Republic of Belarus No. 445 dated August 26, 2008 which conferred the state statistical bodies with the authority to collect and process consolidated statistical data.

**On March 6**, it became known that Elmira Bahdanovich, Chief Medical Officer of the Baranavichy Central City Children's Hospital, also denied access to information to the non-governmental newspaper *Intex-press*. At the request of a reporter of the publication to provide information about how the number of children with poor eyesight changed in recent years, the doctor also recommended addressing this inquiry to the Ideology Office of the City Executive Committee.

**On March 13**, it became known that Siarhiej Shupa, a reporter of the Belarusian service of *Radio Liberty*, who lives and works in Prague, was denied visa to Belarus. The journalist received his passport from the Belarusian embassy in the Czech Republic with a stamp "Denied". It was planned that in Minsk, Siarhiej Shupa would conduct the presentation of the novel of Alherd Bakharevich "Shabany. History of a Disappearance".

**On March 22**, the Belarusian Sports Society "Dynamo", the founder of the hockey club "Dynamo-Minsk", denied accreditation to a press briefing to reporters of the non-governmental sports newspaper *Pressball*. The editorial board of *Pressball* believed that the management of the club was thus avoiding "tricky" questions.

**On April 4**, Volha Asokina, a freelance reporter of the non-governmental newspaper *Bobrujskij Kurjer*, was denied information in the Babrujsk museum of local history. The journalist wanted to get more information about the exhibition which was held in the hallway of the museum and was dedicated to a landmark of Babrujsk, the famous fortress of the Napoleonic era. A staffer of the museum said that their institution had been told not to provide any information to *Bobrujskij Kurjer* and recommended to address their inquiry to the Ideology Office of the Babrujsk City Executive Committee.

**On April 13**, Volha Asokina, a freelance reporter of the non-governmental newspaper *Bobrujskij Kurjer*, was denied information in the City Center for Children and Youth Travel and Local History "Babrانيا". The journalist tried to get additional information about the outcome of the scientific and practical conference dedicated to Babrujsk and its "fortress on the Berezina" which was held there. A staffer of the Center refused to provide such information referring to an unofficial ban. He said that the employees of the Center had been told to provide information about the conference only to the web site of the Babrujsk City Executive Committee.

**On April 13**, it became known that the Baranavichy non-governmental newspaper *Intex-press* was again denied information. The publication was not able to get official comments to a question raised by local dwellers. City dwellers complained to the newspaper about an irrational, in their view, redistribution of territories of assignment of local population to polyclinics.

Journalists of *Intex-press* asked the Ideology Office of the Baranavichy City Executive Committee as well as the Baranavichy Central Polyclinic to explain how the assignment of city dwellers to health clinics was decided. The Ideology Office of the Baranavichy City Executive Committee replied that they did not have such information. And Aliaksandr Stecko, Chief Medical Officer of the Baranavichy Central Polyclinic, said to *Intex-press* that "information related to the raised questions was available in state media".

**On April 18**, freelance reporters who came to cover the hearings of the cassation appeals of members of the BAJ Aliaksandr Atroshchankau and Valiery Shchukin who were charged with hooliganism were not allowed into the building of the Viciebsk Region Court (Judge Sviatlana Ivanova). The journalists were told that there were no free seats. The courtrooms were filled with uniformed and plain-clothed policemen.

It shall be reminded that in the night to **March 28**, in Orsha, Aliaksandr Atroshchankau, together with other politicians, was taken off the train "Minsk – Moscow". Customs officers told them that they were suspected of trafficking in drugs. The next day, the Orsha City Court charged the detained persons with hooliganism and fined them to 350,000 Belarusian rubles.

Valiery Shchukin was fined on March 30 for hooliganism and disobedience to police during the hearings in the case of the detained politicians. (In protest against the fact that the hearings were practically closed, Mr. Shchukin blocked the passage to the third floor of the court building having sat in the doorway).

**On April 27**, it became known that Uladzimir Tryvajla, Prosecutor of the Krychau District, refused to provide information to the non-governmental small-circulation newspaper *Volny Horad*. Journalists of the publication asked the prosecutor on several occasions to inform them about situation with fight against corruption and organized crime in the district in 2011 but they received no reply to their inquiries.

**On May 5**, it became known that Zmicier Lukashuk, a reporter of the Minsk office of the *European Radio for Belarus*, was denied information in the Ministry of Internal Affairs and press service of the Council of Ministers. While preparing a story about lack of employees in the Belarusian police, the journalist sent a written inquiry to the Main Directorate of Personnel of the Ministry of Internal Affairs. A week later, Alieh Kruchynski, First Deputy Head of the Directorate, replied that such information was of "restricted access".

The reporter asked Volha Douhaja, Press secretary of the Council of Ministers, about the reason for the four-fold increase in the fee for the driver's license which was initiated by the Council of Ministers. Volha Douhaja sent a formal reply to the written inquiry saying that all needed information would be posted on the web site of the Interior Ministry in the nearest future.

**On May 7**, Viktor Parfionienka, a Hrodna-based journalist of *Radio Racyja*, received another refusal to his request for accreditation from the Ministry of Foreign Affairs of Belarus. Two months before, the reporter sent his fourth application for accreditation to the Information Department of the Foreign Ministry. About a month after the application was submitted, he was told over the phone that the decision was not taken yet. And on May 7, Viktor Parfionienka was told during his phone conversation with the press service that his accreditation was denied on the grounds of sections 1 and 4 of the Rules of Accreditation.

The reporter appealed the denial of opportunity to work legally in the territory of Belarus. However, the Ministry of Foreign Affairs did not grant the appeal of Viktor Parfionienka. The reply of the Foreign Ministry said that such complaints were not within the Ministry's competence.

It shall be reminded that staffers of *Radio Racyja* made repeated attempts to get accreditation in the Ministry of Foreign Affairs of Belarus but to no avail so far.

**On June 1**, in Viciebsk, the administration of the large-panel house building plant "DSK" did not allow Siarhiej Sierabro, a press photographer of the non-governmental news agency *BelaPAN* and editor of the web site *Narodnyja Naviny Viciebsku*, to meet participants in a strike in the company which was held on that day.

The journalist was stopped already at the gatehouse of the plant, and Mikalaj Machykha, Deputy General Director for Manufacturing, was summoned there. The latter talked to the journalist but did not let him to come in to speak to workers about labor conditions and whether

they were satisfied with the outcome of the improvised strike. The workers went on strike because they were not paid their wages for April on time.

**On June 5**, leaders of Belarusian opposition did not allow independent journalists to attend a "round table" during which preparations for the 2012 parliamentary elections were discussed. The meeting was attended by Uladzimir Kolas (Council of Intelligentsia), Siarhiej Kaliakin (Party of the Left "Fair World"), Viktor Ivashkievich, Yury Hubarevich (Movement for Freedom), Vital Rymasheuski (Organizing Committee of the Belarusian Christian Democracy Party). By a majority vote, the participants decided to remove the journalists from the event. In Kaliakin's opinion, in presence of journalists, the politicians would speak for media and not what they were thinking in real. Only Rymasheuski and Liabiedzka voted against the removal of mass media.

**On June 12**, reporters were not allowed to attend the hearings in the Lieninski District Court in Hrodna in the administrative case of Father Mikalaj Hajduk who was charged with disobedience to police for his refusal to be fingerprinted. Reporters of independent mass media were prohibited from attending the formally open court hearings. Public and church followers were allowed into the courtroom.

**On June 15**, in Lida, reporters of independent mass media – Aliaksandr Sajenka, a photographer of the news agency *BelaPAN*, and Mikalaj Dziatchenia and Andrej Fralou, freelance TV reporters, were not allowed to cover the farewell ceremony for Mikalaj Hrydniou, a perished pilot.

After one hour and a half of work at the air base, servicemen of the military unit approached the journalists and asked who they were and whether they had permission to make photo and video recordings. After having checked the ID of the photographer, one of the military men ordered Aliaksandr Sajenka to erase all pictures taken at the funeral ceremony. Then, the serviceman took the camera in his hands, and the photographer was not able to see what he was doing with it. The same was done to the camcorder to Mikalaj Dziatchenia and Andrej Fralou. The journalists were taken to the police station where they were held for more than two hours and then released without police report.

In the morning of **June 22**, it was not possible to obtain any information about whereabouts of Andrzej Poczobut, a journalist from Hrodna and reporter of the Polish newspaper *Gazeta Wyborcza*, who was detained on **June 21** in his apartment. Responding to a phone inquiry from the BAJ, Julija Hancharova, Inspector of the Public Relations Office of the HQ of the Investigative Committee, recommended "to wait for an official statement which should appear soon on the news feeds of the state news agencies".

Arsien Nikolski, Major Crimes Investigator from the Hrodna Region Prosecutor's Office, said over the phone that he was not authorized to provide information to mass media and recommended to seek information from the Investigative Committee of the Republic of Belarus or the Hrodna Region Department for Internal Affairs.

**On July 26**, in Minsk, journalists were not allowed to attend the hearings in the administrative case of Vital Ruhajn, a reporter of the *European Radio for Belarus*, in the Centralny District Court in Minsk. The hearings were held in the judge's chamber, and only the lawyer was able to attend.

The journalist was charged with violation of Article 17.1 of the Administrative Offenses Code – using foul language in a public place. Earlier, Vital Ruhajn was detained in downtown Minsk by a group of plain-clothed police officers. (As witnesses from police were confused in their testimonies, the judge sent the case for further investigation, and Vital was released in the courtroom).

**On July 27**, the non-governmental sports newspaper *Pressball* filed a complaint to the Prosecutor's Office of the Central district in Minsk against the hockey club "Dynamo-Minsk". The reason for the complaint was ungrounded refusals in accreditation of journalists of the

newspaper to press conferences, competitions and other events held by the club. The editorial board perceived violations of Articles 7, 35 and 48 of the Law on Mass Media as well as violations of the Administrative and Criminal Codes in actions of the sports club.

The newspaper asked the Prosecutor's Office to compel the hockey club "Dynamo-Minsk" to remedy the violation of the law immediately and also to issue a formal warning to Aliaksiej Torbin, General Director of the club.

**On August 8**, the Ambassador of Belarus in Berlin said that Gesine Dornbluth, a reporter of *Deutschlandradio*, was denied accreditation. The journalist who worked in Moscow since the beginning of the year applied for the Belarusian visa already in March but a few months later, the Belarusian Foreign Ministry rejected her application without providing a reason for it. Gesine Dornbluth planned to cover the parliamentary elections in Belarus. The ambassador suggested getting another correspondent accredited for the September elections.

According to Gesine Dornbluth, she visited the country in 2011 and was reporting on "tense social situation and discontent in the country as a result", and also cited critics of the government. It was entirely possible that it infuriated the officials, believed the journalist.

**On August 9**, most of the journalists were not allowed to attend the administrative hearings against press photographers Julija Darashkievich and Iryna Kozlik in the building of the Saviecki District Court in Minsk. The reporters were detained in the evening of **August 8** in Minsk while they were being photographed with a teddy bear. At the time of arrest, Julija was holding a photo camera and Iryna was holding a teddy bear with a parachute and the words "No Picture - No Troubles?" The journalists were taken to the Saviecki District Department for Internal Affairs where administrative reports were drawn up against them for illegal picketing (Article 23.34 of the Administrative Offences Code). The girls spent the night before the trial in the pre-trial detention center on Akrescina Str.

The court was a closed one in practice.

As a result, Judge Dzmitry Pauliuchenka found reporters Julija Darashkievich and Iryna Kozlik guilty of unauthorized picketing and punished each of them with fines of 30 basic units (3,000,000 Belarusian rubles).

**On August 23**, Uladzimir Viesialou, Chief Engineer of the Department of Capital Construction of Baranavichy, refused to provide information to a reporter of the independent newspaper *Intex-press*. Julija Kharkievich asked the engineer about the pace and terms of construction of the new neighborhood "Barauki". Without listening to the question of the journalist to the end, Uladzimir Viesialou said that he was "not giving interviews to non-governmental newspapers".

The editorial board of *Intex-press* pointed out that journalists of the newspaper had virtually no access to information about construction in Baranavichy. The reporters repeatedly contacted the Housing and Utilities Office as well as the Department of Architecture and City Planning but they did not succeed in obtaining any information or comments there. At the same time, officials gave lengthy interviews to the state-run district newspaper.

**On September 18**, the Baranavichy non-governmental newspaper *Intex-press* was denied an interview on the topic of prevention of visual deterioration in children. Reporter Natallia Salamianka offered Liudmila Liashchyna, Deputy Chief Medical Officer of a children's polyclinic, to make a video reportage on the topic of prevention of visual deterioration in pre-school and school children. However, the doctor did not agree on the video recording having said that they had already spoken on television last week, recorded an interview on radio and published an article in the district newspaper. "So, your publication does not fit in our plans in any way", said the doctor.

**On September 19**, Julija Kharkievich, a reporter of the newspaper *Intex-press*, was not able to obtain data about people who had voted early in Baranavichy on the first day of the early

voting. People on duty in both city constituency commissions said that they did not have such information and recommended to contact the chairpersons of the commissions. Tamara Shukala, Chairwoman of the commission of the Baranavichy-Uskhodniaja constituency No. 6 also said that she did not have such data and recommended the reporter to collect this information on her own from the polling stations, of which there were more than 60 in Baranavichy. Tacciana Latyshava, Chairwoman of another city commission – Baranavichy-Zakhodniaja No. 5 – did not provide any information saying that she was busy.

Meanwhile, the Brest Region Executive Committee assured *Intex-press* that information about people who had voted early was available in the constituency commissions. The same was confirmed by Mikalaj Lazavik, Press secretary of the Central Election Commission.

**On September 19**, Iosif Mikhonski, Chairman of the Frunzienski District Court in Minsk, forbade journalists to attend the hearings in the administrative case against activists of the youth wing of the "Tell the Truth" campaign ("Zmiena") who had been detained on September 18. First, when journalists tried to get into the courtroom, they were told that the trial was open but was held behind closed doors. Then, some reporters stayed in the building and tried at least to record comments of relatives of the accused persons. In response, Judge Mikhonski called a police squad and forbade journalists to make recordings and even remain in the court building. To the request to cite any regulatory document, Mikhonski replied that it was his personal decision.

**On September 20**, it became known that a number of press photographers of independent publications and foreign news agencies were not accredited for covering the festival "Dazhynki" in the town of Horki on September 21 and 22. In particular, press photographers Siarhiej Hudzilin (*Nasha Niva*), Siarhiej Hryc (*Associated Press*), Tacciana Ziankovich (*EPA*) and Viktor Drachou (*AFP*) were deprived of possibility to work at this harvest festival.

It shall be reminded that a year ago, access to the festival site with photo and video equipment having lenses over 5 cm in length was prohibited in the "Dazhynki" in Maladziechna. It was a requirement of the presidential security service. Only those camera crews and press photographers who were accredited at Lukashenka's administration could work at the festival.

**On September 21**, in Minsk, a press photographer of the newspaper *Novy Chas* was expelled by police from the polling station No. 35 in the Frunzienskaja electoral constituency despite the fact that he had a press card. It was done on the order of Anatol Kascianievich, Chairman of the commission.

He said that there had been enough pictures taken to make reportage and prohibited to take pictures of the polling station without his personal authorization. However, the journalist continued to do his job. After some phone consultations, Anatol Kascianievich ordered police to expel the journalist.

**On September 20**, in Brest, Valiancina Taradanava and Volha Taradanava, members of the commission of the polling station No. 44 in the Brest-Zakhodnija constituency No. 1, obstructed Milana Kharytonava, a press photographer of the non-governmental newspaper *Brestskij Kurjer*, from carrying out her professional duties guaranteed by Article 13 of the Electoral Code. According to Kharytonava, she showed her press card to members of the commission from the very beginning, and they copied data from there, and then she started to take pictures in the polling station. However, when the journalist asked one of the voters (he already voted and was heading for the exit) why he voted early, the ladies started to be indignant and said that the journalist had no right to ask questions. According to them, the press card said that she was a press photographer, and for this reason, she could not ask questions and make video recording but she could just take pictures.

On this occasion, Milana Kharytonava filed a complaint to the constituency election commission. On their turn, members of the commission also complained against the journalist. It followed from their statement that during the first day of the early voting, the journalist allegedly

"began to interview voters who already voted in the direct proximity of the ballot box and thus prevented other voters from entering the voting premises".

**On September 21**, the Belarusian embassy in Moscow denied visas to the camera crew of the Swedish TV channel *TV4*, journalist Stefan Borg and a cameraman who worked with him. According to Stefan Borg, applications for accreditation for working during the Belarusian parliamentary elections were submitted to the Foreign Ministry already in mid-August but they received the authorization only a month later. They immediately applied to the Belarusian embassy where their applications were accepted and they paid visa fees. In the morning of September 21, the Swedish journalists got back their passports but instead of the visa they got the stamp "Denied". Stefan Borg pointed out that the broadcast of the TV channel *TV4* did not have particular political overtones, and no stories with negative assessment of situation in Belarus were aired there.

**On September 21**, in the night to September 22, Swedish journalists Erik Von Platen and Gustaff Andresson were held during 16 hours in the National Airport Minsk. They were denied visas.

Already in Sweden, the journalists submitted applications for accreditation to the Foreign Ministry in Belarus. Having arrived to Minsk, they called a representative of the Belarusian Foreign Ministry who told them that their accreditations would be delivered to the airport on September 22 at 10 o'clock and after that, they would be issued visas.

However, in the morning of **September 22**, accreditations were not delivered, and a representative of "Belavia" said that the journalists were denied visas and offered them to return to Sweden. As a result, the Swedes finally got express visas and press cards because they were officially accredited to cover the elections.

**On September 22**, in Krychau, Volha Jurenkava, Chairwoman of the election commission of the Sozh polling station No. 33 in the Krychau election constituency, prohibited Siarhiey Niarouny, editor of the non-governmental small-circulation newspaper *Volny Horad*, from taking pictures in the polling station.

**On September 23**, in Minsk, Volha Smirnova, Chairperson of the electoral commission of the polling station No. 752, expelled Mikita Brouka, a reporter of the newspaper *Novy Chas*, from the voting premises. The journalist was making video recording in the polling station after it was closed and planned to record on video the process of counting of the votes. Despite the fact that the journalist was already recorded in the appropriate journal of media representatives, Volha Smirnova did not want to let him in the voting room at the end of the voting day. She cited a "decision of the constituency commission" in accordance with which presence of freelance reporters was not allowed in the polling stations.

It shall be reminded that in accordance with Article 18 of the Electoral Code, representatives of mass media have the right to be present in the voting rooms. The journalists are allowed to make video recordings under the Law on Mass Media. Thus, the Chairperson of the polling station commission directly violated the election law and professional rights of the journalist.

**On October 18**, Zmicier Lukashuk, a reporter of the Minsk bureau of the *European Radio for Belarus*, was denied accreditation at the first meeting of the Chamber of Representatives of the new convocation. The editorial board applied for accreditation on time. However, as Mikalaj Lis, Head of the Information and Analytical Department of the Chamber of Representatives of the National Assembly, said, the journalist's access to the building was denied by the Security Service of the President.

**On October 25**, the state-run newspaper *Narodnaja Hazieta* reported that Aliaksandr Lianny, Deputy Chairman of the Dziatlava District Executive Committee, was reprimanded after he had refused to meet a journalist of the newspaper. As it followed from an article, correspondent Aliena Smirnova went to the district to research a complaint of residents of a

dormitory which were about to be evicted. Before the trip, she got a preliminary agreement for a meeting from Aliaksandr Lianny who oversaw the housing matters. However, when the journalist arrived, he changed his mind and asked her to send a written inquiry. After that, *Narodnaja Hazieta* complained to Siamion Shapira, Chairman of the Hrodna Region Executive Committee, and the district official was reprimanded.

It shall be reminded that journalists of non-governmental mass media, who fully share indignation of their colleague from the state-run media outlet, encounter not only refusals to meet officials but also to be provided basic information from official sources, even from registry offices, and this happens on a regular basis.

**On October 25**, it became known that Milana Kharytonava, a press photographer of the non-governmental newspaper *Brestskij Kurjer*, did not receive a formal reply to her complaint which had been sent to the chairperson of the Brest-Zakhodnija constituency No. 1. Already **on September 20**, the journalist filed a complaint against representatives of the commission of the polling station No. 44 who had prevented her from carrying out her professional duties during the early voting.

It shall be reminded that Milana Kharytonava complained that Valiancina Taradanava and Volha Taradanava, members of the commission, had prohibited her to record interview with a voter. They said that allegedly, the photographer could only take picture and never make audio recordings of people.

Finally, the journalist asked the Brest Prosecutor's Office to make legal assessment of actions of the chairperson of the constituency commission.

**On October 31**, journalists were not allowed to attend the hearings in the Baranavichy City and District Court on a high-profile road accident in which people were killed. At the request of the defendant and his lawyer, Judge Stanislau Pivavarau made the journalists to leave the courtroom. "My client will be worried. This is unnecessary", said the lawyer of the defendant to the court.

The BAJ's lawyer, Andrej Bastuniec said that the judge violated the guaranteed rights of the journalists. According to Bastuniec, the judge could either prohibit representatives of mass media from using audio and video equipment or to declare the hearings closed though it could be done only under certain circumstances, for example, when the materials of the case affected privacy of a party in the hearings.

**On November 12**, accreditation of the bureau of the *European Radio for Belarus* was extended for another year, till November 10, 2013. The decision was signed by First Deputy Prime Minister Uladzimir Siamashka.

It shall be reminded that the *European Radio for Belarus* has existed since 2005. It began broadcasting in February 2006. The official authorization to work in Belarus was received in November 2009. Today, ten journalists are accredited.

**On November 21**, it became known that the Belarusian Consulate in Bialystok (Poland) denied visa to Jauhen Wapa, Chairman of the Board of *Radio Racyja* and leader of the Belarusian Union in Poland. It shall be reminded that in May 2011, Belarusian border guards canceled the valid Belarusian visa of Mr. Wapa and did not let him into the country.

**On November 26**, it became known that the Baranavichy non-governmental newspaper *Intex-press* was not provided information about the military draft campaign in the district. Reporter Kanstancin Litvin asked for this information over the phone from Lieutenant Colonel Aliaksandr Barchankou, Head of the Drafting Office of the Baranavichy City Military Commissariat. The latter replied that this information was for internal use only and redirected the journalist to the military commissioner. However, Military Commissioner Vadzim Karolik, citing the fact that *Intex-press* was not accredited in the Ministry of Defense, refused to provide this socially important information. He also said that this information was "available online", and

data for the Baranavichy district was given to the TV company *Intex*, and the newspaper could ask them for information.

It shall be reminded that the editorial board already tried to get accredited in the Ministry of Defense but they got a refusal, being told that the Ministry was ready to cooperate with the media outlet without accreditation. The Baranavichy Military Commissariat also denied accreditation to *Intex-press*, and this was on the grounds which contradicted the law – because of their non-public ownership.

**On November 30**, the Ministry of Foreign Affairs withdrew accreditation for work in Belarus from Paviel Sviardlou, a reporter of the *European Radio for Belarus*. The grounds for this decision of the Foreign Ministry were provided by the administrative arrest of the journalist in the summer of 2012. The commission of the Foreign Ministry cited Section 15.2 of the Rules of Accreditation of Journalists of Foreign Mass Media in accordance with which the Ministry had the right to withdraw accreditation from a journalist if the latter violated the "legislation of the Republic of Belarus". Paviel Sviardlou's accreditation was valid till April 30, 2013. The Ministry accredited him at the Minsk bureau of the *European Radio for Belarus* in 2010 and then extended his accreditation twice.

It shall be reminded that in the morning of **June 22**, police detained Paviel Sviardlou near his apartment building as soon as he came out. On the same day, Judge Tacciana Matyl in the Maskouski district sentenced him to 15 days of arrest for using foul language in a public place though the reporter flatly denied his guilt. Two policemen testified in the court who were confused in their testimonies – according to them, Sviardlou cursed in the same time in two different streets. The detention and the hearings happened so quickly that the lawyer was not able to arrive to the court on time.

**On July 6**, the Minsk City Court upheld the decision in the case of the journalist. The Supreme Court by its decision dated January 14, 2013 (Deputy Chairman Valery Kalinkovich) also dismissed the appeal of Paviel Sviardlou against the previous court decisions.

**On December 1**, reporters of the online newspaper *Salidarnasc* were detained in Minsk for having took pictures of Paviel Latushka, the former Minister of Culture and current Ambassador of Belarus in France, in an informal setting.

The incident occurred in the club "Center" where a concert was held. Aliena Jakzhyk, a reporter of *Salidarnasc*, asked the photographer to take a picture of the official who was present in the audience. Immediately after that, the photographer and Aliena Jakzhyk were detained by security guards of the club. As it turned out, the guest did not want his pictures to be published by media. A club official demanded to erase the pictures and to promise not to publish them, and also wrote down their contact data. Jakzhyk was released only after a conversation with Latushka. The journalists were accredited to the event.

"I said that I was a journalist and that the club officials were preventing me from carrying out my professional duties and that Latushka was a public person in a public place. In response, I got something like: "Please, spare us of your journalistic staff" and "You don't have any right at all to take pictures here". And this is not taking into account the veiled insults and threats", said Aliena Jakzhyk later.

**On December 16**, the TV channel *STV* in its show "Tydzien" ("Week") dedicated a full story to the issue of access of journalists to information from official sources. The emphasis was made on problems in work of press secretaries of state bodies.

Dzmitryj Siemchanka, a reporter of the CJSC "Second National Television Channel" (*ONT*), complained to his colleagues about systematic problems with access to official information. In particular, recently, he encountered a refusal while trying to obtain comment from officials in the Ministry of Education. "What promptitude can we talk about in principle if it looks like masons are working as press secretaries in some agencies – they are honestly building walls from the journalists?", he said in the story.

Volha Pietrasheuskaja, a reporter of *STV*, also called the Ministry for Housing and Utilities and tried to agree on getting a quick comment on the same day but to no avail – she was recommended to write an official inquiry addressed to a deputy minister. She was able to get to the official only after making an appointment (the video recording was made during the appointment with a hidden camera).

"The journalist is a 24-hour-a-day job, and the press secretary is also a 24-hour-a-day job", said Aliaksandr Lastouski, Head of the Department of Information and Public relations of the Minsk City Department for Internal Affairs, who was shown as a positive example.

It shall be reminded that non-governmental media regularly encountered refusal in access to information from official sources. This was reported on numerous occasions by the monitoring service of the BAJ.

### Other Forms of Pressure and Violation of Journalists' Rights

**On January 12**, Anatol Sanacenko, Editor-in-Chief of *Bobrujskij Kurjer*, reported that some time before, his name had been included in the lists of "offenders against public order and safety" which were used by neighborhood policemen for door-to-door preventive visits. In his complaint to the Prosecutor's Office, he said that only during the last two months, police visited Anatol Sanacenko's apartment twice in absence of the owner. He believed that it was done in order to put pressure on him as an independent journalist.

"According to information in my possession, the lists of "unreliable people" also include names of some other journalists who work in Babrujsk. The most active local human rights activists are also included there. In my complaint to the Prosecutor's Office, I asked to investigate these facts and to restore justice in the territory of responsibility of the Prosecutor's Office", said the manager of the independent publication.

**In early February**, Anatol Sanacenko received a reply to his complaint from the Prosecutor's Office for the Lieninski district of Babrujsk. A. Karapiecian, Prosecutor of the Lieninski district of Babrujsk, assured the journalist that no preventive measures were taken in his respect, and the repeated visits of policemen to his apartment were related to "mandatory fingerprinting".

Anatol Sanacenko believed that the reply of the prosecutor contradicted the facts. "First, the document which includes the list of people who are subject to preventive measures was seen and read. Second, existence of a kind of "black lists", to which I was also included, is confirmed by the fact of policemen's visits to people who are not subject to fingerprinting because of their age or gender but are related to independent journalism or civic organizations", said the journalist.

In the evening of **February 5**, the First Channel of the Belarusian state television aired a slanderous film about the Public Association "Belarusian Association of Journalists ". It was advertised as "investigative journalism".

The video film entitled "Quid pro the BAJ" was based on an anonymous letter of an alleged member of the BAJ which said that "the management of the organization had one aim – greed and personal enrichment", and that the author "could not keep silent any longer" and asked to "open this golden wasps' nest".

The anonymous referred to some "secret documents of the British embassy" which he posted online. They implied that the BAJ had allegedly received funds from the British embassy in Belarus for a project of "promotion of advancement of mass media legislation in Belarus". (The film showed print-outs of registers for money allegedly received by the journalistic organization, without any signatures or seals).

The video sequence of the film was adorned with a hidden camera shots that showed the process of surveillance of members of the journalistic organization. The film began and ended with a story of little patients of the Republican Center for Pediatric Oncology which could only be saved by organ transplants that cost a lot of money.

"The documents shown by the TV channel *Belarus-1* and allegedly related to the activities of the BAJ are a "fabricated fake", Zhanna Litvina, Chairperson of the independent journalistic organization, commented on the video film "Quid pro the BAJ". "Having seen this piece of work, I understand that people who work in the Belarusian television should be taught their profession starting from the very basics..."

**On February 7**, the British embassy, commenting on the film "Quid pro the BAJ", expressed its disappointment with the standards of journalistic activities in preparation of the story on the TV channel *Belarus-1* (Belarusian Television and Radio Company). "This show appears to be one in a series of constant attacks on the European diplomatic missions in Belarus. The British embassy will continue to carry out its normal functions which include, among other things, supporting relations with both government and non-governmental organizations in Belarus", pointed out the diplomatic mission.

On the same day, **February 7**, the Assembly of Democratic NGOs of Belarus expressed its indignation about the fact of "slandorous and insulting attacks of government propaganda" against the BAJ in a film of the state-owned television channel *Belarus-1*. The Assembly regarded this story "not only as an attack against a renowned public association but also as a dangerous signal about possible start of a new offensive of government agencies against free press and journalists".

**On February 8**, the international human rights organization *Reporters without Borders* made a statement in defense of the BAJ. They condemned an attempt of the Belarusian state television to slander the Belarusian Association of Journalists which is the only independent organization of mass media professionals in Belarus, a partner of *Reporters without Borders* and the International Federation of Journalists.

**On February 14**, Nastassia Shuliejka, a second-year full-time student of the Institute of Journalism of the Belarusian State University, was informed that she was expelled. Earlier, the girl was detained several times for involvement in civic activities.

**On February 16**, Ales Dzianisau, a freelance reporter from Hrodna, was summoned to the Prosecutor's Office for the Hrodna region over the phone "for a conversation". Dzianisau replied that he was not against a conversation but asked to send him a summons. He was assured by the Prosecutor's Office that he would receive a formal document soon. Ales Dzianisau thought that he was summoned in connection with his journalistic activities.

**On February 16**, in Viciebsk, Siarhiej Sierabro, editor of the web site *Narodnyja Naviny Viciebsku*, was summoned to the transport police. The reason for the summons was a news story about the white-red-white flag which was displayed on February 8 as a sign of solidarity with Siarhiej Kavaliienka, a member of the Conservative Christian Party of the Belarusian Popular Front who was being held in the pre-trial detention center, as well as photo pictures posted on the web site. Siarhiej Sierabro was listed as the author of the news story.

During his conversation with the head of the transport police, Siarhiej Sierabro said that he would like to use his right of journalist not to disclose his source of confidential information before the case went to court. In reply, the policeman said that it should be recorded, and the journalist was expected anyway in the police for explanations.

**On February 29**, journalists learned that the Belarusian authorities were creating a list of persons who would be restricted in their right to leave the territory of Belarus. Preliminary, the list included 108 names, one of whom was Zhanna Litvina, Chairperson of the Public Association "Belarusian Association of Journalists". As it was reported by sources close to the

authorities, direct appeals to introduce sanctions against the Belarusian authorities were a criterion for inclusion of people in this list.

**On March 12**, neighborhood policeman Vital Dabrachynski visited the editorial office of the Baranavichy non-governmental newspaper *Intex-press* in order to "speak" to the journalist. The Police Major did not explain in which case and in which capacity the journalists of the publication were involved. He did not have any formal summons with him. Uladzimir Janukievich, Director of the Publishing House *Intex-Press*, invited him to come with the documents on Wednesday, March 14, and expressed his readiness to provide an office for conversations with the journalists and also ensure that they were present in the editorial office.

**On March 14**, Major Dabrachynski came again to *Intex-press* without summons and again did not explain why police took this kind of interest in reporters of the independent publication. The journalists refused to relate to the police unofficially.

In the morning of **March 14**, Andrej Dynko, Managing Editor of the non-governmental socio-political newspaper *Nasha Niva*, was not allowed to leave Belarus and was taken off the train "Minsk – Vilnius". The border guards said that he was in the list of those restricted to travel outside of Belarus. He was not told why his right to leave the country was restricted and recommended him to contact the Department of Citizenship and Migration of the Ministry of Internal Affairs at his place of residence.

**On March 15**, Zhanna Litvina, Chairperson of the Public Association "Belarusian Association of Journalists", was not allowed to leave Belarus. In the morning, she was going to fly to Warsaw from the "Minsk-2" airport. At the passport control, a border guard told Ms. Litvina that she was "temporarily restricted to travel" and also stamped her passport with an "exit denied" mark.

**On March 15**, Mikhas Janchuk, an official representative of the TV channel *Belsat*, was also denied exit from the territory of Belarus. An appropriate stamp was also put to his passport.

Altogether, during several days about 15 people – civic activists and journalists – were not able to leave the country because they were deprived of their right to exit the country.

**On March 15**, the Public Association "Belarusian Association of Journalists" issued a statement regarding the restriction of right of journalists and members of the organization to leave the country. The BAJ expressed strong opposition to restriction of journalistic activities, rights and legitimate interests of the members of association.

The journalistic association demanded several government agencies to answer the question – which government institution and on which basis took the decision to restrict the right of citizens to leave the country. "These restrictions violate directly Article 30 of the Constitution of the Republic of Belarus, according to which the citizens of the country have the right to leave Belarus freely, as well as the Law "On the Order of Exit from the Republic of Belarus and Entry into the Republic of Belarus". The restriction of the right of journalists and members of the BAJ to leave the country also contradicts Articles 33 and 34 of the country's Constitution which guarantee freedom of expression and freedom to disseminate information", pointed out the BAJ.

**On March 16**, the BAJ sent formal letters to heads of the Prosecutor's Office of the Republic of Belarus, the Department of Citizenship and Migration of the Ministry of Internal Affairs of the Republic of Belarus as well as the State Border Committee of the Republic of Belarus. All letters were accompanied by the text of the statement of the BAJ from March 15 regarding the restriction on travel of several members of the association outside of Belarus.

**On March 16**, Chairperson of the BAJ Zhanna Litvina visited the Office for Citizenship and Migration of the Saviecki district in Minsk. She did not receive any answer to the main question – who took the decision to restrict her travel outside of Belarus and on what basis. She was given a certificate – an extract from the database of citizens of the Republic of Belarus whose right to travel outside of Belarus was temporarily restricted. It followed from the

document that the information which was used as grounds for restriction of her travel had been submitted by the Ministry of Justice of the Republic of Belarus on March 5.

"This information can be submitted by the Ministry of Justice only when a court initiated a case of bankruptcy or economic insolvency of a legal entity, Andrej Bastuniec, Deputy Chairman of the BAJ, commented on the contents of the "extract". But this is a nonsense that the debtor has not known about the beginning of such a process. Thus, the submission of information by the Ministry of Justice is, to put it mildly, erroneous".

**On March 19**, Andrej Dynko, Managing Editor of the newspaper *Nasha Niva*, was issued a certificate by the Office for Citizenship and Migration at his place of residence that he was included in the list of people whose travel outside of Belarus was restricted because of "avoidance of military draft events". Meanwhile, Mr. Dynko did not receive any summons to the military commissariat. Thirty-eight year old Andrej Dynko is senior lieutenant in the reserve. This was why this reason for refusal to allow traveling outside of the country was nonsense, as those who were already in the reserve could not be drafted.

**On March 20**, Mikhas Janchuk, an official representative of the TV channel *Belsat* in Minsk, was issued a similar certificate by the Office for Citizenship and Migration of the Maskouski district in Brest, at his place of residence. According to the document, Janchuk's travel was restricted on the basis of a request of the Ministry of Defense from March 5 regarding his "avoidance of draft to military service or service in the reserve". The journalist went immediately to the military commissariat to clarify the situation. Mr. Sizhuk, Military commissioner of Brest, told Janchuk that he was not in the database. Besides, according to the military commissioner, on March 5, no restrictions were imposed by the Ministry of Defense on travel outside of Belarus. Mikhas Janchuk is thirty-nine year old, and he left the draft age 12 years ago, so nobody inducted him for military training.

**On March 20**, Valiancin Stefanovich, one of the leaders of the human rights center "Viasna" and a member of the BAJ, also received a certificate about restriction of travel outside of Belarus because of "avoidance of draft to military service or service in the reserve" in the Office for Citizenship and Migration of the Partyzanski district in Minsk. At the same time, Mr. Stefanovich was told in the district military commissariat that he was not drafted to the military service recently, and no documents were sent regarding him anywhere.

Valiancin Stefanovich announced his intention to appeal this decision in the Centralny District Court in Minsk. At the same time, the human rights activist sent a complaint to the Prosecutor's Office. He demanded to identify persons who took the wrongful decision to restrict his right to travel outside of the Republic of Belarus and also to take immediate action to restore his violated rights.

**On March 20**, Andrei Khamenko, a Ukrainian media expert and trainer from the Institute of Development of Regional Media, was not allowed to enter Belarus. Belarusian border guards told him that he was included in the list of people who are prohibited from entering Belarus.

**On April 2**, the BAJ received a formal reply from the Prosecutor's Office of the Republic of Belarus to the letter which addressed the issue of restriction of the right of several journalists to travel outside of Belarus. The document dated March 29 and signed by Paviel Radzivonau, Head of the Department for Supervision over Implementation of Laws and Legality of Legal Acts, said that the Prosecutor's Office had found no grounds for conducting an investigation in response to the BAJ's letter.

"The study of your claims has shown that they do not contain information which state bodies and their officials have violated rights and legitimate interests of these people by their activities. Absence of such information is a factor that impedes full and objective verification of these claims", wrote Mr. Radzivonau.

It shall be reminded that on March 16, the BAJ sent letters to the Prosecutor's Office of the Republic of Belarus, the Department of Citizenship and Migration of the Ministry of Internal

Affairs of the Republic of Belarus as well as the State Border Committee of the Republic of Belarus, in connection with restriction on travel outside of Belarus which were imposed on a number of members of the organization, in particular, Zhanna Litvina, Andrej Dynko, Mikhas Janchuk, Valiancin Stefanovich and Harry Pahaniajla.

**On April 5**, officers of the KGB threatened Anatol Sanacenka, Editor-in-Chief of *Bobrujskij Kurjer*, with a "criminal case for discrediting the Republic of Belarus". The incident took place in the premises of the tax inspection. Earlier, the journalist was invited over the phone by tax inspector Halina Tanvirava who was in charge of the file of his advertisement and publishing company. During their conversation, two KGB officers entered the room who introduced themselves as Lieutenant Colonel Dzmitry Lianidavich and simply Dzmitry Hienadzjevich. The conversation lasted for two and a half hours.

Dzmitry Lianidavich showed to Anatol Sanacenka photocopies of his journalistic publications for 2011 and 2012 published in the online *Bobrujskij Kurjer*, on the web site of the Belarusian Association of Journalists and on the web site of *Bieloruskij Partizan*. The KGB officer said that these publications were biased, they were distorting the situation in Belarus, and for this reason, Article 369, Part 1 of the Criminal Code "Discrediting the Republic of Belarus" could be used against the journalist. According to the KGB officer, as Sanacenka's articles were published online, they could be read by foreigners as well.

Anatol Sanacenka told the KGB officers to present claims against him in a written form. He filed a complaint against actions of the tax inspection and officers of the Babrujsk branch of the KGB. Anatol Sanacenka asked the tax inspection to offer formal apologies as compensation of moral harm, to replace the tax inspector who "oversaw" his company and also to pay attention to the Labor Code because during his "conversation" with the KGB officers the tax inspectors left their workplaces for more than two hours.

**On May 23**, Anatol Sanacenka received a reply from the Prosecutor's Office of the Mahiliou region to his complaint regarding unlawful actions of officers of the Babrujsk branch of the KGB. In his reply (dated **May 16**), M.A. Ramanouski, Senior Assistant to the Prosecutor of the Mahiliou region, stated that the Prosecutor's Office of the Mahiliou region had found that some articles of Anatol Sanacenka "contained unsubstantiated information and speculation aimed at discrediting Belarusian society and State" that supposedly resulted from the journalist's contemptuous attitude to the law on mass media. Further, Prosecutor Ramanouski stated the right of "state security bodies" to implement preventive measures. And the conversation that the journalist had with the KGB officers was, according to him, "the mildest of the measures of individual crime prevention".

Anatol Sanacenka appealed this reply to the Prosecutor's Office of the Republic of Belarus.

He received a reply to this appeal at the end of August from the Mahiliou region Department of the KGB. It turned out that the Office of the Prosecutor General forwarded the complaint to the Prosecutor of the Mahiliou region, and the latter sent it to the Department of the KGB for the Mahiliou region. In his reply, I.P. Sierhiejenka, Deputy Head of the Department of the KGB, informed Anatol Sanacenka that an audit had found that the actions of officers of the Babrujsk Office of the KGB had been lawful and founded.

"When I complained to the Office of the Prosecutor General, I wanted the complaint to be reviewed by this Office and not the agency whose staffers had violated my rights", said Sanacenka.

**On March 11**, Aliaksandr Atroshchankau, coordinator of the campaign "European Belarus" and member of the BAJ, was not allowed to leave the territory of Belarus. Border guards took him and his wife off a train at the border between Belarus and Lithuania (the train station "Gudogaj"), took his passport and, after checking his data, said that he was forbidden to leave the country. His passport was stamped appropriately.

It happened despite the fact that before his departure, Aliaksandr Atroshchankau received a certificate in the Office for Citizenship and Migration of the Central District in Minsk that he was allowed to leave the country.

After this incident, Aliaksandr Atroshchankau was told in the Office for Citizenship and Migration that he had been included in the list of those who were forbidden to travel outside of Belarus by the Orsha City Court in connection with the fine which he had been sentenced to after consideration of his administrative case on March 29. "It is absolutely unlawful, because the court's decision has not entered into force yet", said Mr. Atroshchankau.

**On March 3**, unidentified persons organized a provocation against Andrzej Poczobut, a journalist from Hrodna. They posted up posters with a photo picture of the journalist and the text "Caution, a pedophile!" on the entrance halls of the apartment house where he lives. Andrzej Poczobut took one of the posters to the police and filed a complaint. He believed that it was yet another instance of revenge for his public stance and journalistic activities. The journalist did not exclude that the KGB could be behind the provocation.

It shall be reminded that Andrzej Poczobut was sentenced to 3 years of imprisonment suspended for 2 years under the article "Defamation of the President" (Article 367, Part 1 of the Criminal Code). The court found the journalist guilty for a number of articles criticizing the existing authorities. The trial was closed. The journalist spent 3 months behind bars. Now he is prohibited from traveling abroad.

In the evening of **May 25**, Natallia Vierashchahina, editor of the trade union web site *praca-by.info*, was detained at the checkpoint "Gudogaj" on the border between Belarus and Lithuania. She was taken off the train together with leaders of the radio-electronics industry trade union when they were returning from Vilnius after a meeting with Lithuanian trade unionists. The journalist was taken for a personal inspection: first, they checked the contents of her hand bag, and then made her to strip to the underwear. After an almost three-hour search procedure, her money, a laptop and a USB stick were confiscated. They promised to return them within a month, after an "inspection".

In the evening of **May 26**, Maryna Koktysh, Deputy Editor-in-Chief of *Narodnaja Volia*, was taken off the train "Vilnius – Minsk" at the checkpoint "Gudogaj" on the border between Belarus and Lithuania. She was inspected and searched at the customs control. She was not provided with reasons for such actions. The journalist had no electronic media with her, so there was nothing to confiscate from her. Maryna Koktysh got back home on the next train. She had to pay herself for the train ticket, she said later.

**On June 11**, it became known that Anatol Sanacenko, Editor-in-Chief of *Bobrujskij Kurjer*, who complained to the Prosecutor's Office on actions of local police, received a reply from the same police. His complaint was grounded on information that the journalist was unlawfully included by police in the lists of "offenders against public order and safety".

Having understood that the District Prosecutor's Office was investigating his complaint in a formal way, Anatol Sanacenko sent a complaint to the Prosecutor's Office for the Mahiliou region. The latter ordered again the Prosecutor's Office for the Lieninski district in Babrujsk to investigate the complaint of the journalist. As a result, Sanacenko received another reply from the Babrujsk District Department for Internal Affairs, while his complaint was against actions of employees of this department.

In his letter, Police Colonel A.P. Vasiljeu, Head of the Babrujsk District Department for Internal Affairs, reasserted that Sanacenko was not under any "preventive supervision". At the same time, he threatened the journalist with sanctions for failure to pass the fingerprinting procedure and invited him to pass it "voluntarily".

**On June 13**, Valiancin Stefanovich, Deputy Chairman of the human rights center "Viasna" and a member of the BAJ, received a reply from the Department for Citizenship and Migration to

his inquiry about the reason for his inclusion in the database of citizens whose right to travel outside of Belarus was temporarily restricted.

It followed from the letter signed by Head of the Department Aliaksiej Biahun that the human rights activist might have been included erroneously in the list of those restricted to travel because of a "technical failure in data transfer".

Further, the reply, which took more than 3 months to arrive, said that Stefanovich was still not able to leave Belarus because the database was being checked. "When this verification is over, measures will be taken to exclude the erroneous data from the database", wrote Mr. Biahun who did not say a word about duration of this verification.

"It should be pointed out that this "technical failure" was of very specific nature as this "mysterious virus" affected only renowned civic activists, human rights defenders and journalists", stressed the human rights activists.

**On June 22**, the Maskouski District Court considered a complaint of Harry Pahaniajla, Head of the legal service of the human rights civic association "Belarusian Helsinki Committee" and a member of the BAJ, against actions of the Ministry of Internal Affairs and the Ministry of Justice. The complaint was related to unlawful inclusion of Harry Pahaniajla in the list of those who were restricted to travel.

A representative of the Interior Ministry, who attended the (second) hearings, brought the certificate that Harry Pahaniajla was excluded from the list of those who were restricted to travel. As a result of the hearings, the court decided to erase Mr. Pahaniajla from the database of citizens whose right to leave the territory of Belarus was temporarily restricted. At the same time, Judge Volha Hlushakova refused to satisfy the demand of Harry Pahaniajla to recognize that his inclusion in the list of those restricted to travel was unlawful and to prosecute the officials who were guilty of violating his constitutional rights.

The hearings began on **June 19** and were postponed because the representative of the Interior Ministry failed to appear in court. During the first hearings, a representative of the Ministry of Justice confirmed that no court had taken any decision in regard of Pahaniajla and that the Ministry of Justice had not taken any action to include him in the list of those restricted to travel.

It shall be reminded that in mid-March, Harry Pahaniajla was told by the District Office for Citizenship and Migration that he was deprived of his right to travel abroad. As the human rights activist was told at that time, the data was submitted to the database by the Ministry of Justice following an insolvency case in which Pahaniajla was a potential debtor.

**On August 2**, Belarusian border guards did not allow Ukrainian reporter Sergey Shevchenko to enter Belarus. He was taken off the motor coach at the border crossing "Huta" between Ukraine and Belarus without explanations. The journalist was a member of a Ukrainian delegation which was going to Karelia (Russia) to attend celebrations dedicated to the memory of victims of political repression in Solovki and Sandarmokh. The delegation was composed of former political prisoners, their relatives, civic activists, writers and journalists. Sergey Shevchenko is the author of a number of articles and books about the Solovetski camp.

**On August 13**, freelance journalist Kastus Shytal was summoned to the Prosecutor's Office for the Hlybokaje district and questioned about his publication on the web site *westki.info*. The story reported the proposal of Jaraslau Biernikovich, a local opposition activist, to help activists who were campaigning in favor of boycott of the forthcoming election campaign.

Despite the fact that campaigning in favor of boycott was not prohibited by the electoral law, prosecutors forbade Kastus Shytal to publish such articles on the web site *westki.info*. The journalist was warned that otherwise he would be held administratively liable, as a minimum.

Having taken advantage of his right, Kastus Shytal refused to answer questions from prosecutors. He considered threats of the Prosecutor's Office for the Hlybokaje district as unlawful.

**On August 13**, Chairperson of the BAJ Zhanna Litvina received a formal letter from the Ministry of Justice which stated that the Ministry of Justice had no claims against her and it had not asked the Ministry of Internal Affairs to ban the journalist from leaving the territory of Belarus. Officials of the Ministry of Justice promised to the head of the BAJ to contact the law enforcement agency on their own regarding the termination of the travel ban in her regard.

It shall be reminded that on **March 15**, at the passport control in the "Minsk-2" airport, Zhanna Litvina was told that she was "temporarily restricted to travel" and her passport was also stamped with an "exit denied" stamp. Later, Ms. Litvina received a certificate from the Office for Citizenship and Migration of the Saviecki district in Minsk that she was prohibited from traveling outside of Belarus at the request of the Ministry of Justice "in connection with a bankruptcy case".

A week earlier, a similar reply, but from the Ministry of Defense, was received by Mikhas Janchuk, an official representative of the TV channel *Belsat* in Minsk. Siarhiej Kupryk, Head of the Main Organization and Draft Department, informed Janchuk that the Ministry of Defense had not drafted the journalist and had not restricted his travel outside of Belarus.

**On August 16**, the Department for Citizenship and Migration of the Ministry of Internal Affairs of Belarus informed Chairperson of the BAJ Zhanna Litvina that she was excluded from the list of those restricted to travel. In the official letter dated **August 10**, the Department's officials referred to a computer malfunction which allegedly happened to them from February 24 to March 10. The head of the journalistic association believed that the cited cause was far-fetched and linked the cause to a specific political decision of the official Minsk.

**On August 23**, Mikhas Janchuk, an official representative of the TV channel *Belsat* in Belarus, was invited to the Department for Citizenship and Migration of the Ministry of Internal Affairs and was handed a certificate-extract that "there were no restrictions on foreign travel" against him. "I don't even know how you have come to be included in this database", Mikhail Hryb, Deputy Head of the Department, told the journalist, handing him the document. The journalist sought restoration of his constitutional right during almost half a year.

As Mikhas Janchuk was able to find out earlier, the name of the specific official who was responsible for the travel ban was indicated in the list against the name of each "restricted" person. In the case of Janchuk, this official was the military commissioner of the Rechyca district where the journalist never lived or worked. Mikhas Janchuk called the official from Rechyca who confirmed that his name was indeed in the database against the name of the journalist. At the same time, the commissioner said that he never had seen the case of Janchuk nor had prohibited him from leaving Belarus.

**On September 21**, Andrej Dynko, Managing Editor of the newspaper *Nasha Niva*, received a letter from the Ministry of Internal Affairs of Belarus with apologies for his erroneous inclusion in the list of those who were restricted to travel. The letter was dated on **September 9**. According to the journalist, he was excluded from the list only after a number of complaints to different authorities.

It shall be reminded that Andrej Dynko was taken off the train "Minsk – Vilnius" on **March 14**. Border guards did not provided reason for the travel restriction. Later, the journalist was given a certificate by the Office for Citizenship and Migration that he was included in the list of those who were prohibited to leave Belarus for alleged "avoidance of military draft". The "travel ban" list which included two dozens of journalists, opposition politicians and civic activists came into force in March. At the end of August, Andrej Dynko was the only one from these people to remain in the list.

**On November 2**, Lieanid Sudalienka, a member of the BAJ, lawyer and human rights activist, was formally summoned to the tax inspection of the Saviecki district in Homiel for **November 9** "to sign a report and to participate in an administrative process". The reason for the administrative case was Sudalienka's refusal to file the income declaration".

"The inspection fails to guarantee confidentiality of the information received. In 2008, after I filed the declaration, information about my income got to mass media, including the state-run regional newspaper *Homielskaja Prawda*", explained Lieanid Sudalienka. He also said that he would not sign the report before he received answers to all his questions, in particular, why and on what grounds his name was of such interest to tax inspectors? Why even his son who was in the army was required to file the declaration?

Lieanid Sudalienka was certain that the reasons for interest to his person from the tax inspection were politically motivated.

### Impediments in Printing or Distribution of Mass Media

*The situation with distribution of non-governmental socio-political publications, which had been expelled from the state distribution system in 2005 – 2006, through "Sajuzdruk" and "Belposhta" outlets did not change significantly in 2012.*

*As earlier, nationwide publications **Novy Chas, SNPlus, Svobodnyje Novosti Plus, and Tovarishch**, and regional publications **Borisovskije Novosti, Volnaje Hlybokaje, Hazieta Slonimskaja, Intex-press, Niasvizhski Chas, Otdushina, and Rehijanalnaja Hazieta** are in the list of "problematic" newspapers.*

*The newspapers **Vitiebiskij Kurjer** and **Nash Dom-Info** which are registered and printed in Smolensk (Russia) remain outside of the official distribution systems.*

*The magazine **ARCHE-Pachatak** had to waive the services of "Belposhta" in November. The reason for this decision was freezing of the publication's account by the Committee of Financial Investigations of the Committee for State control on October 4. For this reason, the editorial board of Arche was not able to publish a number of issues which were fully prepared for printing and fulfill its obligations towards the subscribers.*

**On January 12**, on Karpovich Str. in Homiel, riot police detained Vasil Paliakou, chairman of the regional branch of the United Civic Party, and Uladzimir Niepomniashchykh, a member of the party. The incident occurred when the civic activists were handing out the party's information bulletin *Holas Razuma* to passers-by. In the Centralny District Department for Internal Affairs, a police report was drawn up against the detained persons for violation of the legislation on mass media (Article 22.9 of the Administrative Offences Code).

The bulletin distributed by the activists included New Year wishes, addresses of the party leaders and information about economic situation in Belarus. Imprint was also printed.

In the night of **January 13**, police detained 10,000 copies of the next issue of non-governmental newspaper *Vitiebiskij Kurjer* registered in Russia. The incident took place on a road, 10 kilometers from Viciebsk, near the village of Varony. First, police stopped and searched the car of Alieh Barshcheuski, editor-in-chief of the newspaper. Having found nothing in the car, they drew up a report for dirty license plates on the car. Twenty minutes later, police stopped the car of Viktor Ramniou, director of the publication, where they found the newspaper. The car was seized and sent to an auto impound.

It shall be reminded that the media outlet was not able to reach agreement with any publishing house in Belarus, and for this reason, it is printed in Smolensk.

**On February 6**, in Viciebsk, road police detained Julija Kanapliova, a reporter of the newspaper *Vitiebiskij Kurjer*, for almost four hours. Policemen Alieh Laviejkin and Mikhail

Aniukhouski stopped the journalist's car on Pieramohi Avenue and asked her to open the trunk. In response, Julija Kanapliova asked to invite attesting witnesses and place the car inspection process on record. But instead, police began to consult with someone over the phone and called up city police. Also, a car with plain-clothed people came to the site of the incident. In about one hour of waiting, Inspector Anukhouski again invited the journalist "to open the trunk just off the record" and was refused. In another hour, officers of the Piershamajski District Office for Internal Affairs in Viciebsk came, who drew up the report and inspected the car. As a result, they found one copy of the newspaper *Vitebskij Kurjer*. Only then Julija Kanapliova who was pregnant was released. It should be pointed out that weather was very cold on that day – more than 20 degrees Celsius below zero.

**On March 12**, in Mahiliou, Siarhieŭ Nihacin, a volunteer distributor of unregistered mass media, was detained. On the street, he was approached by two policemen, one of whom introduced himself as Ensign Afanasjeu. A police car was called in which took Mr. Nihacin to the Lieninski District Office for Internal Affairs. There, about 30 copies of unregistered newspapers *Vybar* and *Tut i Ciapier* were found in his bag during personal search. Ensign Afanasjeu asked the distributor where the latter had taken these newspapers and where and whom he had been carrying them to. After an almost two-hour detention in the police precinct, police drew up a report on seizure of the newspapers and also handed Siarhieŭ Nihacin a summons to the Lieninski District Office for Internal Affairs "as a witness".

**On April 12**, the Lieninski District Court in Mahiliou sentenced Siarhieŭ Nihacin, a volunteer distributor of non-governmental publications, to a fine of 3,000,000 Belarusian rubles. Judge Aksana Ratnikava found Mr. Nihacin guilty in lack of a contract on distribution of newspapers on behalf of the editorial boards which he allegedly had had to conclude with them as legal entities. Siarhieŭ Nihacin's contention that the question was of the editorial boards of the publications *Vybar* and *Tut i Ciapier* which were not legal entities was not found by the judge as exonerative.

The witnesses in the court were policemen who detained the distributor on March 12 and brought him to the precinct.

**On March 14**, in Viciebsk, police detained Barys Khamajda, a volunteer distributor of non-governmental printed media. He was not given a reason for his detention and only on his way to the Chyhunachny District Office for Internal Affairs Mr. Khamajda learned that he was being brought in "for identity check". The activist said that the process of detention had been filmed by a police cameraman. Last time, Barys Khamajda was detained last autumn.

**On March 22**, the circulation of the newspaper *Vitebskij Kurjer* was again seized by police. Road police officer Vasiljeu stopped a car driven by a staffer of the newspaper on the highway "Moscow – Brest". When his documents were checked, the driver was immediately asked to go to the Dubrouna District Office for Internal Affairs. After the procedure of seizure of 10,000 copies of the newspaper, police also impounded the car. The law enforcement authorities referred to the fines which remained unpaid since 2009. The staffers of *Vitebskij Kurjer* already filed a complaint against actions and decision of Police Major S.S. Sciepankou.

**On April 14**, it became known that the Dubrouna District Court in the Viciebsk region found unlawful the impoundment of the car which transported the most recent of the seized circulations of *Vitebskij Kurjer*. After the court hearings, an employee of the newspaper was able to collect it from the auto impound.

**On March 27**, it became known that non-governmental newspaper *Novy Chas* was not delivered to all political prisoners. In particular, envelopes with newspapers returned from Mikalaj Statkievich (earlier in the penal colony No. 17 in Shklou, now in the prison No. 4 in Mahiliou), Jauhien Vaskovich (prison No. 4 in Mahiliou), Arciom Prakapienka and Artur Kisialievich (penal colony No. 17 in Shklou) as well as from Ales Bialiacki (penal colony in Babrujsk). According to Aliaksiej Karol, Editor-in-Chief of the publication, the envelopes

usually came back marked "Not Allowed" or "Allowed by Subscription Only", with reference to Article 89 of the Criminal Procedure Code of the Republic of Belarus.

"In the Criminal Procedure Code there are no rules that would restrict the prisoners in their right to receive printed media to which they were subscribed by somebody else. Article 89 simply states their right to buy media publications or to subscribe to them on their own. So, the return of the newspaper attests to arbitrary interpretation of legislation", said Andrej Bastuniec, lawyer and Deputy Chairman of the BAJ.

**On March 28**, the Belarusian Radio and Television Transmission Center announced that *Radio Stalica* would broadcast at 105,1 MHz (VHF) previously used by non-governmental radio station *Autaradyjo* which was closed by court decision.

It shall be reminded that on January 12, 2011, the editorial board of *Autaradyjo* received a warrant from the Ministry of Communication about suspension of their permit to use frequencies. The order to stop broadcasting *Autaradyjo* was taken on the basis of decision of the Republican Commission for Television and Radio Broadcasting signed by Alieh Praliaskouski, Chairman of the Commission.

The official reason for depriving the radio station of frequencies was "non-compliance with the creative concept and dissemination of information which contains public calls to extremist activities". During the election campaign, *Autaradyjo* aired campaign pubs of presidential candidates Sannikau and Niakliajeu where they appealed to come "to the square".

**On April 19**, it became known that the Main Directorate of Justice of the Minsk City Executive Committee sent letters to Minsk licensed lawyers where it "recommended" subscribing to the newspaper *Juridichieskaja Gazieta* for the second half of 2012. Information about subscription should be submitted to the Directorate before May 10, said the letter signed by Volha Kazlova, First Deputy Head of the Main Directorate of Justice of the Minsk City Executive Committee.

"Despite the fact that the authors seem to "recommend" accurately to subscribe, the proof of subscription "should be submitted" already", emphasized one of the recipients of the message.

For information: the "licensed lawyers" are self-employed entrepreneurs and private companies which are licensed to provide legal services to business entities. They are licensed by the Ministry of Justice but they submit statistical reports to the Main Directorate of Justice of the Minsk City Executive Committee where they are registered.

**On April 20**, in Viciebsk, police detained Siarhiej Soupiel, a distributor of the non-governmental newspaper *Nash Dom Info*. He was taken to the Piershamajski District Office for Internal Affairs where he was held for more than an hour. A report on "illegal distribution of printed media in the territory of the Republic of Belarus" (Article 29.9, Part 2 of the Administrative Offences Code) was drawn up against civic activist. At the end of February, policemen from Viciebsk also detained Hanna Hadlieuskaja, a volunteer of the civic campaign "Nash Dom", for distribution of this publication.

**On April 23**, it became known that in Mahiliou, city dwellers were forced into dismantling satellite antennas. In case of refusal, they were threatened with fines and coerced dismantlement. Such warnings were announced, in particular, by Housing and Utilities Office No. 1 in Mahiliou. Valier Zubrycki, Director of the Housing and Utilities Office, invited those dwellers of Mahiliou who were discontent with this demand to subscribe to cable television.

Meanwhile, independent TV channels which cover situation in the country are banned from being broadcasted by cable TV operators.

**On March 27**, in the town of Biarozauka in the Hrodna region police detained local civic activists Siarhiej Trafimchyk and Vitold Ashurak and seized 800 copies of non-governmental registered newspaper *Novy Chas* from them.

Meanwhile, the detained persons were official volunteer distributors of the publication. They were taken to the local precinct where the report on seizure of newspapers was drawn up. Policemen wanted Trafimchyk and Ashurak to provide explanation but they refused to do it as they had not been accused of any misdemeanor.

**On May 20**, in the Orsha district, police detained Julija Kanapliova, a reporter of the non-governmental newspaper *Vitiebiskij Kurjer*, for more than three hours. It is worth noting that Julija was eight months pregnant.

Road police stopped her car on the highway "Moscow – Brest" immediately after it entered the territory of the Orsha district. Police did not identify themselves and were without official badges. Without giving reasons for detention, they ordered Julija Kanapliova to go to the local District Office for Internal Affairs.

After inspection of the journalist's car, they seized eight advance copies of the new magazine *Pol Politiki* published by the International Center for Gender Initiatives "Thaw: Women for Equal Citizenship" as well as 200 copies of the special issue of the comic book "About Local Self-Government" published by "Nash Dom".

And though confiscated comic books are not periodicals, Junior Police Lieutenant Uladzimir Laryn noted in the report on administrative offense that the journalist had violated Article 29.9, Part 2 of the Administrative Offences Code ("illegal dissemination of printed media in the territory of the Republic of Belarus").

**On May 25**, Julija Kanapliova filed a complaint to the Court of the Orsha district and the city of Orsha against actions of officers of the Orsha District Office for Internal Affairs who detained her car on **May 20** and seized printed publications from it. The journalist claimed that the printed materials which had been seized were not periodicals, and thus, drawing up of the administrative offence report under Article 29.9, Part 2 of the Administrative Offences Code ("illegal dissemination of printed media in the territory of the Republic of Belarus") against her had been illegal. Police did not include information about printed materials which were seized, their titles and the number of copies in the report on administrative offence, and they also did not draw up any report on seizure. According to the journalist, such "seizure" was in no way different from an ordinary robbery. The journalist asked the court to return the illegally seized materials to her and to declare illegitimate the actions of officers of the Orsha District Office for Internal Affairs against her.

**On May 25**, Mikalaj Pietrushenka, a human right defender and activist of the "Nash Dom" campaign, sent a letter to Aliaksandr Najdzienka, Head of the Viciebsk Region Department of Internal Affairs, where he demanded to give reason for seizure of printed materials from Julija Kanapliova, a reporter of *Vitiebiskij Kurjer*. The human rights activist asked police to guarantee the right on dissemination of information.

**On May 29**, it was announced that during the last year, situation with distribution of non-governmental socio-political newspapers through the state system – "Belposhta", "Sajuzdruk" – did not improve. As earlier, thirteen newspapers and one magazine still had problems with delivery to readers through subscription or newsstands: *Bobrujskij Kurjer*, *Borisovskije Novosti*, *Vitiebiskij Kurjer*, *Volnaje Hlybokaje*, *Hazieta Slonimskaja*, *Hancavicki Chas*, *Intex-press*, *Novy Chas*, *Niasvizhski Chas*, *Otdushina*, *Rehijanalnaja Hazieta*, *SNPlus*, *Svobodnyje Novosti Plus*, *Tovarishch* and the magazine *ARCHE*.

For financial reasons, during the last year the regional newspaper *Bobrujskij Kurjer* and the nationwide newspaper *Tovarishch* stopped to be published in hard copy. They switched to online editions but still kept the state registration.

It shall be reminded that since 2006, for economic reasons, which, among other things, were caused by cessation of cooperation with state-owned distribution companies, "Belposhta" and branches of "Sajuzdruk", the following non-governmental newspapers stopped to appear: *BDG. Dielovaja Gazieta*, *Birzha Informacii* (Hrodna), *Liakhavicki Chas* (Liakhavichy),

*Miestnaja Gazieta* (Vaukavysk), *Salidarnasc*, *Khimik* (Navapolack), *Miascovy Chas* (Pinsk), *Vitiebckij Kurjer-M* (Viciebsk), and *Hazieta dlia Vas* (Ivacevichy).

**On June 6**, the Kastychnicki District Court in Viciebsk examined the administrative case of Siarhiej Kandakou, a volunteer distributor of the newspaper *Vitiebckij Kurjer*. Police confiscated eighteen copies of the newspaper from him after detention. Judge Inna Hrabouskaja found the volunteer of the public campaign "Nash Dom" guilty of violation of Article 22.9, Part 2 of the Administrative Offences Code (illegal dissemination of printed media) and fined him for 20 basic units (2,000,000 Belarusian rubles). Earlier, Judge Hrabouskaja fined distributor Hanna Hadlieuskaja for 2,000,000 Belarusian rubles.

**On June 13**, it became known that in Hlybokaje, the tax inspection insistently "recommended" to local enterprises to subscribe to the magazine *Nalogovyj Viestnik* and to report urgently on the results of the subscription campaign.

**On July 11**, in Viciebsk, police once again detained Barys Khamajda, a distributor of independent media. The retiree was held for about one hour in the police precinct and then released without a police report. Police had a preventive talk and warned him that his activities interfered with the music festival "Slavic Bazaar".

**On August 11**, in the urban settlement of Sharkaushchyna in the Viciebsk region, police detained journalists of independent media. Cameraman Viachaslau Piashko and reporter Hanna Aziemsha were filming how Zmicier Lupach, Editor of the non-government regional newspaper *Prefect-Info* (Hlybokaje) was distributing his publication in a public place, when they were approached by a police squad. The journalists were taken to the local District Office for Internal Affairs where their personal identification was checked and then they were released. No detention reports were drawn up.

Zmicier Lupach was held for longer than the others – he was questioned whether the newspaper was registered, who published it, for what purpose, etc. As a result, he was released on the condition of sending by fax the documentary evidence of legality of his newspaper.

**On August 20**, at the Pryvakzalnaja Square in Homiel, police detained civic activist Aliaksandr Pracko for selling the non-governmental officially registered newspaper *Novy Chas* in the streets. Senior Police Lieutenant Dzianis Novikau brought the media distributor to the Chyhunachny District Office for Internal Affairs where he had to provide explanation and an administrative report for "violation of rules of commerce and provision of services to population" (Article 12.17 of the Administrative Offences Code) was drawn up against him. The report was drawn up by Captain Siarhiej Pauliushchanka. According to Aliaksandr Pracko, he produced a distribution contract with the editorial board but police said that a permission of the district administration was also needed for selling.

**On September 6**, the Administrative Commission of the Saviecki district in Homiel fined civic activist Aliaksandr Pracko for 100,000 Belarusian rubles (about 10 Euro) for selling the non-governmental officially registered newspaper *Novy Chas* in an "unauthorized location". Siarhiej Kadola, Deputy Head of the Administration, who presided in the commission, said that the location of sale of the newspaper should be indicated in the contract with the editorial board of the newspaper. The fine was awarded on the basis of the report of the Chyhunachny District Office for Internal Affairs in Homiel about violation of Article 12.17 of the Administrative Offences Code (violation of rules of commerce).

Aliaksandr Pracko appealed the fine. In his complaint, he indicated that the legislation in force did not provide for obtaining permissions of local administrations for locations of sale of newspapers and magazines.

**On October 12**, the Saviecki District Court in Homiel (Judge Siarhiej Ulasau) repealed the fine to civic activist Aliaksandr Pracko awarded by the administration of the Saviecki district for selling the independent newspaper *Novy Chas* in an "unauthorized location". The decision on administrative offence was returned for reconsideration. According to Aliaksandr Pracko, Andrej

Bandarenka, a legal advisor of the administration of the Saviecki district, asked the court not to repeal the fine but was not even able to explain what rule had been violated by the distributor.

**On September 3**, near 28, Lienina Str. in Viciebsk, police detained Barys Khamajda, a distributor of independent printed media, after he placed the poster "Boycott to Illegal Elections to the Illegal Chamber!" near his table. The distributor was brought to the court and fined for 400,000 Belarusian rubles.

**On September 5**, police ordered Barys Khamajda to leave his usual place of business because he was allegedly impeding filming of a movie about Mark Shagal. According to the civic activist, he could not in any way impede the filming which was happening almost half a kilometer away.

**On September 6**, an administrative report was drawn up against 64-year old Barys Khamajda for "hooliganism". In the morning, police, without giving any reason, demanded Mr. Khamajda to leave his usual place where he was selling newspapers but the distributor refused categorically. After a while, the director of the store No. 82 of the trading chain "Vesta" (the distributor of printed media had his table installed near the entrance to the store) began demanding him to leave the place – the store allegedly wanted to put their table for street commerce on that spot. The activist moved a bit to the side but the director was not satisfied with it. She started to grasp the stand, and the distributor grasped her by her arm to stop her. The merchant called police, and a report was drawn up after her explanations. "There is not and there was not any commerce here. These are attempts to put obstacles in my way", said Barys Khamajda.

**On September 12**, Minister of Information Alieh Praliaskouski said that in 2013, state-owned newspapers *Sovietskaja Bieloruskaja, Narodnaja Hazieta, Respublika, Bieloruskaja Niva* and *Znamia Junosti* would be merged into a single socio-political newspaper. "Now we have quite a lot of major newspapers. However, Belarus is not a big country, and we don't have many news and events, so the republican newspapers largely overlap and write about the same things", said the Minister. Praliaskouski assured that the reorganization would not entail job cuts for creative staff.

Besides, according to Alieh Praliaskouski, by an order from **September 11**, the publishing house *Zviazda* of culturological profile was "practically created" in Belarus. It is composed of the editorial and publishing institution *LiM*, the newspaper *Litaratura i Mastactva*, and the magazines *Polymia, Maladosc, Nioman i Vozhyk*.

**On September 14**, Valier Bulhakau, Candidate of philosophical science and Editor-in-Chief of independent culture and popular scientific magazine *ARCHE-Pachatak*, was detained in Hrodna. The incident took place just after the presentation of the book "Sovietization of Western Belarus" written by historian Jan Shumski and new issues of *ARCHE*.

Policemen and tax inspectors were involved in the operation. They made an "evidentiary purchase" of publications which were distributed by Bulhakau during the presentation. The tax inspectors demanded documents from him and asked him about the grounds to distribute the materials. They made a list of all available publications (194 copies) and loaded them in their truck. The process of confiscation was recorded on a video camera. Mr. Bulhakau was taken in the tax inspection from where he was released in about two hours after giving explanations.

**On October 31**, it became known that a number of non-governmental socio-political periodicals were not included again in the subscription catalogue of "Belposhta". It shall be reminded that in early 2006, more than a dozen of independent publications found themselves outside of the state system of distribution. They were not included in the subscription catalogue of "Belposhta" and their contracts on sale through the network of "Bielsajuzdruk" were canceled. It was explained by economic reasons. In 2008, only two newspapers were allowed back to the subscription catalogue of the post and on the newsstands of "Bielsajuzdruk", *Nasha Niva* and

*Narodnaja Volia*. Two years later, the regional newspaper *Hancavicki Chas* was also returned to the official distribution.

**On November 12**, 41 copies of the photo album "Belarus Press Photo 2011" were seized from the car of press photographers Aliaksandr Vasiukovich and Julija Darashkievich at the customs station "Kamienny Loh" on the border between Belarus and Lithuania. According to Darashkievich, Belarusian customs officers, seeing that there were photo pictures in the album, decided to seize the books to check "whether there was any information there which harmed the Belarusian state".

The explanations that the albums were published fully legally and all customs duties were paid for them, and the documents on their import in Belarus were already in the customs database, were not taken into account. It shall be reminded that two years ago, the albums "Belarus Press Photo" were already seized at the border for expert review and then returned in two months.

**On November 23**, the customs expert review found illegal and ordered destruction of 41 copies of the photo album "Belarus Press Photo 2011" which were seized on **November 12** at the border crossing "Kamienny Loh" from photographers Aliaksandr Vasiukovich and Julija Darashkievich.

This was reported in a letter signed by Uladzimir Danilievich, Deputy Head of the Ashmiany customs, which was received by Aliaksandr Vasiukovich. Printed materials BELARUS PRESS PHOTO were found illegal (non-compliant with to the State Standard of the Republic of Belarus STB 7.4-2009 "Publications. Imprint) on the basis of the results of the customs expert review and were subject to destruction, said the customs officer in this document.

BELARUS PRESS PHOTO is an annual competition of press photographers founded in 2009. Each year, dozens of Belarusian photographers take part in this competition; the final exhibitions are organized widely outside of Belarus, and the album of winning pictures was already published twice after the competition.

**On November 21**, it became known that the Svietlahorsk District Executive Committee issued an order to local companies and institutions to subscribe to state-owned newspapers. An order of Vasil Kasciukievich, General Director of the Svietlahorsk Amalgamation "Khimvalakno", addressed to the company's departments, regarding subscription to eight publications - *Sovietskaja Bielorusija*, *Respublika*, *Narodnaja Hazieta*, *Svietlahorskija Naviny*, *Homielskaja Prauda*, *Znamia Junosti* and *7 Dniej* – was published online. The managers were ordered, on their own responsibility, "to organize subscription to periodicals by their subordinates". This is done, as the order states, for "better information awareness of employees about political, economic, social and trade union life of the country and the region", as well as for "forming common spirit and goals". In order to "form spirit", it was necessary to subscribe to 465 copies of *Sovietskaja Bielorusija – Bielarus Siegodnia*, 5 copies each of *Zviazda*, *Narodnaja Hazieta* and *Znamia Junasci*, 12 copies of *Homielskaja Prauda*, 1 copy of *Respublika* and 501 copies of *Svietlahorskija Naviny*.

**On December 18**, it became known that Mikalaj Statkievich, a political prisoner and former presidential candidate, was still not receiving the independent newspaper *Novy Chas* to which he had been subscribed already a year ago by the editorial board of the publication. The prison authorities refer to absence of the newspaper in the subscription catalogue of "Bielposhta".

In November, Aliaksiej Karol, Editor-in-Chief of *Novy Chas*, filed a formal complaint in this regard to the Department of Corrections of the Ministry of Internal Affairs, the Office of the Department of Corrections for the Mahiliou region, the Prosecutor's Office of the Mahiliou region and the Mahiliou prison No. 4 where Mikalaj Statkievich is held. The editor stated that *Novy Chas* was an officially registered publication, and that "neither the Criminal Procedure

Code of the Republic of Belarus nor the Internal Rules and Regulations contain restrictions for the receipt of publications subscribed at through the catalogue of "Bielposhta" exclusively".

Substantive answers were received by the editorial board only from the Mahiliou prison and the Office of the Department of Corrections for the Mahiliou region (the Prosecutor's Office of the Mahiliou region and the Ministry of Internal Affairs have forwarded the complaint to the Office of the Department of Corrections for the Mahiliou region).

A. Dzmitrou, Director of the Prison No. 4, replied on **December 10**, that Statkievich was "subscribed to printed mass media which he receives in full and on time", and that "he did not approach the prison administration on the issue of subscription to the newspaper *Novy Chas*". The delivery "can be organized if the subscription is done in accordance with the requirements of Article 89, Part 1 of the Criminal Procedure Code of the Republic of Belarus and Section 275 of the Prisons' Internal Rules and Regulations.

U. Skamarokh, Head of the Office of the Department of Corrections for the Mahiliou region, in his letter from **December 7**, replied that "the individual subscription of the inmates to periodicals was organized through the prison administration", and Statkievich had not approach the administration of the Prison No. 4 with requests regarding *Novy Chas*.

### Restrictions on the Free Use of the Web

**On January 6**, amendments to the Administrative Offences Code and the Procedural and Operational Code on Administrative Offences came into force. These amendments established liability for violation of regulations on the use of the national segment of Internet.

From that day on, the Internet providers will be fined for failure to implement the requirement of online filtering. The data transmission operators and operators of Internet cafes and computer clubs will also be fined if they do not ensure identification of subscriber devices, recording and storage of personal data of users of Internet services and do not store information about the services that were provided.

Officials of the Ministry of Internal Affairs, the KGB, the Committee for State Control and tax authorities received the authority to draw up reports.

**On January 6**, it became known that the mobile phone provider "BelCel" (DIALOG™ trade mark) blocked access of its users to a number of independent online news resources. In particular, such a lock was encountered by Ivan Shyla, a civic activist from Salihorsk.

"As soon as we signed up for "Diallog" in the last decade of December, we found out that access to *Charter'97*, *Bieloruskij Partyzan* and the blog of Lipkovich in the LiveJournal was blocked, said Ivan Shyla. I called the tech support; they confirmed the existence of a lock and promised to remove it for me personally. They only asked me to send a request by email". However, Mr. Shyla was able to reverse the filtering of the web sites only after another phone call with a threat of litigation.

It is important to know that filtering of web sites for physical persons can be done on a user's request only. Arbitrary blocking of a web site by a provider is illegal.

**On May 17**, students of the Institute of Journalism of the Belarusian State University said that access to the news web site *charter97.org* was blocked for them. When they attempted to access the web site, the users were redirected to a web page with the logo of the National Academy of Science of Belarus and information that the address of the required online resource was blocked.

**On January 25**, the Ministry of Communications and Information Systems Development made a proposal to abandon compulsory identification of Internet users in clubs, cafes and other outlets by their passports. A draft resolution of the Council of Ministers which was published for

public discussion proposed as an alternative to use technical means of photo and video recording or other software and hardware means, including text messages.

It shall be reminded that at that time, in accordance with the edict No. 60 (Part 2, paragraph 6), the owners of the Internet public access points and other outlets had an obligation to identify users of online services and store information about the services that were provided.

**On July 17**, in Orsha, police raided the apartment of Ihar Kazmierchak, the founder and editor of the web site *orsha.eu*, as well as his parents' apartment. They seized a CPU, two USB cards and a 3G modem. Kazmierchak was questioned about dissemination of pornography through the web site. All this happened a few days after he got registered as an observer at the elections to the Chamber of Representatives in the framework of the campaign "Human Rights Defenders for Free Elections".

The editor said that no pornographic information was published on the web site *orsha.eu*. He did not exclude the possibility that some institutions were very interested by information in his computer, and this was why the excuse of "dissemination of pornography" was invented.

**On July 17**, it became known that the mobile phone operator "BelCel" arbitrarily blocked access of its users to online news resources *Charter'97*, *Bieloruskij Partyzan* and the blog of Jauhien Lipkovich. This blocking was noticed by a journalist of the newspaper *Novy Chas*. This was not the first instance of illegal restriction of access to independent web sites by this mobile phone provider. In early 2012, Ivan Shyla, a civic activist from Salihorsk, already reported the blocking of access to the same resources by "BelCel".

**On July 14**, the independent news web site *salihorsk.org* was also included in the list of prohibited web sites. This information was provided to users by a representative of the mobile phone operator "BelCel". According to him, the blocking was introduced after the review of the list of prohibited web sites.

It is worth noting that, according to the Belarusian law, certain sites are blocked by default for state institutions only. The blocking for private persons can be introduced only on a user's personal request.

**On August 1**, the web site of the international platform *Change.org* became inaccessible in Belarus. Signatures under a petition in favor of release of journalist Anton Surapin and realtor Siarhiej Basharymau who were detained in the criminal case of illegal crossing of the Belarusian border by a Swedish single-engine plane were collected in this web site. The Russian-language version of the web site worked flawlessly in Russia and Ukraine, the coordinators of the platform reported.

For reference: *Change.org* is a global platform which can be used by any person to launch his or her civic campaign to achieve social or other changes. The platform is used by more than 15 million people around the world, and 150 thousand of them live in Belarus, Ukraine and Russia.

**On August 17**, it became known that the popular site dedicated to the history of Minsk, *Minsk Old and New* (*minsk-old-new.com*) was prohibited from using the city arms. In early July, Uladzimir Valozhynski, the founder of the web site, decided to get registered as an individual entrepreneur in order to be able to place online advertisement legally. He submitted the documents to the Minsk City Executive Committee and, among other things, decided to get approval for the use of the arms of Minsk in the header of the web site. However, the city executive committee denied him this right on the grounds that "some materials on the history of the capital city are debatable".

For reference: the web site *Minsk Old and New* has been in operation for more than 9 years. During this time, it received several awards, including the Grand Prix of the VI contest of Belarusian online projects in 2008.

**On August 30**, unidentified persons hacked one of the biggest opposition-minded online communities in the social network *Vkontakte*, *We are tired of this Lukashenka*, which has 37,000 followers. On the same day, law enforcement authorities detained and questioned in Minsk and Viciebsk the administrators of online communities *Liapis Trubetskoy – a free concert in Minsk*, *Only ShOS!*, and *We are tired of this Lukashenka*.

**On September 4**, Larysa Shchyarakova, a member of the BAJ from Homiel, filed a demand to the regional prosecutor's office to find out who had stolen personal photos from her computer and posted them on pornographic web sites. The journalist stated in her complaint that she had received a few Internet links from an acquaintance of hers. At these web sites, she was surprised to see six intimate pictures of her taken earlier by her husband. The pictures were stored in their stationary computer at home.

"I never published these pictures online. I believe that these photos were stolen in the period from mid-January to May 2011 when the computer was at the Homiel Department of the KGB", said Larysa Shchyarakova.

**On September 23**, the day when the parliamentary elections were held, some web sites became inaccessible. In particular, the news resource *UDF.by* (an official partner of the campaign "For Fair Elections") and the web site of the organizing committee of the Belarusian Christian Democracy Party *bchd.info* stopped loading.

In the morning of **September 24**, these web sites remained inaccessible. Also, the web site of the "people's monitoring" of the elections, *electby.org*, became inaccessible. However, this web site could be accessed through proxies that meant that the resource was blocked intentionally. The web site of the Movement for Freedom and the web site of election monitoring also did not load.

**On November 22**, unidentified persons hacked the email and Skype account of Iryna Khalip, a reporter of the Russian newspaper *Novaya Gazeta* and wife of former presidential candidate and political refugee Andrej Sannikau. As Iryna Khalip reported, on that day she received a message from the Google customer service that there had been an "unauthorized access to her email account".

And in the morning of **November 23**, she was not able to access her email account at all: she was informed that her password had been changed an hour earlier. The Skype account of the journalist was also broken and the password was also changed. According to the journalists, files contaminated with viruses began to be sent from her Skype account. Iryna Khalip believed that this was the work of special services.

It shall be reminded that Iryna Khalip serves a sentence of 2 years of imprisonment with suspension on the charge of involvement in street protests on December 19, 2010 against the rigged presidential election.

**On November 27**, it was announced that the Internet cafes could again be used without passports. This announcement came from Paviel Pietrulievich, Head of the Department of Electronic Communications of the Ministry of Communications and Information Systems Development. According to the official, the owners of the outlets would have a choice of alternative means of user identification: "with use of technical means of photo and video recordings or other software and hardware means including text messages". At the same time, the manager or a person authorized by him or her have the obligation "to ensure recording, registration and storage of personal data of the users; information about the time of beginning and end of provision of the services; an electronic log with identification data about user's devices etc." This information must be kept during a year. It was expected that such a decision would be adopted before the end of 2012.

**On November 29**, the Orsha City Office of the Investigative Committee returned the computer and the USB cards to Ihar Kazmierchak, editor of the independent web site *orsha.eu*, which were seized from him 5 months before, **on July 17**. However, according to Ihar

Kazmierchak, the computer, after having been between the hands of law enforcement officers, did not start and needed repair.

As it was communicated before, pressure of the law enforcement bodies on the web site was caused by an alleged link to another resource which contained, inter alia, materials of pornographic nature. An expert review was scheduled for the confiscated equipment. Kazmierchak was not informed about its result. He believed that the experts confirmed that the editorial board of the web site had no relation to dissemination of such information. Independent observers linked the pressure on the online publication to the campaign of election to the Chamber of Representatives, as this web site, unlike the government media, also covered activities of opposition candidates.

**On December 19**, it became known that the Rahachou District Executive Committee demanded the regional online news resource *vrogacheve.ru* to remove from the web site the local symbols – a heraldic image of a horn in a golden field. Vasil Karalchuk, Deputy Chairman of the District Executive Committee for ideology, informed about this Dzianis Dashkievich, a civic activist and current editor of the web site, in an official letter.

"In accordance with the Regulations on the arms of the town of Rahachou approved by a decision of the Rahachou District Council on May 4, 2011 No. 13/4 "On approval of the flag and arms of the town of Rahachou and the Rahachou district", the right to use the symbols of Rahachou and Rahachou district is granted by the Rahachou District Executive Committee. The web site *vrogacheve.ru* uses the arms of Rahachou without approval of the District Executive Committee", said the official.