

Belarusian Association of Journalists (BAJ)

MASS MEDIA IN BELARUS 2015

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SITUATION IN BELARUSIAN MASS MEDIA FIELD IN 2015 (Summary)

The Presidential election was the main factor that influenced the situation of mass media in Belarus in 2015. The election was held on October 11, 2015. On the eve of the Presidential election, the authorities introduced stricter norms into the media legislation and its application practice. Apparently, the decision was also grounded on the intention of Belarusian government to reinforce control over the media coverage of the gradually aggravating economic situation in the country.

On January 1, 2015, new amendments into the Belarus law 'On Mass Media' came into force. They had been hastily adopted by the Belarusian legislators without any public discussion in December 2014. In particular, the amendments spread legal responsibility under the law on the Web media. At the same time, the Ministry of Information of Belarus acquired the right to restrict extrajudicially access to on-line resources, including foreign Web-sites. The Ministry exercised the right 40 times within the year. The decisions were mainly taken with the purpose of struggling with drug-trafficking and fighting against violations in the trading field.

Prosecution of Belarusian journalists for cooperation with foreign media without press accreditation was among the main problems in 2015.

28 journalists were fined on these charges. Following A. Lukashenka's pre-election promise to look into the situation, the problem seemed to be solved. However, three more administrative cases were filed against the journalists, whose materials had been broadcast by foreign TV companies, at the very end of the year.

The print media were pressurized by the Belarusian authorities, either. Thus, the Ministry of Information of Belarus issued 27 official warnings for arbitrary reasons to 27 print media at the beginning of the year. Since two warnings within a year may lead to the media closure, there are all grounds to believe that they were aimed at strengthening self-censorship in the corresponding media.

A new administrative barrier for distribution of mass media products was introduced in July 2015. Thus, the press distributors were obliged to get registered by the Ministry of Information of Belarus. It reduced opportunities for independent print media to sell their production through retail sales outlets, since a considerable part of them felt reluctant to pass the additional administrative procedure.

The demand to get the press distributors registered exerted especially negative impact on the media, which had been deprived of any possibility to get distributed through the state monopolist media distribution systems by subscription and through the news-stalls.

The reduction of short-term detentions of journalists by police and the lack of repressions against journalists and media after the Presidential election can be mentioned among the positive trends of the year. The latter trend is apparently explained by the desire of Belarusian governmental authorities to get a positive evaluation of the election by the international community, the absence of significant political tension in the country on the eve of the election as well as by the 'cooling down' effect on the media, exerted through the preventive introduction of stricter legal norms into the media legislation and the tightening of law enforcement practice.

MAIN EVENTS AND TRENDS IN BELARUSIAN MASS MEDIA FIELD IN 2015

Reinforcement of prosecution against journalists for cooperation with foreign media

The administrative prosecution against Belarusian journalists for their cooperation with foreign media without accreditation reinforced in 2015. The Belarusian authorities continued to accuse the reporters of breaking regulations on production and (or) distribution of mass media products, referring to the vaguely formulated article 22.9, part 2 of Belarus Code on Administrative Offenses. (The prosecution trend started in May 2014.)

There were registered 10 cases of bringing journalists to legal responsibility for breaking the article in 2014 and 28 cases of prosecuting journalists on the administrative charges within the period since January till August 2015. The total sum of fines exceeded 146 million Belarusian rubles that equaled to approx. EUR 8,000 at the time, when the fines were imposed on the journalists.

In all the cases, it was not the content, but the mere fact of appearance of journalistic materials in the foreign media that led to the prosecution of freelance journalists.

The situation improved after the President A. Lukashenka had promised 'to examine the situation' during his interview to journalists of independent mass media on August 4, 2015.

Consequently, none of administrative cases against journalists for breaking article 22.9, part 2 of Belarus Code on Administrative Offenses were filed since the end of August until December 24, 2015.

However, the prosecution of journalists on administrative charges for cooperation with foreign media without accreditation was resumed at the end of 2015.

Thus, three police reports were made against journalists Larysa Shchyrakova and Kastus Zhukouski from Homiel in district police departments of Homiel region on *December 24* and *December 28, 2015*. The journalists were accused of 'illegal production' of TV reports, following their presentation on the 'Belsat' TV channel (Poland). The journalists were punished under administrative law later on.

Arbitrary detentions of journalists

At the beginning of 2015, there were registered more frequently the cases of arbitrary detention of Belarusian citizens, who filmed administrative buildings, including the premises of the Academy of Sciences of Belarus, Civil Registry Offices etc.)

At least three journalists were prevented from implementation of their professional activities this way.

The police officers explained their actions by the received 'internal' instruction, issued by Mikalai Melchanka, Deputy Minister of Internal Affairs of Belarus. According to them, the instruction of *February 25, 2015* 'entitled' police representatives to learn the aims of photo- and video-shooting of administrative buildings. Also, police officers were instructed to detain the people, who film administrative premises, for the term of up to three hours and check the footage.

The Ministry of Internal Affairs refused to provide the Belarusian Association of Journalists with the original text of this instruction, referring to the internal format of the document that *'regulates exclusively the actions of police officers and doesn't deal with the ban on video- or photo-recording of administrative buildings'*

In general, the number of short-term detentions of journalists decreased in 2015 in comparison with the previous years. Thus, journalists were detained 19 times in 2015 to be compared to 29 cases of detention in 2014. The journalists were released from custody without police reports within 3 hours since the moment of their detention.

The peak of detentions of journalists in Belarus took place in 2010. It happened in the aftermath of Presidential election 2010. The BAJ Monitoring Service registered 167 cases of the kind at that time. The quantity of detentions of journalists gradually decreased later on. However, there appeared a new form of pressure on reporters. The official authorities started bringing journalists to administrative responsibility for their cooperation with foreign media.

Taking into consideration the general quantity of cases of police interference with the journalistic activity, the number of incidents increased in 2015 in comparison with the previous year. In particular, there were registered 47 incidents in 2015 (19 cases of detention and 28 administrative cases for cooperation with foreign media) vs. 39 incidents (29 cases of detention and 10 administrative cases) in 2014.

Official warnings to the print media

The Ministry of Information of Belarus issued 27 official warnings to 26 media outlets at the beginning of 2015. In the majority of cases the Ministry explained the issuance of official warnings by 'incorrect' presentation of the registration authority in the output data lines. In particular, the "Ministry of Information of Republic of Belarus" was presented as the "Ministry of Information of RB" there. Obviously, the reason for the issuance of official warnings being insignificant enough, the authorities took the step, in order to increase editorial self-censorship on the eve of the election campaign.

(It is worth mentioning that the Ministry of Information can file a claim to court with a demand to close down a media outlet, following the issuance of two official warnings to the corresponding media within a year.)

All in all, the Ministry of Information of Belarus issued 36 official warnings to 34 media outlets during the year of 2015.

Problems with distribution of independent newspapers

New amendments to the Belarus law 'On Mass Media' came into force on *July 1, 2015*. Accordingly, the press distributors were obliged to become official registered.

It reduced opportunities for some independent print media that generally relied on selling their production through private retail sales outlets, since a considerable part of the latter felt reluctant to undertake the additional administrative procedure at the Ministry of Information of Belarus.

The new regulation had a highly negative impact on the periodical editions, which are deprived of any possibility to sell their production through the state-owned 'Belposhta' and 'Sayuzdruk' press distribution systems with domineering positions in the market of press distribution by subscription and through the news-stalls in Belarus.

The editorials of ‘Gazeta Slonimskaya’, ‘Intex-press’, ‘Intex-press plus’, and ‘SNPlus. Svobodnye novosti plus’ newspapers received new refusals to their requests to include their periodicals into the ‘Belposhta’ subscription catalogues and sell the newspapers through the ‘Sayuzdruk’ network of news-stalls in the spring of 2015.

Similar negative responses were received by the ‘Novy Chas’ and ‘Borisovskiye novosti’ editorials in September 2015.

The ‘Belposhta’ state-owned enterprise is a monopolist in the field of print media distribution by subscription. It refuses to include independent media into its subscription catalogues, considering the decision as its right, not responsibility. The ‘Sauzdruk’ enterprise refuses to distribute periodicals through the nationwide network of news-stalls for the same reasons.

The problems with distribution of independent print media appeared on the eve of the Presidential election campaign – 2006, i.e. 10 years ago. The ‘Belposhta’ National Unitary Enterprise refused to include around 20 independent social and political newspapers into its subscription catalogue then. Also, the ‘Sayuzdruk’ state-owned enterprise refused to sell the periodicals through the network of its news-stalls.

Quite a few of these newspapers had to leave the domestic media market as a result of the economic discrimination.

Due to the warming of relations between the Belarusian authorities and the EU in 2008, the ‘Belposhta’ and ‘Sayuzdruk’ resumed cooperation with the leading independent newspapers ‘Narodnaya Volia’ and ‘Nasha Niva’.

Presently, 9 non-state social and periodical editions still face problems with distribution through the state-owned ‘Belposhta’ and/or ‘Sayuzdruk’ enterprises. (It is almost a half of registered independent social and political media in Belarus.)

At the same time, the subscription to the state press is ‘traditionally’ implemented with the use of administrative resources. Thus, the Administration of Leninsky Municipal District of Minsk addressed to the heads of locally registered organizations to arrange subscription to “the main national and municipal printed periodical editions”, included in the special list, and report upon the achieved results at the end of 2015. The local authorities explained their appeal by the beginning of subscription campaign for the first half-year of 2016 and the need “to ensure correct informing of citizens about social and economic development of Belarus”.

Similar facts were registered in Mahilou and Krychau.

Budgetary funding of the state-owned media

Apart from the enjoyed preferences, the state-owned media also are entitled to direct budgetary funding in Belarus.

The Belarus Law ‘On the National Budget for 2016’ was adopted on *December 30, 2015*. It provides for the issuance of around EUR 45 million (900 120 843.0 thousand Br) for funding the state-owned media in 2016.

Among other, the budgetary funding includes around EUR 36.6 million (734 815 075.0 thousand Br) for TV and radio broadcasting, around EUR 3.5 million (69 154 793.0 thousand Br) for the periodical press and publishing houses, and around EUR 4.7 million (96 150 975.0 thousand Br) for ‘other issues in the mass media field’.

The funding is provided without tenders at that. The list of 26 state-owned newspapers and magazines for funding from the national budget in 2016 was defined by a government resolution No.966 of *November 19, 2015*.

Restrictions on Freedom of Activity in the Internet

New amendments to the Belarus Law ‘On Mass Media’ came into force on *January 1, 2015*. They entitled the Ministry of Information of Belarus with the right to restrict access to any Web-resources extrajudicially. Among other, it can be done for a single violation of media legislation.

The vaguely formulated list of information, banned for distribution in mass media, was supplemented with such an item as ‘the information, which distribution may be harmful to the national interests of the Republic of Belarus’.

The Ministry of Information of Belarus took a decision to restrict access to the **kyky.org** Web-site with a reference to the legal norm on *June 18, 2015*. None of official warnings to the Web-site editorial were issued at that.

As it was mentioned in the ministerial press release, a range of articles on the pages of the Web-resource ‘*contained derogatory expressions about the Victory Day, which is a state holiday in Belarus, as well as in relation to the people, who participated in the holiday celebrations, and argued the importance of this event in the national history, thus distorting the historical truth about the Great Patriotic War*’. The public access to **kyky.org** was restored in six days, as soon as the controversial material was deleted from the Web-resource.

The blocking of access to **kyky.org** was regarded by specialists as a warning to the Belarusian Internet community.

All in all, the Ministry of Information of Belarus restricted access to 40 informational Web-resources in 2015. “*18 Web-resources from the list were blocked for distribution of information, connected with drug-trafficking, 2 Web-resources were blocked for the use of taboo vocabulary, 5 Web-sites were blocked for the illegal advertising of pills, 1 Web-site was blocked for propaganda of children porno, 1 Web-resource was blocked for distribution of information that may be harmful to the national interests, 2 Web-sites were blocked for the advertising of alcoholic drinks, and 11 Web-resources were blocked for distribution of extremist materials,*” noted the Ministry of Information of Belarus in the reply letter to the Belarusian Association of Journalists.

The access to four Web-resources from the list was restored some time later.

The decisions to restrict access to the Web-resources were taken by the Ministry of Information of Belarus on its own. None of official warnings to the owners of the blocked Web-sites were issued at that.

On February 19, 2015, the Ministry of Communication and Informatization of Belarus and the Operational and Analytical Centre under the President of the Republic of Belarus adopted ‘Provisions on the procedure of limitation of access to Information Resources (and their components), located on the Internet’.

The newly adopted legal norms provide for the possibility of disabling access to Web-resources and anonymizers (proxies, Tor etc.) that secure Web-users’ access to the blocked Web-pages.

According to the adopted Provisions, it is impossible to appeal against the ministerial decisions on disabling access to Websites in court.

In contrast to the previous order, when the blacklisted Websites couldn’t be accessed from state institutions as well as educational and cultural

establishments, the present order provides for the possibility of disabling access to the banned Websites for all Web-users in Belarus.

The former 'black list' of banned Web-resources, including such popular Websites as www.charter97.org, www.belaruspartisan.org, <http://spring96.org/>, has been cancelled.

Apart from the cases of restricting access to Web-resources in line with the legal requirements, there were registered cases of blocking access to Web-sites illegally in 2015. Thus, the Web-server of 'BelaPAN' News Agency suffered from a large-scale DDoS-attack for a couple of days since *October 3, 2015*. The Web-sites of the news agency and its 'Naviny.by' on-line newspaper were hosted on the server.

On *December 19, 2015*, there was restricted access to the Web-sites belapan.com, belapan.by, naviny.by, belaruspartisan.org, udf.by, 21.by, gazetaby.com, zautra.by, and charter97.org. The 'Beltelecom' national telecommunications operator explained the accident by a DDOS-attack on the equipment of its Data Processing Center. However, the equipment restoration didn't result in the immediate renovation of access to the mentioned Web-resources. None of governmental agencies took responsibility for disabling access to the Web-sites in both cases.

CHANGES IN LEGISLATION

Despite the fact that the Constitution of Belarus guarantees the freedom of expression and the freedom to receive, store and impart information and prohibits censorship, laws (notably, the Law on mass media), other regulations and the law-enforcement practice infringe the freedom of mass media throughout the country. The government, having established tight control over traditional media, has lately been trying to spread it to the Internet as well as the book publishing and the distribution of books and media products.

On 1 January 2015, the amendments to the **Law on mass media** came into effect. They introduced even stricter regulation of the media sphere. The amendments provide for:

- the registration of distributors of media products while vesting the Ministry of Information with the authority to prohibit their activities;
- the extension of the duties and responsibilities provided for by the Law on mass media to owners of online resources (including the foreign ones) without granting them the rights of editorial boards of mass media;
- the inclusion of information, the dissemination of which may harm the national interests of the Republic of Belarus, in the already vague list of information, which the mass media are prohibited to disseminate;
- granting the Ministry of Information the right to restrict access to online resources.

On 1 January 2015, the presidential *Decree No 6 on urgent measures to combat drug trafficking from 28 December 2014* came into effect. It concerns, among other things, the activities of the “information resources hosted in the global computer network Internet”. The decree contains the norms, which threaten free dissemination of information as well as free access to information, namely:

- the duty of owners of online resources to track content;
- the restriction of access to information resources at the instigation of the Ministry of Internal Affairs;
- the administrative liability of owners of online resources for the failure to comply with the requests of the Ministry of Information to remove messages and (or) information promoting the drug trafficking;
- the monitoring of visitors of online resources – “putting together and storing the up-to-date data about the information resources accessed by users of online services”.

On 18 February, pursuant to the presidential Decree No. 6, the Ministry of Communications and Information System Development, by its resolution No. 6, adopted the *Instruction on putting together and storing the data about the information resources accessed by users of online services*. In accordance with this document, the providers of online services are required to put together and store during one year the up-to-date data about the online resources visited by natural and legal persons, in particular:

- data about users;
- information about all initiated telecommunication services;
- the date, start time and end time of connections, the internal and external IP addresses and ports of the subscriber terminal, the domain name or the IP address and port of the online resource accessed by the Internet user and the volume of the data, which was sent and received.

On 19 February, the Ministry of Communications and Information System Development and the Operational and Analytical Centre under the President of the Republic of Belarus approved the *Regulations on the restriction of access to information resources (or a part*

thereof) hosted in the global computer network Internet. The document was adopted pursuant to the presidential Decree No. 6 and the amendments to the Law on mass media and replicates their provisions in many ways. The novelties include the possibility of blocking online resources, means of ensuring anonymity (proxy servers, anonymous networks such as Tor etc.), which allow users of online services to get access to online resources, the access to which was restricted. In accordance with these Regulations, the access may be restricted to the web sites:

- whose owners received two or more written warnings of the Ministry of Information during a year;
- containing information messages and (or) materials promoting drug trafficking, other information, the dissemination of which is prohibited or restricted under the Belarusian law as well as by the court decisions, which came into effect;
- the owners of which failed to comply with the legal requirements of the public authority to remedy the violations of the media legislation.

The Ministry of Information establishes the list of web sites of restricted access by its decisions. When the authorized government agencies and organizations, in accordance with their competence, elicit facts of placement of information messages and (or) materials, which contain information of restricted access, in the Internet, these government agencies and organizations have the right to submit written notifications to the Ministry of Information about the need to restrict access to such information. Other organisations and natural persons can petition the authorized government agencies and organisations with requests to restrict access in accordance with the law on petitions of natural and legal persons.

In contrast to the earlier established procedure, when the access to the web sites in the “black list” was restricted on a mandatory basis only for government agencies, educational and cultural institutions, now these web sites are blocked for all users in Belarus. The Regulations do not provide for a possibility of a court appeal against the decision of the Ministry of Information to block a web site.

On 17 April, the Ministry of Information adopted the ordinance No. 3 “*On some issues of public regulation of activities of distributors of products of the printed, television and radio mass media*”. The ordinance regulates the registration of distributors of mass media provided for by the amendments to the Law on mass media adopted in late 2014. All distributors of mass media products (except for the media outlets) must submit the information needed for their inclusion in the relevant State register to the Ministry of Information before 1 July 2015. Any further activities without the inclusion in the Register will be deemed illegal. The Ministry of Information received the right to apply sanctions against the distributors of mass media products up to banning their activities. At that, the distributors, under the threat of sanctions, must keep track of mass media, which may create grounds for a hidden censorship.

On 13 May, the Council of Ministers of the Republic of Belarus adopted *the Ordinance No. 407 “On the adoption of the list of the television channels, which are included in the mandatory public television package of the television channels and the establishment of sequence of their distribution”*. In accordance with this ordinance, since 1 July 2015, the mandatory package of the television channels, which are distributed by the operators and providers of telecommunications services and should precede other television channels, includes:

1. Television channel “Belarus 1”.
2. Television channel “Nationwide Television”.
3. Television channel “Capital City Television”.
4. Television channel “Mir”.
5. Television channel “Russia-Belarus”.
6. Television channel “NTV-Belarus”.
7. Television channel “Belarus 2”.

8. Television channel “Belarus 3.
9. Television channel “Belarus 5”.

On 16 June, the National Statistical Committee of the Republic of Belarus by its ordinance No. 52 adopted *the Instruction on the procedure of provision and dissemination of the official statistical information, which is put together by the state statistical bodies*.

The state statistical bodies provide official statistical information to mass media on a free-of-charge basis in the form of press releases, communications, comments and other information materials.

The dissemination of the official statistical information, the assembly of which is not provided for by the programme of statistical works and (or) requires additional labour and material costs, is done by the Information and Computing Centre of the National Statistical Committee on a paying basis in accordance with the concluded contracts or one-time requests. The requests should be submitted in writing and should contain the list of statistical publications or the list of needed statistical information, the reporting periods, the desired data storage media, and the purpose of further use of the official statistical information. The grounds for refusal to provide or disseminate the official statistical information may be the restrictions on dissemination of the requested information or absence of the requested official statistical information. The user should be informed about it and the grounds for refusal should be indicated.

On 17 June, the Council of Ministers of the Republic of Belarus by its ordinance No. 505 approved the *Regulations on the procedure of distribution of television programmes, which are included in the mandatory public package of the television programmes*. The over-the-air broadcasting of the public package in the territory of the Republic of Belarus is implemented by the republican unitary enterprise Belarusian Radio and Television Broadcasting Centre in the digital format, if technically feasible, in the public domain.

The distribution of the public package is carried out on the basis of the contract on provision of telecommunication services and (or) the contract on the rent of technical equipment, passed between the legal person who is entrusted with the functions of the editorial board of a media outlet and the telecommunications operator or the supplier of telecommunications services according to the model forms established by the Ministry of Information together with the Ministry of Communications and Information Systems Development.

The telecommunications operator or the supplier of telecommunications services must provide the public package to the subscribers in good quality and in its entirety without changing the form and content of the television programmes.

On 19 November, the Council of Ministers of the Republic of Belarus adopted the Ordinance No. 966 *on approval of the list of the printed mass media outlet whose editorial boards receive support from the republican budget in 2016*. The list comprised 26 government-run newspapers and magazines.

On 30 December, *the Law on the republican budget for 2016* was adopted. It provides for the allocation of BYR 900,120,843,000 (about 45,000,000 EUR) for financing the government-controlled media, including BYR 734,815,075,000 (about 36,600,000 EUR) for television and radio broadcasting, BYR 69,154,793,000 (about 3,500,000 EUR) for periodicals and publishing houses and BYR 96,150,975,000 (about 4,700,000 EUR) for “other issues related to mass media”. The funding was allocated on the non-competitive basis.

VIOLATIONS OF THE RIGHTS OF MASS MEDIA AND JOURNALISTS, CONFLICTS IN THE SPHERE OF MASS-MEDIA

1. Court Cases (Except Administrative Prosecution)

On 21 January, the Mahiliou regional court dismissed the appeal of representatives of the Krychau independent newspaper Volny Horad against the ruling of the Krychau district court to fine them for BYR 8,000,000 in favour of the district's chief ideology worker. **On 8 December 2014**, the Krychau district court ruled that the article titled "Not suited for his post?" published by Volny Horad damaged the honour, dignity and business reputation of Maryna Maksimava, the head of the office for ideology work, culture and youth affairs of the district executive committee.

On 23 January, the Supreme Court of Belarus dismissed the request of the newspaper Narodnaja Volia to invalidate the warning of the Ministry of Information. The warning was issued on 18 November 2014 for the article titled "Chaining up!" published by Sviatlana Kalinkina in her author's column in the issue from 3 October. In that article, the publicist reflected about potential ramifications of the ratification of the treaty establishing the Eurasian Economic Union. The Ministry of Information's officials saw a violation of constitutional rights of citizens and a possible infliction of damage to the interests of the Republic of Belarus. Judge Aliena Kastrama upheld the warning to the newspaper.

On 17 February, the civil chamber of the Mahiliou regional court dismissed the appeal of the BelaPAN news agency, the editorial board of the newspaper UzHorak and journalist of BelaPAN Uladzimir Laptsevich. The journalists tried to appeal the ruling of the Horki district court in the lawsuit of Tamara Kaltunova, the chairperson of the Horki district branch of the Belarusian Society of Persons with Disabilities. Kaltunova believed that some statements of her opponents in court were damaging to her honour, dignity and business reputation. **On 18 December 2014**, the Horki district court decided to collect jointly BYR 6,000,000 from BelaPAN, UzHorak and journalist Uladzimir Laptsevich in favour of Kaltunova as a compensation for moral damages.

On 16 April, the Slonim district court dismissed the lawsuit of a commuter bus driver in Slonim against a journalist of Hazieta Slonimskaja and the editorial board of the newspaper, which was a co-defendant. The article titled "Indifference scares" published on 4 February 2015 and signed by Tatstsiana Plakhietka served as a pretext for the lawsuit. In that article, the journalist described the situation, which involved her 7-year old daughter: the girl had been riding on a bus without her parents and had been unable to get out at a stop near her school as the driver had skipped that stop. The plaintiff argued that the article had spread the information "that was not factually correct in its entirety" and harmed his honour, dignity and business reputation. He also sought an apology from the journalist and wanted her to pay him a compensation in the amount of BYR 5,000,000 and to cover the litigation costs (the official fee of BYR 540,000).

On 25 April, the Barysau district court upheld the lawsuit of the practice nurse E. Pantsialiej against the newspaper Borisovskije Novosti and the author of a letter to the editor L. Kazlouskaja on the protection of her business reputation and recovery of moral damages for the article titled "Who is to blame for the death of a patient in the 2nd polyclinic?" published on 24 December 2014 in the issue No. 52 of Borisovskije Novosti. Judge Ina Vajtko ruled to recover BYR 4,000,000 jointly: BYR 3,000,000 from Borisovskije Novosti and BYR 1,000,000 from Kazlouskaja. In addition, the defendants would have to compensate the litigation fees of the plaintiff: the newspaper had to pay BYR 7,935,000 and the co-defendant, BYR 2,645,000. The court also ordered the newspaper to publish the substantive provisions of the court decision

within a month. On 4 June, the Minsk regional court dismissed the appeal by the newspaper Borisovskije Novosti and the author of the letter to the editor.

On 28 April, the Supreme Court (Judge Katsiaryna Karatkievich) dismissed the complaint of the Publishing House Intex-Press against the Ministry of Information on the invalidation of the written warning to the newspaper Intex-Press for the use of acronym “RB” in the imprint. During the hearing, representatives of Intex-Press tried to persuade the court that the acronym “RB” in place of the words “Republic of Belarus” was widely used by public agencies and could even be found in presidential decrees.

On 19 May, it became known that the Supreme Court of Belarus was seeking from Poland to prohibit the TV channel Belsat from using its logo. The district court in Warsaw received the ruling of the Belarusian Supreme Court regarding the ban on the use of the trademark “Belsat”. Relying on the provisions of the Civil Procedure Code, the economy chamber of the district court in Warsaw could prohibit Belsat from using its trademark in the territory of Belarus. Before taking its decision, the court in Warsaw asked the TVP television, which has Belsat as its part, to present their position. Belarusian judges wanted the Polish court to recognize their decision, in accordance with which Belsat was violating the rights of an entrepreneur from Minsk. The management of the TV channel considered the decision of the Belarusian court to be politically motivated. *Reminder: in September 2014, the Supreme Court of Belarus upheld the claim of entrepreneur Andrej Bieliakou and prohibited the TV channel from using the trademark Belsat TV when broadcasting to the territory of Belarus and on its web site.*

2. Detention of Journalists, Judicial Administrative Prosecution

During the year, journalists were detained 19 times and they were subject to administrative prosecution 37 times (in four cases the administrative proceedings were terminated).

In addition, the administrative proceedings were initiated against a mass media outlet, Hazieta Slonimskaja, under Article 23.33 of the Administrative Code for dissemination of deliberately false information defaming the President of the Republic of Belarus; they were terminated.

Most often, the journalists were subject to the imposition of administrative penalty for their cooperation with foreign mass media without an accreditation in the foreign ministry, which was treated as an “illegal production and (or) distribution of mass media products” (Article 22.9 of the Administrative Code of the Republic of Belarus) – 28 times (such proceedings were terminated in two cases). Some journalists were fined under this article repeatedly: in particular, Kanstantsin Zhukouski – 6 times, Alina Litvinchuk and Natallia Kryvashej – 4 times each. The fines amounted to over BYR 146,000,000 in total (about 8,000 Euro at the rates in force on the days of the rulings).

Also, journalists were prosecuted for participation in unauthorized mass events (Article 23.34 of the Administrative Code of the Republic of Belarus), as well as for libel (Article 9.2 of the Administrative Code of the Republic of Belarus) and insult (Article 9.3 of the Administrative Code of the Republic of Belarus).

On 8 January, the Hrodna regional court dismissed an appeal of Andrej Mialieshka, a member of the BAJ from Hrodna. The journalist appealed the ruling of Jury Kazakievich, the judge of the Leninski district court in Hrodna, who had fined him on **2 December** 2014 for his journalistic activities without an accreditation in the interests of a foreign mass media outlet – the Belarusian Radio Racyja – under Article 22.9 Part 2 of the Administrative Code.

On 12 January, the Leninski district court in Brest (Judge Sviataslau Kalina) fined journalist Alina Litvinchuk for 30 basic units for working without an accreditation in the

interests of a foreign mass media outlet. She was accused of illegally producing and distributing mass media products under Article 22.9 Part 2 of the Administrative Code. In particular, the case file featured a “transfer of information” about the activities of the Brest regional branch of the organization “Young Men's Christian Association” (YMCA), which was the subject of a publication on the web site of the Belarusian Radio Racyja.

On 14 January, Aliaksandr Liauchuk, a freelance journalist and a member of the BAJ, received a reply of the Brest public prosecutor's office to his complaint regarding the violations, which took place during the drawing up of an administrative report against him under Article 22.9 Part 2 of the Administrative Code. On the basis of this report, Liauchuk was fined for 40 basic units for working without an accreditation in the interests of the TV channel Belsat. It follows from the reply signed by deputy public prosecutor of Brest Ivan Chajchyts that the public prosecutor's office refused to consider the complaint of the journalist against the actions of the police officer.

On 19 January, the Kastychnitski district court in Minsk fined blogger Aliena Stohava (Melnikava) for BYR 3,600,000. She was found guilty of insulting a police warrant officer. The latter filed a lawsuit against her post in LiveJournal, which contained the words “cozzers”, “a country of cozzers”, and “I hate you with all my heart”. The policeman's main claim was that the post contained his photo, thus he believed that all those words were directed at him. The blogger admitted that she was the author of the message but denied guilt. According to her, she expressed her attitude towards the situation and not towards a specific police officer. In December 2014, guards in the subway did not allow Stohava to go to the platform. They believed that the girl was drunk. Stohava got outraged with this fact and she wrote this post where she used those words.

On 22 January, the Brest regional court dismissed the appeals of Aliaksandr Liauchuk, the journalist from Brest, and Tamara Shchapiotkina, a freelance journalist from Biaroza. Both were found guilty by the courts of original jurisdiction of the “illegal production and distribution of mass media products”, i.e. of cooperation with foreign mass media without an accreditation.

On 23 January, a crew of the TV channel STV conducted an experiment using a hidden camera about the assistance rendered by inhabitants of the border areas to border guards in the protection of the state border and detention of potential offenders. A TV reporter with a large bag was asking villagers about how she could get to the border with Lithuania, when officers of the Hrodna border group arrived. After that, the crew was taken to the border post, where the analysis of the situation and the preventive conversation with the reporters lasted for about two hours.

On 23 January, the Svietlahorsk district court (Judge Iryna Alisiejka) fined TV reporters from Homiel Larysa Shchyrakova and Kanstantsin Zhukouski for BYR 900,000 each for an alleged participation in an unauthorized mass event (Article 23.34 Part 1 of the Administrative Code). The presence of Shchyrakova and Zhukouski at the square in front of the Svietlahorsk district executive committee on 25 November, when Jury Liashenka, a town resident, was protesting against the violation of the rights of people with disabilities during the complete overhaul of his house, served as the pretext for instigating the administrative proceedings against them. The journalists were covering this event.

On 16 February, Alina Litvinchuk, a freelance journalist from Brest, was fined by the Leninski district court in Brest (Judge Aliaksandr Siemianchuk) for 40 basic units for the illegal production of mass media products. According to the court ruling, on 8 January 2015, Alina Litvinchuk, not having an accreditation, interviewed Lidyja Ramaniuk, the chairperson of the Brest regional branch of the Belarusian Peace Fund, for the Belarusian Radio Racyja, thus violating the Law on mass media. The court ruling was a complete surprise for the journalist, as nobody had informed her neither about the drawing up of the administrative report by the police nor about the court proceedings.

On 20 February in Minsk, plain-clothed people detained Siarhiej Hudzilin, a photographer of Nasha Niva. The incident took place when the reporter was covering the posting

of the bills dedicated to the Mother Language Day by public activists in the downtown Minsk. Police put the journalist in their car together with the detained activists and took him to the Savietski district police department. Three hours later, they released Hudzilin without drawing up the report.

In the evening of 26 February in the downtown Minsk, policemen detained for four hours Dzmitry Lasko, a reporter of the newspaper of Komsomolskaja Pravda v Belarusi, for an attempt to photograph the new illumination of the building of the Academy of Sciences. The detainee was brought to the Piershamajski district police department where he was held till midnight. According to Dzmitry Lasko, the policemen studied carefully all pictures in his camera, questioned him about his professional activities and drew up a record of interview. The policemen referred to a certain decision of the Minister of Internal Affairs of Belarus from 25 February 2015, which prohibited to photograph the administrative buildings. Later, Komsomolskaja Pravda v Belarusi found out that they had meant an “internal instruction” of Mikalaj Mielchanka, the deputy foreign minister and the chief of the public security police.

On 4 March, policemen detained Uladzimir Hrydzin, a press photographer, in the building of the Court of the Zavadski district in Minsk, where the criminal case of Dzianis Zamiatilin was heard. According to Uladzimir Hrydzin, he began to set up his camera in the courtroom before the beginning of the trial. The policemen admonished him for doing it and detained him. They took the reporter to the Zavadski district police department where they checked his identification and the pictures in his camera. Hrydzin was released in about one hour and a half. After some time, the reporter began getting phone calls from the police department. The callers insisted that he should come back, allegedly for a conversation with the police chief. The journalist refused.

On 12 March, the Tsentralny district court in Homiel fined freelance reporter Larysa Shchyrakova for 20 basic units (BYRR 3,600,000) for cooperation with a foreign mass media outlet without an accreditation. Judge Viktor Kazachok decided that the journalist had violated Article 22.9 Part 2 of the Administrative Code. At the hearing, Shchyrakova filed five motions but Judge Kazachok dismissed all of them. A TV report with interviews with businessmen from Homiel served as the basis for the administrative case.

On 17 March in Minsk, plain-clothed people detained Halina Abakunchyk, a reporter of Radio Liberty. The detention took place in the shopping centre Expobel when Aliaksandr Lukashenka was going to a meeting with entrepreneurs. The law-enforcement officers noticed that the reporter was talking to businessmen and noting their answers in her notepad. The fact that the journalist lacked the accreditation for the event was the reason for the detention. Halina Abakunchyk was put in a police car for “identification”; her documents were checked. Then, one of the plain-clothed persons accompanied the reporter to a shuttle bus and made sure that she left the venue of the event.

On 26 March, the Maskouski district court in Brest heard the administrative case against reporter Aliaksandr Liauchuk. The latter was fined for 21 basic units (BYR 3,780,000) for the “illegal production and distribution of mass media products” (Article 22.9 of the Administrative Code). The basis for the administrative prosecution was a story published on the web site of the TV channel Belsat and signed “AL”. **On 18 March**, police captain of the Maskouski district police department Raman Trafimuk drew up a report against the reporter for an alleged violation of the Law on mass media. It followed from a conversation with him that Aliaksandr Liauchuk’s interviewee had allegedly confirmed the journalist’s authorship to the police. **On 30 April**, the Brest regional court (Judge Andrej Vasiliuk) dismissed Aliaksandr Liauchuk’s appeal.

On 1 April, the Maskouski district court in Brest fined journalist Ina Khamich for 30 basic units for cooperation with the Belarusian Radio Racyja without an accreditation. Judge Raisa Labacheuskaja found the reporter guilty of violating Article 22.9 Part 2 of the Administrative Code (illegal production and distribution of mass media products). On 29 April, it became known that the Brest regional court had dismissed Ina Khamich’s appeal. The freelance reporter appealed the ruling of the Maskouski district court in Brest, in accordance with which she was

fined for 30 basic units for cooperation with a foreign mass media without an accreditation (Article 22.9 Part 2 of the Administrative Code).

On 2 April, Judge Mikalaj Bakounou of the Chyhunachny district court in Homiel decided to fine freelancer Kanstantsin Zhukouski for 30 basic units (BYR 5,400,000) for the “illegal production and distribution of mass media products” (Article 22.9 Part 2 of the Administrative Code), and, in fact, for cooperation with a foreign mass media outlet without an accreditation. The article titled “Teachers and doctors punished for the murdered child” published on the web site of the TV channel Belsat and signed by Aliaksandr Jashchanka served as the justification for the case. As follows from the administrative case, the regional police department, which monitors the publications, had tracked the story at the TV channel Belsat. The Chyhunachny district police department in Homiel was instructed to conduct an investigation. Police captain Viktor Stsiepanienka visited the secondary school No. 12, interviewed the school employees who appeared in the video, showed them a photo of Zhukouski and asked them whether the latter was shooting the story.

On 9 April, it became known that the Rechytsa district court had found freelance reporter Larysa Shchyrakova from Homiel guilty of the “illegal production and distribution of mass media products” under Article 22.9 Part 2 of the Administrative Code. Judge Sviatlana Pyrkh ruled to fine her for 25 basic units (BYR 4,500,000). The case was considered in late March without the presence of the journalist. In accordance with the court’s ruling, **on 6 February** in Rechytsa, Raisa Shchyrakova, “not being a journalist of mass media and without having the right to do so, interviewed citizens and prepared a video story titled “Administration of the market in Rechytsa is robbing traders”, which was published on the same day on the web site of the TV channel Belsat. The same “violation”, according to the court ruling, Shchyrakova committed on 12 February, when she prepared a video story titled “Inhumane conditions at the Rechytsa market”.

On 22 April, the Leninski district court in Hrodna found reporters Aliaksandr Dzianisau and Aliaksandr Kirkievich from Hrodna guilty of violation of Article 22.9 of the Administrative Code because they had filmed a video story for the TV channel Belsat without an accreditation in the Belarusian foreign ministry about an exhibition of Slutsk belts in the Hrodna Museum of the History of Religion. Judge Aliena Piatrova ruled to collect 20 basic units from each of them. **On 26 May**, the Hrodna regional court decided to dismiss the appeal against this court ruling.

On 24 April, the Tsentralny district court in Homiel fined freelance journalists Natallia Kryvashej and Kanstantsin Zhukouski for BYR 5,400,000 each for the “illegal interviewing”. Judge Maryna Damnienka, having studied the administrative reports drawn up by the Naroulia district police department, found the journalists guilty of violating Article 22.9 of the Administrative Code. The reason for this was the video story titled “Elderly people have to pay for their houses the quadruple of what is paid for the ones owned by the kolkhoz” aired on 13 March by the TV channel Belsat.

On 27 April, Sviataslau Kalina, the judge of the Leninski district court in Brest, fined Tamara Shchapiotkina for working without an accreditation for the Belarusian Radio Racyja, having considered her case in the second hearing. The fine amounted to 40 basic units (BYR 7,200,000). In accordance with the report on an administrative violation (Article 22.9 of the Administrative Code), **on 8 January**, Shchapiotkina allegedly interviewed road police officer Siarhiey Nielipovich, and this interview was published on the web site of Radio Racyja. The first time, the court considered the case against Shchapiotkina **on 6 March**, having made the same ruling. **On 4 April**, it became known that the Brest regional court remitted the matter for a new trial. Judge Natallia Surma recognized that the first time, the freelance reporter was tried with violations of the law. In particular, Shchapiotkina did not receive the subpoena to the hearing; instead, a text message was sent requesting her to come to the court. Having come to Brest, she failed to get to the court hearing as Judge Aliaksandr Siemianchuk decided to hear the case without her participation and the participation of her lawyer. **On 29 May**, the Brest regional court (Judge Natallia Surma) dismissed the appeal of the journalist against the ruling of 27 April.

On 29 April in Minsk, riot police officers detained freelance TV reporters Siarhiej Krauchuk and Natallia Valakida when they were filming the participants of a performance near the Russian embassy (“Returning the vanity bag to Russia”) – the bags with the logo of the biker club “Night Wolves”. Police officers copied the passport details of the journalists and forced them to erase the video recording of the performance.

On 15 May, the Krychau district court heard the administrative case of Uladzimir Kudrautsau, the publisher of the newspaper Volny Horad on the charge of libel (Article 9.2 of the Administrative Code) against Aliaksandr Dziameshka, the special investigator for economic crimes of the Krychau district police department. The newspaper article spoke about an attempt by Kudrautsau to bring to justice Maryna Maksimava, the head of the department of ideology, culture and youth affairs of the Krychau district executive committee. The text also mentioned special investigator Dziameshka who had carried out the investigation in the claim of Uladzimir Kudrautsau. Judge Katsiaryna Shmatkova remitted the matter to the Krychau district police department for a new investigation. The judge upheld the motions of the defendant – to interrogate Siarhiej Niarouny, the editor of the newspaper Volny Horad, as a witness, to supplement the case record with a copy of the petition of Kudrautsau to the public prosecutor’s office related to the threats by Dziameshka (and a copy of the reply of the Krychau district police department to this petition) as well as the demand to the district police department to provide the court with the audio recording of the conversation between Uladzimir Kudrautsau and Aliaksandr Dziameshka. The plaintiff Aliaksandr Dziameshka failed to appear in court. In the reworked administrative report drawn up **on 25 May**, Lieutenant-Colonel Usik, the head of the law enforcement and prevention office of the Krychau district police department, wrote that Kudrautsau had prepared a “deliberately false insulting fiction” regarding Aliaksandr Dziameshka by submitting the information that the latter had threatened him with the criminal prosecution to the web site spring96.org for publication. **On 4 June**, the Krychau district court (Judge Katsiaryna Shmatkova) stopped the administrative proceedings against Uladzimir Kudrautsau because of the expiration of the time-limit for the administrative prosecution.

On 18 May, reporter Aliaksandr Burakou from Mahiliou received a reply from the Supreme Court of Belarus to his supervisory appeal, which was dismissed. The journalist asked to reverse the rulings of the Leninski district court in Mahiliou and the Mahiliou regional court about finding him guilty of the illegal production and distribution of mass media products (Article 22.9 Part 2 of the Administrative Code). **On 8 October 2014**, Aliaksandr Burakou was fined for 40 basic units (BYR 6,000,000) for cooperation with a foreign mass media outlet without an accreditation.

On 22 May, Judge of the Homiel district court Aliaksandr Lisouski found freelance reporter Kanstantsin Zhukouski guilty of the illegal production of mass media products (Article 22.9 Part 2 of the Administrative Code) and fined him for 25 basic units (BYR 4,500,000). The police charged the journalist with preparing a story for the TV channel Belsat on 24 March without an accreditation in the Belarusian foreign ministry. After the hearing ended, Zhukouski wanted to make a video shot of the signboard on the court building and was detained by policemen for doing this. Reporter Natallia Kryvashej was then detained together with him. They spent about three hours and a half in the police precinct. The journalists were released without administrative reports after their IDs were recorded.

On 1 June in Brest, a stranger obstructed the work of freelancers Milana Kharytonava and Aliaksandr Liauchuk. The incident took place when the reporters were shooting a video story in a local shop about how the tobacco products were removed from the shop windows after the Day without Tobacco. A boy began jumping around the camcorder, obstructing the shooting. Milana Kharytonava admonished him, and after that the child’s father initiated a quarrel. According to Aliaksandr Liauchuk, he behaved aggressively – grabbed the tripod, pushed the journalist to the ground and then called the police. As Milana Kharytonava did not carry her ID with her, both reporters were taken to the Maskouski district police department in Brest for identification. About one hour later, having been questioned about the circumstances of the incident, the

reporters were released without administrative reports being drawn up. Later, they learned that the attacker was a former policeman.

On 1 June, Judge of the Dziarzhynski district court Ina Shajko fined reporters Volha Chajchyts and Siarhiej Krauchuk for 30 basic units (BYR 5,400,000 each). Both were charged with the violation of Article 22.9 of the Administrative Code (illegal production and distribution of mass media products). The basis for drawing up the administrative reports was a story from Fanipal in the Dziarzhynski district of the Minsk region about the refusal to allow a TV crew to attend the public hearings on the general plan of the town. The Fanipal police printed out the text and images from the web site of Belsat and charged the reporters with working without an accreditation for the foreign TV channel Belsat.

On 3 June, the Leninski district court in Brest (Judge Dzmitry Shuryin) fined freelance reporter Alina Litvinchuk for a total amount of 60 basic units for a double violation of the law on mass media. The court heard two administrative cases against the journalist under Article 22.9 of the Administrative Code. The basis for the prosecution was two publications on the web site of the Belarusian Radio Racyja: an interview with a business woman at a charity fair and an interview with a teacher of the Centre for additional education for children and youth. The trial featured the print-outs of these articles. Also, both interviewees of the reporter were summoned to court. They said that they had had conversations with KGB officers about their contacts with Litvinchuk. In his ruling, Judge Shuryin also referred to an “information of the director of the Department of the KGB for the Brest region”.

On 5 June, the Buda-Kashaliova district court considered the administrative reports against freelance reporters Kanstantsin Zhukouski and Natallia Kryvashej from Homiel. Both were found guilty of violating Article 22.9 Part 2 of the Administrative Code (illegal production and distribution of mass media products) and fined them for 20 basic units (BYR 3,600,000 each). The basis for drawing up the police reports was the preparation by the journalists of a video story about the demolition of houses in Buda-Kashaliova on the eve of the Dazhynki festival. The story was aired by the TV channel Belsat. The hearing took place without the journalists: Kanstantsin Zhukouski did not know about the meeting and Natallia Kryvashej was invited to court over the phone a few hours before the hearing.

On 9 June, Judge of the Tsentralny district in Homiel Aliesia Osipava fined freelance journalist Kanstantsin Zhukouski for 30 basic units (BYR 5,400,000) for the illegal production of mass media products (Article 22.9 of the Administrative Code). The basis for this was the administrative report signed by Jury Panin, the head of the law enforcement and prevention division of the Tsentralny district police department in Homiel. In accordance with the report, on 15 April, the TV channel Belsat aired a story titled “Suicide of a teacher”, which was “illegally prepared by citizen Kanstantsin Zhukouski, who has no accreditation in the territory of the Republic of Belarus as a correspondent of the Polish TV channel”. The video was dedicated to the situation around the suicide of a teacher of the Homiel State University named after Francisk Skaryna, who feared losing her job and apartment because of the actions of the university’s management.

On 10 June, Judge of the Tsentralny district in Homiel Maryna Damnienka sentenced local freelance reporter Natallia Kryvashej to the maximum possible administrative fine for the “illegal production and distribution of mass media products” without an accreditation for the TV channel Belsat – 50 basic units (BYR 9,000,000). The administrative proceedings under Article 22.9 Part 2 of the Administrative Code against the journalist were initiated by the Tsentralny district police department in Homiel on the initiative of the Homiel regional police department. The basis for this was a video story titled “Suicide of a teacher” aired on 15 April by the satellite TV channel Belsat. Kanstantsin Zhukouski was also fined for this story on 9 June.

On 10 June in Minsk, freelance reporters Arkadz Niestsiarenka and Nastassia Khralovich were detained on the porch of the polyclinic No. 20. The incident took place at about 7.40 when the journalists were interviewing on video visitors of this medical institution who had to spend

several hours in lines to get their appointment confirmations. First, the reporters talked to people inside the clinic. Representatives of the management asked them to go outside and then called the police. The detained journalists were brought to the Frunzienski district police department where they were held for about five hours. Policemen erased their video recording, drew up the record of interview and also carried out a “preventive conversation” about the prohibition to film in the administrative buildings without a special authorization. A plain-clothed person assisted at the conversation.

On 2 July, the Rahachou district court (Judge Aliaksandr Krajnikau) found freelance reporters Kanstantsin Zhukouski and Natallia Kryvashej from Homiel guilty of the illegal production of mass media products for the satellite TV channel Belsat. The journalists were fined under Article 22.9 of the Administrative Code – 30 basic units each. In accordance with the reports drawn up by Jury Astapovich, the head of the law enforcement and prevention division of the Rahachou district police department, on 12 May in Rahachou, the reporters, without an accreditation as the journalists of mass media, “interviewed citizens, thereby illegally producing mass media products, and namely a video story titled “Savoury taste of the crisis. Why the condensed milk from Rahachou remains in the warehouses?” This story was aired on 14 May on the TV channel Belsat and posted on its web site.

On 2 July, the Leninski district court in Brest (Judge Alieh Miraniuk) found reporter Aliaksandr Liauchuk guilty of violating Article 22.9 Part 2 of the Administrative Code and sentenced him to the maximum fine for this offense – 50 basic units (BYR 9,000,000). The freelance reporter of the BelaPAN news agency was prosecuted for cooperation with the satellite TV channel Belsat without an accreditation. The basis for this was an interview with Raman Vasiliuk, the captain of the football club Brest, which the police found on the web site of the TV channel Belsat. Senior police lieutenant Barys Dzmitruk drew up the administrative report against Liauchuk on **23 June**.

On 16 July, freelance reporters Kanstantsin Zhukouski and Natallia Kryvashej were detained in the Rechytsa district. They were shooting a video story about an outbreak of an unknown disease of pigs in this area. When village council officials learned about the presence of journalists, they immediately called the road police and reported the car’s license plate. The police stopped the journalists’ car on a rural road and drew up the report of interview during two hours, finding out why the journalists had been shooting the video.

On 17 July, freelance TV reporters Aliaksandr Barazienka and Arkadz Nietsiarenka were detained in Marjina Horka (the Minsk region) near a military base. The journalists were preparing a story about a former commandos, Vadzim Vasileuski, who died in Donbass fighting on the side of separatists. At an attempt to talk to senior officers of the 5th separate brigade, where Vasileuski had served before his discharge, the journalists were detained by policemen and brought to the local police station. The detention took place at around 14.00. At 17.15 it became known that the journalists were released. The police drew up the reports of interview and confiscated the memory card of the camcorder with a piece of footage “for examination”. They refused to provide Barazienka with a copy of the confiscation report. The journalist took a picture of the document and left a complaint in the book of complaints. “Policemen said that we could face criminal prosecution but they did not tell us under which article, and then they released us”, Arkadz Nietsiarenka said.

On 23 July, the Hlybokaje district court fined reporter Dzmitry Lupach for BYR 4,500,000. Iryna Kazak, the court’s chairperson, found the journalist guilty of the violation under Article 22.9 of the Administrative Code (illegal production and distribution of mass media products) and, in fact, of cooperation with a foreign mass media outlet without an accreditation. The basis for the prosecution was the article titled “Relatives of the border guard who died near Hlybokaje on 17 September 1929 found”, which was published on 9 June on the web site of Euroradio. First, the court hearing was scheduled **on 10 July** but the report, which was drawn up by senior inspector of the law enforcement and prevention division of the Hlybokaje district police department Viachaslau Baryla **on 26 June**, was returned for rework. During this time,

Dzmitry Lupach had to meet KGB officers several times. According to the reporter, they asked him to rat on his friends and colleagues as well as to inform about activities of members of the BAJ and opposition activists in the region. Dzmitry Lupach told to independent mass media about this. He said that he would not collaborate with the secret police. **On 19 August**, the Vitsiebsk regional court (Judge Sviatlana Ivanova) dismissed the appeal of the journalist on the ruling of the Hlybokaje district court.

On 27 July, Judge of the Leninski district court in Mahiliou Aliena Volkava dismissed the indictment in the administrative case of reporter Alina Skrabunova because of the expiration of the period of limitation for the institution of administrative proceedings. The journalist was charged with the violation of Article 22.9 Part 2 of the Administrative Code (illegal production and distribution of mass media products). The first hearings took place on 23 and 24 July, and on both occasions the judge granted the motions of the journalist to postpone the hearings, probably, due to the numerous violations in the execution of the documents, committed by policemen of the Leninski district police department. The proceedings against Skrabunova were instigated because of the story about the Mahiliou factory Stommashina, which the TV channel Belsat aired on 26 May.

On 28 July, the Hlybokaje district court fined freelance reporter Tatstsiana Smotkina for BYR 4,500,000 for cooperation with a foreign mass media without an accreditation. Judge Liudmila Vashchanka found the journalist guilty of the violation of Article 22.9 of the Administrative Code (illegal production and distribution of mass media products). As follows from the materials of the case, it was instigated by the Hlybokaje district public prosecutor's office after the publication of the article "Roads will become positive in Hlybokaje" on the web site of the Belarusian Radio Racyja. **On 19 August**, the Vitsiebsk regional court (Judge Sviatlana Ivanova) dismissed the appeal of Tatstsiana Smotkina against the ruling of the Hlybokaje district court.

On 29 July in Homiel, the police detained freelance reporters Kanstantsin Zhukouski and Natallia Kryvashej on the porch of the Tsentralny district police department, in front of which a picket of local residents was to be held. The policemen drew up the reports of interview of both journalists about the fact that Kanstantsin Zhukouski had allegedly threatened them. In about three hours, the journalists were released; their equipment was not confiscated.

On 29 July, the Kastychnitski district court in Mahiliou dismissed the indictment in the administrative case of reporter and public activist Ihar Barysau. He was charged with the violation of the Law on mass media (Article 22.9 Part 2 of the Administrative Code) as well as with the violation of the procedure of receiving the financial assistance from abroad (Article 23.24 Part 2 of the Administrative Code). Judge Dzianis Kisihin granted Barysau motion to dismiss the case because of the expiration of the period of limitation for the institution of administrative proceedings. The court issued a special ruling towards officers of the Kastychnitski district police department, including for several inaccuracies in the execution of documents and referring the case to the court after the expiration of the period of limitation for the institution of administrative proceedings.

On 5 August, Viktor Valadashchuk, the chief editor of the non-governmental periodical Hazieta Slonimskaja, was summoned to the Slonim district police department, where he was told that the administrative proceedings under Article 23.33 of the Administrative Code – "deliberate dissemination of false information humiliating honour and dignity of the President of the Republic of Belarus" – were instituted against the legal person entrusted with the functions of the editorial board of Hazieta Slonimskaja. The basis for this was the article "Voice from a village. The main thing is that the president is good at talking" in the issue from 29 July. The article presented an interview of villagers on the topic of elections. Later, the case was dismissed.

On 19 August, the Leninski district court in Hrodna (Judge Jury Kazakievich) found reporters Aliaksandr Kirkievich and Aliaksandr Dzianisau guilty of violating Article 22.9 of the Administrative Code and fined each for 25 basic units (BYR 4,500,000). The basis for the

administrative proceedings was a video story about an exhibition of Lithuanian puppets in Hrodna, published on the web site of the TV channel Belsat. The journalists were charged with the preparation of an information material for a foreign mass media outlet without an accreditation. The hearing of the case began **on 23 July** but the judge returned the materials of the case to the police for rework. **On 14 August**, the trial resumed. The court heard the witnesses, artist painter Aliaksandr Silvanovich and his wife, director of the exhibition centre Iryna Silvanovich. The witnesses confirmed that they had been interviewed by these journalists. **On 22 September**, Judge of the Hrodna regional court Mikalaj Rachynski, having considered the appeals of freelancers Aliaksandr Dzianisau and Aliaksandr Kirkievich, upheld the ruling of the court of primary jurisdiction.

On 7 September, freelance reporter of the newspaper Narodnaja Volia Katsiaryna Andrejeva was detained in Minsk when she was going to cover a picket of hoodwinked real estate investors near the Palace of Independence. Policemen detained the journalist together with the protesters despite the fact that she carried written editorial instructions. Andrejeva was taken to the Tsentralny district police department and held there for about one hour and a half. She was then released without a report drawn up.

On 10 December, the Svislach district court (Judge Zhanna Salahubik) fined Uladzimir Khilmanovich, a reporter and publicist from Hrodna, for 40 basic units. He was charged with the participation in an unauthorized rally **on 31 October 2015** in the Svislach district (the Hrodna region). On that day, over one hundred participants in the commemoration day for the insurgents of 1863 laid flowers on the grave of Kastus Kalinouski's brother and commemorated Kastus Kalinouski in Svislach and Jakushouka where the house of the Kalinouskis family once stood. The entire event took place under the close supervision of law-enforcement officers.

In the evening of 10 December, policemen detained member of the BAJ Jauhien Hlushkou in Mahiliou. The detention took place when the journalist attempted to film the rehearsal of the opening of the memorial sign to state security officers near the building of the Mahiliou regional department of the KGB. According to Hlushkou, he was brought to the department where he was ordered to erase the footage.

On 22 December, in the district centre of Karma in the Homiel region the police detained freelance journalists Kanstantsin Zhukouski and Arkadz Malysh for almost two hours. Karma experienced problems with water and heat supply. The journalists came to prepare a story on this topic following a complaint from local residents. The detention of the reporters was initiated by Tatstsiana Vierkiajenka, the acting head of the office for ideology work, culture and youth affairs of the Karma district executive committee. She claimed that prior to doing the video shooting one had to submit a written application to the ideology office, which had to take a decision. Kanstantsin Zhukouski and Arkadz Malysh were taken to the district police department and had to provide explanations. After the investigation, the freelance reporters were brought to the site of their shooting. Kanstantsin Zhukouski left a statement in the book of complaints and proposals of the Karma district executive committee about the abuse of office by the official of the ideology office and the obstructions during the video shooting.

3. Seizure of Equipment, Damages, Confiscation

In 2015, the police seized computers from journalists on two occasions while investigating administrative violations.

In the morning of 12 March, five policemen visited the apartment of the editor of the newspaper Nash Mahiliou Ihar Barysau in Mahiliou. They produced the warrant to inspect the premises in the framework of a preliminary investigation under Article 188 Part 2 of the Criminal Code ("Defamation") and conducted a three-hour long search. As a result, they seized three computers, two modems and notebooks from the journalist. The policemen failed to issue

the seizure report to Barysau. The law-enforcement body had issues with one of the articles published on the web site of Nash Mahiliou, which alleged that the managing director of the Lenta Company from Mahiliou had lost heavily in a casino. According to the police, the criminal proceedings were not instigated, and a preliminary investigation was conducted. On the same day and on the same grounds, a search was conducted on the premises of the Mahiliou human rights centre Viasna. The same police officers, who visited the apartment of Ihar Barysau in the morning, inspected the premises and seized the computers. **On 5 May**, Ihar Barysau filed a complaint to the public prosecutor's office of the Mahiliou region about the violation of his rights and the violation of the procedural time-limits during the preliminary investigation. He demanded to return immediately two computers, a modem and a notebook because the police had returned only one out of three seized computers. **On 13 July**, Ihar Barysau was summoned to the Kastychnitski district police department to pick up the computers seized during the search on 12 March 2015. The journalist was told that the preliminary investigation into defamation (Article 188 Part 2 of the Criminal Code of the Republic of Belarus) against Siarhiej Piatrou, the managing director of Lenta, was completed, and no charge was brought against Barysau. However, the police announced that two new administrative proceedings had been instigated against Ihar Barysau – for the violation of the Law on mass media (Article 22.9 Part 2 of the Administrative Code) and for receiving financial aid from abroad for the publication (Article 23.24 Part 2 of the Administrative Code). The journalist was partially acquainted with materials of the cases, and he was given a summons to a hearing by the Kastychnitski district court in Mahiliou for 15 July. Later, the date of the hearing was twice postponed. **On 29 July**, the proceedings were terminated because of the expiration of the time-limit for the administrative prosecution.

On 19 August in Biarozauka, the Lida district of the Hrodna region, two plain-clothed police officers searched the apartment of freelance journalist Jury Dziashuk. The policemen studied the documents in his apartment and also seized a computer and a broken printer. The search warrant was issued by the district public prosecutor's office in the framework of the investigation of the criminal case in the flash mob in Biarozauka on 25 July 2015. **On 10 November**, staffers of the Investigative Committee returned the computer to Dziashuk. The printer was allegedly examined in Hrodna.

4. Threats against Journalists

On 6 January, in the courtroom of the Tsentralny district court in Minsk, where the case about beating of a young homosexual man was heard, relatives of the defendant Dzmitry Lukashevich attacked the reporters who tried to film the defendant. The judge had banned the filming during the trial. Reporter Aliaksandr Barazienka switched on the camcorder during the recess in the hearing, and at that time, the relatives of the defendant began using force against him. When reporter of Radio Liberty Alieh Hruzdzilovich began filming the incident, he was attacked by the defendant's sister and her husband. It all happened when the camcorder remained switched on.

5. Warnings, Administrative Pressure

In total, in 2015, the Ministry of Information of the Republic of Belarus issued 36 warnings to 34 mass media outlet. Most of the warnings were issued for the use of the acronym "RB" in the imprint of the periodicals.

Reporter Paviel Dajlid received a warning of the public prosecutor's office for the violation of the Law on mass media (publication of his article on the web site of Radio Liberty).

Members of the BAJ were summoned to the police for “conversations” about their publications.

On 23 January, the Supreme Court of Belarus dismissed the request of the newspaper Narodnaja Volia to invalidate a warning of the Ministry of Information. The warning was issued on 18 November 2014 for the article titled “Chaining up!” published by Sviatlana Kalinkina in her author’s column in the issue from 3 October. In that article, the publicist reflected about potential ramifications of the ratification of the treaty establishing the Eurasian Economic Union. The Ministry of Information’s officials saw a violation of constitutional rights of citizens and a possible infliction of damage to the interests of the Republic of Belarus. Judge Aliena Kastrama upheld the warning to the newspaper.

On 25 February, the Ministry of Information issued written warnings signed by Minister Liliya Ananich to three non-governmental regional newspapers: Intex-Press from Baranavichy, Hantsavitski Chas and Hazieta Slonimskaja.

The editorial board of Hazieta Slonimskaja was accused of violating Article 22 of the Law on mass media – they failed to indicate the circulation in two issues of the newspaper published in February (on 11 and 18 February 2015).

The editorial boards of the newspapers Intex-Press and Hantsavitski Chas violated the law by using the acronym “RB” instead of the “Republic of Belarus” in the imprint.

In the evening of 27 February, neighbourhood police officer Aliaksiej Karol visited reporter Ina Khamich in his home. Before that, he called the journalist to invite her for a conversation but she refused to come without a formal warrant. The police officer took interest in the purpose of her trip on 5 February to the agricultural town of Motal in the Ivanava district. It turned out that the Ivanava district police department opened a case, and the reporter from Brest had to be questioned in its framework. The neighbourhood police officer asked Ina Khamich about her employment, the purpose of her trip to Motal, the persons she had talked to and the subject of their conversations. He also wanted to learn whether she was working for the Polish Radio Racyja.

On 2 March, the Ministry of Information issued warnings about the “inadmissibility of violation of Article 22 of the Law on mass media” to the social and political weekly Borisovskije Novosti and the newspaper Reklamny Borjomi. Both periodicals belong to the private unitary enterprise Bukas Media Centre. The ground for this was the use of the acronym “RB” instead of the “Republic of Belarus” in the imprint of the periodicals.

On 6 March, the Ministry of Information reported that it had issued written warnings to several periodicals, including the government-owned magazine Vozhyk and the newspaper Nash Kraj from Baranavichy. The ministry provided this information in its written reply to Barys Haretski, the BAJ’s press secretary. In February – March, the Ministry of Information issued formal warnings to several independent periodicals, having accused them of the illegal use of the acronym “RB” instead of the “Republic of Belarus” in their imprints. Meanwhile, journalists noticed similar acronyms in government-owned printed mass media. In this connection, the press secretary of the BAJ wrote a letter to the Ministry of Information in order to learn whether the ministry had reacted to these facts.

On 14 March, reporter Hlieb Labadzienka was invited to the Savietski district police department in Minsk over the phone for a conversation in the capacity of a possible witness to a crime. According to Labadzienka, to his question about the reason for the summons, the police officer replied that it was a “secret of investigation”. The journalist refused to come without a formal summons. In return, he was warned that the police might come “at a very inconvenient early time” and bring him in with force. Hlieb Labadzienka saw an abuse of authority and a direct threat in the police officer’s actions.

In the evening of 17 March, reporter Andrej Mialieshka got a call from the Hrodna police precinct “Centre” with an invitation to a “conversation”. Mialieshka categorically refused to come to the police without a formal summons.

On 17 March, reporter Aliaksandr Kirkievich visited the Leninski district police department in Hrodna after having been formally summoned. It turned out that the police was conducting an investigation at the request of the KGB into a possible violation of Article 22.9 Part 2 of the Administrative Code (illegal production and distribution of mass media products). **On 18 March**, the police summoned Alies Dzianisau, a reporter from Hrodna, in the same matter (he visited the Leninski district police department on a formal summons). The reason for the investigation was a video story about an exhibition of Slutsk belts in the Hrodna Museum of the History of Religion published on the web site of the TV channel Belsat. As the journalists reported, the materials of the investigations included the screenshots from the web site. It also followed from the materials of the case that Halina Khimko, an employee of the museum, had been summoned for a conversation to the KGB and the police to identify the journalists from photographs.

On 19 March, Ihar Barysau, the editor of the newspaper and the web site Nash Mahiliou, and his wife Aliena Barysava met Major Kazakou, the neighbourhood police inspector of the Kastychnitski district police department in Mahiliou, after having been formally summoned. The police officer wanted them to provide explanations in the framework of the preliminary investigation to evaluate the need for instigating the criminal proceedings under Article 188 Part 2 of the Criminal Code (“defamation”). According to Ihar Barysau, Kazakou wanted to find out how the journalist was related to the newspaper Nash Mahiliou. In accordance with Article 27 of the Constitution of the Republic of Belarus, the journalist refused to incriminate himself. Aliena Barysava made a similar declaration. Earlier, on 12 March, the police inspected Barysau’s apartment in the framework of the preliminary investigation in the case of defamation.

On 20 March, it became known that the independent newspaper Novy Chas received a warning of the Ministry of Information for using the acronym “RB” in the imprint. The document was dated 25 February but editor-in-chief Aliaksiej Karol got it in the mail later.

On 28 April, the Supreme Court (Judge Katsiaryna Karatkievich) dismissed the complaint of the Publishing House Intex-Press against the Ministry of Information and upheld the written warning to the newspaper Intex-Press for the use of the acronym “RB” in the imprint. During the hearing, representatives of Intex-Press tried to persuade the court that the acronym “RB” in place of the words “Republic of Belarus” was widely used by public agencies and could even be found in presidential decrees.

On 12 May, it became known that the Ministry of Information issued a formal warning to the newspaper Nashie Pravoslavije of the Vitsiebsk Orthodox Eparchy. This information came from Julija Kochyna, the head of the office for the registration of mass media and monitoring the compliance with legislation of the Ministry of Information. However, she refused to specify the specific violation of the Law on mass media by the newspaper. Earlier, there were reports that public activist Aliaksandr Halavan together with other Orthodox church-goers had urged the Ministry of Information to check the issues of the newspaper Nashie Pravoslavije for their compliance with the legislation of the Republic of Belarus. The reason for this appeal was an article urging the Orthodox to participate in the military conflict in Ukraine.

On 8 June, member of the BAJ Paviel Dajlid was summoned to the public prosecutor’s office of the Ivatsevichy district. There, he received a written warning about the “inadmissibility of committing offenses”. The document was signed by deputy public prosecutor Siarhiey Zhukovich. It said that the district public prosecutor’s office had conducted an investigation of information received from the Biaroza district police department and concluded that Paviel Dajlid had violated the Law on mass media by having published the article “An insurgency in Sporava: peasants demand to give them the lake back” on the web site of Radio Liberty.

6. Violations Related to Access to Information

Among the violations of the right on access to information one can note the bans to journalists to carry out their professional responsibilities, coming mainly from government officials, as well as refusals to provide information to independent journalists and mass media. A considerable number of obstacles to activities of the press occurred during the presidential elections, in particular, during the presence at polling stations and in requesting official information about the elections.

On 19 January, the Minsk city court (after the Leninski district court in Minsk) dismissed the complaint of reporter Viktor Parfionienka from Hrodna against the Ministry of Foreign Affairs, which, on seven occasions, denied his accreditation as a correspondent of a foreign mass media outlet, the Belarusian Radio Racyja. After that, Viktor Parfionienka filed a supervisory appeal against the court's ruling. **On 13 April**, he received a reply, where chairman of the city court Paviel Karshunovich insisted that the court had legitimately dismissed the journalist's request to instigate civil proceedings.

On 21 January, the Leninski district court in Mahiliou dismissed the complaint of Uladzimir Laptsevich, a reporter of the BelaPAN news agency, against the actions of the officials of the Mahiliou regional council – chairman Anatol Isachanka and chief specialist Jauhien Nalhachou. Judge Lapatsina decided that the decision not to allow the journalist to attend a meeting of the Mahiliou regional council was legitimate. In court, Jauhien Nalhachou claimed that one had to file a special application to be included in the list of invitees. The journalist referred in court to the legislation, which allows not only the journalists but also regular citizens to attend the open sessions of the representative bodies. **On 5 March**, BelaPAN's correspondent Uladzimir Laptsevich received a reply to his inquiry from the Mahiliou regional council. Laptsevich asked to name the normative act, according to which the journalists had to submit an application for attendance of the open sessions of the regional council. He referred to the laws on mass media and on local governance and self-government, which do not allow the illegal restriction of the freedom of information and set transparency as the leading principle of the local government. Chairman of the regional council Anatol Isachanka wrote in his reply that the regional council organized its work on the basis of the regulations of the regional council, which provides that the size and personal composition of the invitees is to be determined by the chairman of the council.

On 25 June, Uladzimir Laptsevich received an answer from the Mahiliou regional council to his another letter to the chairman with the request to explain, which legal acts required the journalist, wishing to attend an open meeting of a session of the regional council, to request an authorization to do it. Chairman of the council Anatol Isachanka had to admit that “normative legal acts do not establish the form of the applications by a journalist for attendance of meetings of the session and the procedure of their consideration”. *For over a year, Laptsevich tried to get at the open meetings of the Mahiliou regional council but officials denied his requests citing his absence in the list of invitees as the reason. Earlier, the journalist was covering the events in the economic, social and other spheres of life in the Mahiliou region without any complaint from officials or members of the council.*

On 22 January in Minsk, reporters of the TV channel Belsat were prevented from filming an event commemorating the “Heavenly Hundred” of the Euromaidan, which was carried out by public activists near the monument to Taras Shevchenko. Already before the beginning of the event, plain-clothed persons approached the cameraman. They told him that, while Belsat lacked an accreditation, the cameraman could not film anything. After that, he was led away from the event's venue.

On 3 February, Halina Charnova, the head of the office for ideology work, culture and youth affairs of the Babrujsk district executive committee, refused to provide the needed

information to reporter of the newspaper Bobrujskij Kurier Maryna Malchanava. The journalist, while writing an article, phoned the official to inquire about the fate of the Ales Adamovich museum in Hlusha (the Babrujsk district). She got a refusal in response. At the journalist's remark that the officials had no right not to provide information to mass media, Halina Charnova replied: "Yes, I know it, but I will not provide any information to your periodical specifically. I do not want to talk to your media outlet".

On 5 February, reporters Aliaksandr Liauchuk and Milana Harytonava from Brest were not allowed to film on the territory of the Warburg colony, an endangered historical and cultural monument in Brest. According to Liauchuk, a security guard prevented them from entering the fenced territory citing the need to obtain an authorization from the company that owned the land, as well as the fact that they did not wear hard hats. At that, the security guard himself did not wear the hard hat. Subsequently, an unknown man came running to the fence, who behaved very aggressively: he was insulting the journalists and threatened to punch them in the face. As a result, the reporters continued shooting the video already outside of the fenced site.

On 13 February, freelance reporter Andrej Mialieshka was forced to leave the exhibition "Chocolate Museum", which was held in the Hrodno Museum of History and Archaeology. Aliaksandr Viarsotski, the deputy head of the chief directorate for the ideology work, culture and youth affairs of the Hrodna regional executive committee, said that a journalist had no right to interview people in the Hrodna cultural institutions until he obtained an accreditation and the appropriate document. The official was not satisfied with the BAJ press card. Viarsotski said that "he could whip up many such cards" and asked the reporter to leave the museum's premises.

In the evening of 26 February in the downtown Minsk, policemen detained for four hours Dzmitry Lasko, a reporter of the newspaper of Komsomolskaja Pravda v Belarusi, for an attempt to photograph the new illumination of the building of the Academy of Sciences. The policemen referred to a certain decision of the Minister of Internal Affairs of Belarus from 25 February 2015, which prohibited to photograph the administrative buildings. Later, Komsomolskaja Pravda v Belarusi found out that they had meant an "internal instruction" of Mikalaj Mielchanka, the deputy foreign minister and the chief of the public security police.

On 2 March, freelance reporter Dzmitry Lupach was prohibited from entering the building of the district executive committee in Hlybokaje, the Vitsiebsk region, with his Nikon camera in the bag. The police officer told him that it was forbidden to enter the building with "professional photo cameras" citing instructions of the building manager. Dzmitry Lupach decided to submit an official inquiry to the executive committee asking what specific photo cameras were considered to be "professional" there and what had caused such extraordinary precautions. **On 20 March**, the reporter received a reply saying that there were no official documents regulating the rules of access to the building of the district executive committee.

On 4 March, press photographer Uladzimir Hrydzin was detained by police in the courtroom of the Zavadski district court in Minsk because he was setting up his camera before the beginning of the trial. The reporter was taken to the Zavadski district police department where they checked his identification and the pictures in his camera.

On 4 March, Nastassia Lojka, a human rights activist and a member of the BAJ, received a reply to her complaint about the events that took place on 23 January, when journalists were not able to attend the trials of the participants in an event commemorating the heroes of the Maidan. The event took place on 22 January in Minsk, and on the next day, most of the detained participants were to be brought to trial. Instead, it became known in the middle of the day that the activists would be tried directly in a police precinct of the Tsentralny district, where no reporters or human rights activists were allowed. In particular, members of the BAJ Tatstsiana Ulasienka, Nastassia Reznikava, Aliaksiej Shein, Volha Hruzdilovich and Nastassia Lojka were not able to receive information about the trials and to attend them. In his reply, deputy chairman of the Minsk city court Uladzimir Hryharovich said that the administrative cases against the activists had been heard in open hearings and information about the hearings had allegedly been

displayed on the notice board in the police precinct.

On 25 March, it became known that the Ministry of Foreign Affairs denied to Andrej Mialieshka from Hrodna the accreditation as a reporter of the Belarusian Radio Racyja. Mialieshka submitted the application for accreditation in November 2014. In his letter of refusal, Dzmitry Mironchyk, the head of the information department of the foreign ministry, cited articles 10 and 15.4 of the Regulations on the procedure of accreditation of journalists of foreign mass media. According to the foreign ministry, the journalist had not submitted all the required document and had earlier worked for a foreign mass media without an accreditation.

On 30 April, freelance journalist and human rights activists Lieanid Svietsik said that he had not been allowed to visit penitentiary institutions of the Vitsiebsk region. He submitted over a dozen applications asking for a possibility to visit these institutions in order to write articles about the living conditions of the persons who were held there. All replies that Svietsik received had a similar content: “The coverage of activities of the correctional institutions in the penal system is being carried out by the institutional periodicals – the newspapers Na Strazhie and Trudovoj Put, which fully reflect the living conditions and the conditions of detention”.

On 9 May on the Victory square in Babrujsk, local ideology workers prevented press cameraman of Bobrujskij Kurier Viktar Masalovich to shoot the Victory Day celebrations. First, Mikalaj Baliuk, the head of the department for the ideology work, culture and youth affairs of the Babrujsk city executive committee, prevented Masalovich from going to the site where other press photographers and cameramen of Babrujsk-based media worked, saying “you have no press card”. When the journalist offered to show his card, Ihar Nietsiarovich, the head of the office for the work with public associations, religious organisations and youth of this department, put up a new claim – “you came too late”.

On 29 May, the non-governmental regional newspaper Intex-press reported that Andrej Siamashka, the head of the housing and utilities department of the Baranavichy city executive committee, answered their written inquiry with a mocking formal reply. Intex-Press’ reporter Tatstsiana Niekrashevich, who worked on a socially important topic of settlement of residents of the old barracks, sent several precisely formulated questions to the official, which the latter left without a pertinent answer. It is noteworthy that Andrej Siamashka had earlier already ignored written inquiries of Intex-Press and sent the answers to these inquiries to the state-owned district newspaper.

On 16 July, the non-governmental regional newspaper Intex-press learned that the management of the local company Baranavichy City Housing and Utilities failed to respond within the period established by law to a written journalistic inquiry that included 16 questions. They sent the requested information for publication to the competing periodical, the state-owned district newspaper Nash Kraj. The editorial board received a letter signed by acting general director Mikhail Mienchy, which informed them that Baranavichy City Housing and Utilities was sending them an issue of Nash Kraj where they could find the answers to all these questions.

On 21 August in Mahiliou, reporter Aliaksandr Burakou was forced to erase from his camera the pictures of the notice board with the communication about the presidential elections scheduled for 11 October. The notice board was located near the building of the administration of the Leninski district in Mahiliou. According to Aliaksandr Burakou, immediately after he took pictures, a female officer of the Protection Department of the Ministry of the Interior came out of the building and demanded to erase them. Aliaksandr Burakou asked her to name herself and to cite the law that banned taking pictures of the elections’ information boards. Police officer Ilona Mikhajlava was not able to cite the law but, nevertheless, insisted on erasing the pictures. Right after that, the journalist wrote a complaint against the actions of the police officer in the book of comments and proposals of the administration of the Leninski district in Mahiliou. **On 17 September**, Aliaksandr Burakou received a reply to his complaint. A. Nietsiarenka said that the assertions of the journalist that he had photographed only the notice board “had not been supported by objective evidence”. In his view, the actions of Ilona Mikhajlava were lawful and

justified and consistent with the approved instructions. However, the police official actually failed to answer the complaint in substance. He never explained which instruction or another document prohibited to take photographs of notice boards or administrative buildings and what warranted the erasure of photographs from the journalist's camera.

On 7 September in Homiel, freelance journalist Kanstantsin Zhukouski and Natallia Kryvashej were locked up in a dormitory; then, the police was called. The incident took place in the dormitory at 37 Uladzimirava Str., where the journalists came following the complaint of one of the female residents that the shower was not working in the building for a long time and the bathroom was not repaired. "Manager of the dormitory Nadzieja Kavaliouva phoned the communal enterprise Savietskaje where she received advice to lock us up and to call the police", told Kanstantsin Zhukouski. Officers Andrej Dziajanienka and Siarhiej Jankovich from the Savietski district police department came to the dormitory, questions the participants in the incident and freed them.

On 6 October in Brest, reporters Aliaksandr Liauchuk and Milana Kharytonava were prevented from performing their professional duties at the polling station of the Brest State Technical University. The journalists interviewed the students who came to the polling station to vote early. The students told the journalists that they were forced to participate in the early voting and a university official was monitoring the turnout at the polling station. The reporters found out that this official was Sviatlana Kuhan, the associate dean for educational work of the university who was accredited at the polling station as an observer from the public association Bielaja Rus. The associate dean impeded the recording of the interviews with the students who had to go back on their words. Sviatlana Kuhan refused to name herself to the reporters saying that she was a "lady from the street". Moreover, she promised to sue them for libel.

On 8 October, reporter of Intex-Press (Baranavichy) Makar Malinouski addressed an inquiry to Tamara Shukala, the chairperson of the Baranavichy city election commission about the number of voters who had voted early. Tamara Shukala said to the journalist that she had no such data. Later, it turned out that it was not true: the Brest regional commission provided this information and said that they had received all data from the city territorial commission. The newspaper's lawyers filed a complaint to the Central Election Commission (CEC).

On 9 October, reporter of the newspaper Novy Chas Artsiom Liava was photographing at the polling station No. 29 of the Leninski district in Minsk. Aliena Pazienka, the director of the school No. 134, where the polling station was located, said that the journalist was obstructing the electoral process. After that, the election commission drew up a report against him and removed him from the polling station. Artsiom Liava filed a complaint to the CEC. The complaint was forwarded to the district election commission, which found the actions of the members of the precinct election commission lawful. However, in accordance with Article 13 of the Electoral Code, representatives of mass media have the right to attend the meetings of the commissions and to be present at the polling stations.

On 9 October, reporter of the web site of the newspaper Bobrujskij Kurier Alieksandryna Hlaholieva was preparing a material from the polling station No. 20 of the Leninski district in Babrujsk. Initially, the chairman of the precinct commission denied her the right to be present at the polling station in her capacity of a representative of mass media. Finally, he registered her but strictly "regulated" the time of her presence at the polling station: take a picture and leave. The reporter had to leave the polling station. Alieksandryna Hlaholieva filed a complaint to the public prosecutor's office on this incident.

On 11 October, reporter of the newspaper Novy Chas Artsiom Liava was not allowed to enter the premises of the polling station No. 33 of the Leninski district in Minsk (chairman of the commission Dzmitry Ahulik). The journalist was not allowed to enter because of the report against him for a "violation of the rules of conduct at this station" drawn up a day earlier. "As a result, there were issues related to an uncomfortable carrying-out of the elections (he stops voters, asks questions)", the report said. "He refused to take a specific place at the station in

order not to create obstacles to voters”. The reporter spent the entire previous day at this polling stations without any criticism towards him. The journalist believed that the commission of the polling station No. 33 learned about his complaint against the commission at the polling station No. 29, and this was the reason not to let him enter the station. Artsiom Liava **filed a complaint** to the public prosecutor’s office.

On 11 October, a reporter of the Polish online publication Eastbook.eu attempted to film the process of the vote counting at the polling station No. 6 of the Piershamajski district in Minsk (85 Independence Ave). The members of the commission fenced themselves with chairs, behind which the observers, in their opinion, could not go. At a request to provide a possibility to observe the process, chairperson of the commission Natallia Kunouskaja said that it was her polling station and she dictated the rules there. When the journalist tried to film the counting process, one of the commission’s members said that she did not want to be filmed. The chairperson of the commission said that the reporter was “violating human rights” and forced her to move away from the table.

On 23 October, the independent newspaper **Nasha Niva** received a **negative answer of the Central Election Commission** to its written request to provide information. The newspaper asked the CEC to provide the final figures of all the protocols of the precinct commissions in the capital city. The reply signed by chairperson of the Central Election Commission said that the CEC had no protocols from the precincts: these documents remained in the Minsk city election commission, which terminated its work by that time. Prior to that, observers at the presidential elections reported the facts of rewriting protocols at many stations, when the figures, which were posted after the vote counting, did not correspond to those which were announced in the district territorial commission. Journalists of **Nasha Niva** wanted to check this information.

On 4 November, freelancer Aliaksandr Dzianisau from Hrodna was prohibited from filming the opening of the exhibition of French traveller and photographer Françoise Huguier in the Hrodna exhibition hall. Director of the Hall Iryna Silvanovich did not allow Dzianisau to enter the premises. Meanwhile, representatives of other mass media were able to attend the event. The probable explanation is that it was Iryna Silvanovich, together with her husband, artist painter Aliaksandr Silvanovich, who had to testify at the trial of Aliaksandr Dzianisau and Aliaksandr Kirkievich in August 2015. Then, the journalists were fined for having filmed a story about an exhibition, which was held in the same hall, for the TV channel Belsat.

On 11 November in Minsk, reporters Siarhiej Budkin and Jauhien Shapchyts were not allowed to shoot video in the club Re:Public. Director of the club Andrej Startsau ordered to remove the camcorder. The journalists were filming a story at the concert of the group Nizkiz for the TV channel Belsat. Siarhiej Budkin was accredited at the event in advance.

On 18 December, during the inauguration of the memorial sign to “KGB servicemen of the Mahiliou region”, freelance journalists, who were present at the event, were allowed to approach the building of the Mahiliou regional department of the KGB only after the official part was over. Plain-clothed people were insistently advising the journalists to avoid taking any pictures and monitored the compliance. Journalist Jauhien Hlushkou reported that he had been prohibited from shooting video and taking pictures on the grounds that he had not possess a document with the relevant editorial assignment. Freelancers had to observe the inauguration of the memorial sign from the other side of the street, and only journalists from government-run mass media were allowed to the site immediately in front of the memorial sign.

7. Other Forms of Pressure and Violation of Journalists’ Rights

Independent journalists faced pressure in the form of tax audits and “attention” on the part of the Committee for State Security.

On 23 February, editor of the Krychau small-circulation newspaper Volny Horad Siarhiey Niarouny reported that he had received a request from the tax inspection of the Ministry of Taxes and Levies for the Krychau district to file the declaration of income and assets for 2011 – 2014 no later than 24 February 2015. Siarhiey Niarouny believes that, using the tax inspection, the authorities wanted to put pressure on him as the editor of Volny Horad in order to change the critical position of the periodical towards the local “vertical” to a softer one. According to Siarhiey Niarouny, the last time the tax inspection tried to put pressure on him in this way was in 2011.

On 14 March, freelance journalist from Biarozauka Jury Dziashuk reported that the special services were paying increased attention to his interlocutors. For instance, the KGB summoned for a conversation a librarian of the Biarozauka town library because she had talked to Dziashuk. According to the reporter, all employees of the Lida museum were prohibited from talking to him.

On 28 May, Belarusian border guards detained freelance journalist Kanstantsin Zhukouski from Homiel at the border check point Novaja Huta when he was returning from Charnihau. First, they took the passports to check them and held the journalist and his companions for two hours without giving any reason. Then, the journalist and his companions were told that they were detained and they were ordered to switch their mobile phones off. They were subject to a personal search and their car was also searched. According to the border guards, they were looking for “anti-constitutional literature and storage media”. Zhukouski faced similar problems at the border when returning from Ukraine for the third time already in two months.

On 9 July, journalist Dzmitry Lupach from Hlybokaje reported that KGB agents had been encouraging him to collaborate so that he communicated to them details about local activists, his meetings with members of the BAJ as well as about opposition activities in the region. First, **on 25 June**, Lupach was summoned to the financial police where, as it turned out, he met local KGB officers and two unknown persons who said that they came from Minsk expressly for a meeting with him. They took interest in the reporter’s trips to Ukraine as well as in his contacts with foreigners. In June, Dzmitry met Poles who came to the region; later, the article titled “Relatives of the border guard who died near Hlybokaje on 17 September 1929 found” was published on the web site of Euroradio and the newspaper Volnaje Hlybokaje. **On 30 June**, an officer of the local KGB summoned Dzmitry Lupach to a meeting over the phone. During the conversation, he warned the reporter about the inadmissibility of cooperation with foreign mass media without an accreditation and discrediting the Republic of Belarus (Article 369-1 of the Criminal Code of the Republic of Belarus) – providing false information to a foreign country about the political, economic and social situation of citizens etc. “The KGB officer said that they had extensive evidence of my cooperation with foreign mass media without an accreditation but they would not release it if I agreed to help them. Moreover, the KGB officer said that if I refused, my wife and children would have problems”, said Dzmitry Lupach. **On 9 July**, the same KGB official phoned and again invited the journalist to meet. Dzmitry Lupach categorically refused the “cooperation” despite the threats and decided to make it public in order to warn his friends and colleagues who may also get into similar situations.

On 17 July, it became known about the dismissal of Siarhiey Hrudnitski, a journalist of the FM Radio Unistar. The reason for his dismissal was that he read news reports prepared by the non-governmental news agency BelaPAN on the air, as Hrudnitski wrote on his Facebook account. Programme director of the Radio Unistar Aliaksandr Nalivajka confirmed Hrudnitski’s dismissal with the wording “by agreement between the parties”. He denied the assertion that the news from BelaPAN became a reason for dismissal. According to him, the radio simply was going through organizational and personnel changes.

On 11 August, reporter Andrej Mialieshka from Hrodna filed a statement to the Kastychnitski district police department in Hrodna with the request to identify and bring to justice the persons who had been writing slanderous anonymous articles about journalists and public activists from Hrodna, including about himself, on a web site. The journalist perceived

slander against himself and his family in the site's materials. During recent years, the web site also published materials about other members of the BAJ – A. Dzianisau, A. Kirkievich, V. Parfionienka, U. Khilmanovich and V. Sazonau. **On 16 October**, it became known that the Kastrychnitski district police department in Hrodna **found no criminal offense** in the online article about Mialieshka. Police officers found out where the web site was hosted and who administered the group Vkontakte, which was “tied” to that web site. According to the reply from the police, these people were not involved in any way in the slanderous statements about Mialieshka and cannot be held liable. After that, the journalist filed a similar statement to the public prosecutor's office.

On 24 December, Andrej Mialieshka received a reply from the Kastrychnitski district police department about the results of the additional investigation by the public prosecutor's office upon his request. The prosecutor's office, similar to the police, found no grounds for instigating criminal proceedings. The reply said that the content of the articles formally had signs of slander (Article 188 of the Criminal Code of the Republic of Belarus) but they did not identified the purpose of the one who did it. Also, they did not identified the administrator of the web site. The hosting services were provided by a Russian company based in St. Petersburg.

On 3 November, there appeared reports about another attempt to put pressure on editor of the newspaper Nash Mahiliou Ihar Barysau. “After the police did not succeed in holding Ihar Barysau criminally and administratively liable, the tax inspection took interests in him”, reported the web site eurobelarus.info. The tax inspectors began questioning Barysau's acquaintances and friends as well as other citizens who dealt with the journalist. **On 28 October**, an unknown person who introduced himself as a foreman of the Kamunalnik Company, tried to get into Barysau's apartment under the guise of a “seasonal inspection of communications”. However, none of Barysau's neighbours was disturbed, and Kamunalnik was unable to provide a plan of the “seasonal inspection of communications”. Later, **on 13 November**, seven persons tried to get into Ihar Barysau's apartment – police officers Siamionau and Sierdziukou and five public utilities workers, out of which only one introduced himself as Buksanau, a foreman of Kamunalnik. The public utilities workers showed an order stating that the Barysau's family must provide them with access to the apartment for a “seasonal inspection” of housing. However, the document lacked stamps, it was signed by the foreman only, and the grounds for the inspection were not provided. The journalist's family refused to let the visitors in. The Barysaus filed the complaints to Kamunalnik and the Investigative Committee about the violation of their constitutional right on the inviolability of the home. According to Ihar Barysau, the public utilities workers accompanied by the police did not visit other residents of the apartment house to carry out the “seasonal inspection”. The journalist believed that they had put pressure on his family because of his journalistic and public activities.

8. Barriers to Printing or Distribution of Mass Media

As in previous years, the state monopoly companies – Belposhta and Belsajuzdruk – refused to distribute independent newspapers. The department of pricing policy of the Ministry of Economy found no violations of the antitrust legislation in the actions of Belposhta.

On 29 April, the editorial board of the non-governmental newspaper Hazieta Slonimskaja learned that Belposhta and Belsajuzdruk again refused to cooperate with it. Both monopolists, citing various reasons, wrote that they would not distribute this non-governmental periodical and its supplement, Otdushina. “Selecting printed periodicals for forming the catalogue for their further distribution through subscription is the right of Belposhta, which exercises it in accordance with the law”, said the reply signed by the company's first deputy general director, Aliena Skrypchyk.

On 15 May, it became known that Belposhta again refused to distribute the non-

governmental newspaper Intex-Press (Baranavichy) through subscription. In its application, the Publishing House Intex-Press, referring to the anti-monopoly legislation, argued that Belposhta was required to include the newspaper to the subscription catalogue. In its reply dated 7 May and signed by first deputy general director Aliena Skrypchyk, Belposhta informed that it was included in the register of monopolists under the item “services for underwriting subscription, delivery and forwarding printed mass media outlets”, while the service of inclusion of printed mass media outlets into the subscription catalogue was not the service that was provided on the basis of a public agreement, and was not included in the aforementioned list of services.

On 26 June, the Publishing House Intex-Press received another negative reply of Belsajuzdruk to its request for distribution of the newspaper Intex-Press through the state system of selling. The letter signed by the company’s deputy director, Mikalaj Marejka, said that there was no possibility to draft a distribution agreement. *Reminder: the non-governmental socio-political newspaper Intex-press has been published in Baranavichy since 1994. In 2006, the periodical was excluded from the state distribution systems.*

On 27 July, it became known that the department of pricing policy of the Ministry of Economy found no violations of the antitrust legislation in the actions of Belposhta, which refuses to conclude an agreement with the independent periodical Intex-press. The Publishing House Intex-Press filed a complaint to the department about the violation of the antitrust legislation by Belposhta, which has been abusing its dominant position. In his reply, director of the department Ihar Famin confirmed that Belposhta was included in the state register of economic entities, which occupied a dominant position in commodity markets under the item “special postal service; services for underwriting subscription, delivery and forwarding printed mass media outlets”. However, he provided an absurd explanation that the “inclusion in the subscription catalogue does not classify as special postal services and services for underwriting subscription, delivery and forwarding printed mass media outlets”.

Recently, the editorial board of the non-governmental newspaper Hazieta Slonimskaja received a similar reply from the Ministry of Economy.

On 31 August, the newspaper Novy Chas submitted yet another request to Belsajuzdruk to conclude an agreement for the distribution of the newspaper through the selling network of this enterprise but received another refusal as a reply. The management of Belsajuzdruk informed the newspaper that it did not have a possibility of distributing Novy Chas through its network and promised to consider this issue again at the end of the year.

On 23 September, it became known that the non-governmental regional newspaper Borisovskije Novosti was again denied distribution through the systems of Belposhta and Minabsajuzdruk. The editorial board of the periodical sent applications to director of Minabsajuzdruk S. Jesin and general director of Belposhta I. Saksonava. The newspaper asked for the conclusion of the agreements on the distribution through the retail network as well as on the provision of services for subscription and delivery of a printed mass media outlet. The state monopoly companies refused to conclude the agreements with the periodical citing Article 391 of the Civil Code, which gives freedom in the conclusion of agreements to businesses and individuals.

9. Economic Policy for Mass Media

The government maintained the policy of ‘economic discrimination’ of independent mass media by funding government-owned mass media outlets from the budget and compelling officials to subscribe to them.

On 16 November, Euroradio obtained a document signed by first deputy chairman of the administration of the Leninski district in Minsk Valiery Varanitski, where the latter asked

managers of the organisations to subscribe to several government-run newspapers for the first half of 2016 “in order to ensure provision of truthful information to the citizens about the socio-economic development of the Republic of Belarus”. The list of suggested periodicals included the newspapers *Sovietskaja Bieloruskaja*, *Minskij Kurier*, *Respublika*, *Narodnaja Hazieta*, *Zviazda* and *Viechiernij Minsk*. The recipients were requested to submit copies of the payment order (receipt), which confirmed the subscription, to the administration “for the analysis of the results of the subscription campaign”.

On 19 November, the government of Belarus by its ordinance No. 966 identified the list of the state-owned newspapers and magazines, which will receive funding from the republican budget in 2016. The published list included 26 periodicals: *Sovietskaja Bieloruskaja*, *Respublika*, *Znamia Junosti*, *Sportivnaja Panorama*, *The Minsk Times* (a supplement to *Holas Radzimy*), *Aliesia*, *Bielaruski Histarychny Chasopis*, *Bielarus*, *Bieloruskaja Niva*, *Biarozka*, *Vmiestie!*, *Vozhyk*, *Viasiolka*, *Zhurnal Spetsialnogo Naznachienija*, *Zviazda* etc. The amount of assistance to each of these media outlets was not specified.

On 26 November, facts of coercion of employees of government-owned companies in Mahiliou to subscribe to state-run printed periodicals became known. As a proof, there was a publication of a copy of a printed application form of an employee of *Mogilevliftmash* to the company’s accounting department: the applicant requested to withhold from his salary for November BYR 212,600 for the subscription to the newspaper *Viestnik Mogileva* (its founder is the Mahiliou city executive committee) for the first half of 2016. According to human rights activists, a survey demonstrated that the same was happening in other companies as well, in particular, in the Mahiliou Automobile Plant named after Kirov, *Transmash* and others. Besides *Viestnik Mogileva*, people were requested to subscribe to *Mogilevskaja Pravda*, *Dnieprovskaja Nedielia* and *Mahiliouskija Viedamasti*.

On 13 December, facts of coercive subscription in *Krichevcementoshifer JSC* became known. Employees of the company passed the relevant document to the independent newspaper *Volny Horad*. The company’s management ordered the heads of department to “organize the subscription to the monitored periodicals for the first half of 2016 before 10 December 2016: 7 copies of *Znamia Junosti*, 2 copies of *Zviazda*, 37 copies of *Sovietskaja Bieloruskaja*, 2 copies of *Respublika*, 2 copies of *Narodnaja Gazieta*, 8 copies of *Mahiliouskija Viedamasti* and 75 copies of the district newspaper *Krychauskaje Zhytstsio*”. The order was signed by Zhanna Kustrej, the deputy general director of *Krichevcementoshifer JSC*.

On 30 December, the Law on the republican budget for 2016 provided for the allocation of BYR 900,120,843,000 (about 45,000,000 Euro) for financing of the government-owned mass media. This amount included BYR 734,815,075,000 (about 36,600,000 Euro) for the television and radio, BYR 69,154,793,000 (about 3,500,000 Euro) for the printed periodicals and publishing houses, and BYR 96,150,975,000 (about 4,700,000 Euro) for “other issues related to mass media”. The funding was allocated on the non-competitive basis in accordance with the lists of mass media approved by the government.

10. Restrictions on the Free Use of the Web

In 2015, the Ministry of Information began initiating the restriction of access to online resources in accordance with the amendments made to the Law on mass media in 2014, which came into effect. During the year, 40 online resources were blocked (the Ministry of Information also mentioned 41 blocked web sites). Of these, according to official data, 18 information resources were blocked for dissemination of information related to selling narcotic drugs; 2 for using obscene language; 5 for improper advertising of medicinal products; 1 for the propaganda of child pornography; 1 for dissemination of information that may harm national interests; 2 for advertising alcoholic beverages; and 11 for dissemination of extremist materials. The access to 5

resources has been restored.

Additionally, independent news web sites were targeted by DDoS-attacks and hacking attempts.

On 22 January, the Ministry of Information announced the restriction of access to two information resources, which “used vulgar and taboo language and were able to harm national interests of the Republic of Belarus”. The officials refused to disclose the names of the web sites. On the same day, journalists found out that it concerned the so-called “junk web sites” with the mirror domain names yahooeu.by and yah.by, which were not full-fledged information resources.

On 29 January, the BAJ received replies from the Department for the solution of high-technology crimes of the Ministry of Internal Affairs (Department “K”) and the Operational and Analytical Centre under the President of the Republic of Belarus (OAC) to its letter about the blocking of several web sites. First deputy head of the OAC Uladzimir Rabavolau said that “the OAC did not restricted access to the online resources named in the letter”. The Department “K”, in its turn, reported that it had investigated the facts provided in the letter. “According to Beltelecom, no restrictions have been introduced on the access to the named resources in the data transfer network of Beltelecom”, wrote deputy head of the department N. Lysienka. *Earlier, on 22 December 2014, the BAJ sent the official letters to the Public Prosecutor’s Office of the Republic of Belarus, the Department “K” and the OAC under the President. The association urged these agencies to conduct an inquiry into the illegal blocking of several web sites (belapan.com, belapan.by, naviny.by, belaruspartisan.org, udf.by, 21.by, gazetaby.com, zautra.by, charter97.org.), to identify the persons guilty of violating the law and to hold them liable in accordance with the law.*

On 11 February, the Ministry of Communications and Information System Development said in its official reply to a letter of the BAJ that it had not taken any measures to restrict access to independent online publications (belapan.com, belapan.by, naviny.by, belaruspartisan.org, udf.by, 21.by, gazetaby.com, zautra.by, charter97.org.) at the end of December 2014. First deputy minister for communications and information system development Dzmitry Shadzko pointed out that the procedure of restricting user access to certain online resource was set by the special Regulations approved by a joint ordinance of the OAC and the Ministry. In accordance with these Regulations, the list of restricted access is compiled by BelGIE (the Belarusian state enterprise for monitoring the telecommunications). Thus, none of the government agencies assumed responsibility for the blocking of several independent web sites in the period from 19 to 22 December 2014.

On 17 March, the Ministry of Information announced that it had restricted access to five information resources starting from 13 March. This decision was taken to implement provisions of the Decree No. 6 of the President of the Republic of Belarus on urgent measures to combat drug trafficking adopted on 28 December 2014. The names of the blocked web sites were not communicated.

On 15 May, a number of web sites reported that they had received official letters signed by Minister Liliya Ananich about “violations of the mass media legislation”, which were identified on these resources. The letters requested to provide information about the owners of these resources and emphasized that the Ministry of Information could block the resource if its owner received two or more warnings, if it failed to remedy the violations or if it disseminated the information prohibited by the law (Article 51 para 1 of the Law on mass media). In particular, such letters were received by the following web sites: freeregion.info (Free Region), racyja.com (Belarusian Radio Racyja), tuzin.fm (musical portal Tuzin Hitou), ucpcb.org (web site of followers of the United Civic Party) and the online magazine kyky.org.

On 15 June, the Ministry of Information restricted access to the web site kyky.org citing Article 38 of the Law on mass media – the publication of information, the dissemination of which may harm national interests of the Republic of Belarus. “A number of articles published

by this information resource contain derogatory remarks about the state holiday of the Republic of Belarus – the Victory Day, as well as the country’s citizens who celebrate it; they contest the importance of this event in the history of the country, thereby distorting historical truth about the Great Patriotic War. Also, materials published on the web site kyky.org contain taboo language, as well as disparaging and sometimes insulting remarks towards representatives of certain social and ethnic groups and religious confessions”, said the ministry. **On 22 June**, representatives of the editorial board of the blocked web site kyky.org, at the initiative of the ministry, met first deputy minister of information Ihar Lutski and the ministry’s lawyer, who recommended to the editorial board to pay more attention to the vocabulary used on the web site. **On 23 June** – the sixth day of the blocking – the restriction on the access to the web site was lifted after the removal of the controversial publications.

On 13 July, it became known that the police was looking for the owner of the web site freeregion.info in Navapolatsk, as well as for the evidence that it was public activist Vadzim Drazdou, who lives abroad for several years already. **On 18 June**, police lieutenant Rafalovich questioned Drazdou’s neighbours. **On 1 July**, the Navapolatsk town police department summoned his mother. The police expressed interest in Vadzim’s whereabouts, his visits to Belarus, etc. According to freeregion.info, inquiries were sent to some providers as well as to the mobile operator Velcom in order to learn the name of the owner of the phone number used for feedback and published on the web site. Prior to that, **on 12 May**, the editorial board received a letter from the Ministry of Information with the requirement to communicate information about the legal or natural person – owner of the web site, as well as the address of the owner. The letter signed by Minister Liliya Ananich spoke about “violations of the mass media legislation” identified on the web site as well as about the possibility of issuing a written warning to the owner or blocking the resource.

On 21 August, the Ministry of Information announced that **on 19 August**, on the basis of a ruling of the Tsentralny district court in Minsk, it had taken the decision to restrict access to two online resources as some materials published by them contained “signs of extremism in terms of incitement to racial, social and religious hatred”. The ministry did not name those resources.

On 23 September, hackers attempted to hack the web site of the campaign for monitoring the presidential elections Right to Choose 2015. This fact was reported by Dzianis Sadouski, one of the coordinators of the campaign. A DDoS-attack was launched at about 13 o’clock. It was not possible to identify the country of origin of the attack. Two hours later, someone attempted to crack the password for the web site. The coordinators of the Right to Choose 2015 campaign associate the attempt of the DDoS-attack at their web site with the desire to hamper the independent observation of the election campaign and its information coverage.

On 3 October, approximately at noon, massive DDoS-attacks were launched against the web sites of the non-governmental news agency BelaPAN. As a result, the web sites naviny.by and belapan.by became unavailable to the users; since **5 October**, they resumed their functioning but with interruptions. **On 5 October**, the BelaPAN news agency made a statement regarding the DDoS-attacks, where they were linked to the publication of a series of articles about the religious and political event “Prayer for Belarus” in the online newspaper Naviny.by. The article criticized the methods of organizing these events and quoted students who had come to the event with the participation of the head of state “under a quota”. **On 5 October**, the BAJ also released a statement regarding the attack on the web sites of BelaPAN considering it to be an “attempt to punish Belapan.com and Naviny.by for carrying out their professional duties” and a “gross interference in the work of independent media” during the election campaign. The journalistic association urged to stop any attacks on the independent mass media in order to ensure the constitutional right of citizens to receive information from different sources.

On 12 October, in the night after the elections, independent news sites nn.by, charter97.org, belaruspartisan.org, naviny.by, euroradio.fm were unavailable from 1.20 to 1.35. At 1.35 the access was restored.