

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting – April 16 - 22, 2012

One of the significant features of the reporting period was the initiative started by freelance journalists aimed at building up relations with law enforcement agencies. In the meanwhile the court continues hearing cases of some BAJ members and other citizens, involved in journalistic activities. A new fact of compulsory subscription was registered.

On April 17, a group of **freelance journalists**, BAJ members **visited three police departments** (Maskouski, Central and Soviet police departments) in Minsk. They prepared a special address and a leaflet **to remind the police about journalists' rights**, guaranteed by the Constitution and the "Law on Mass Media" – hoping that, through meetings in person, it will be easier to reach mutual understanding and remove obstacles to reporting, created by law enforcement agencies.

Only the head of the Central police department **Arthur Shakhlay** was open for discussion: he listened to the journalists and accepted their papers.

The head of the Soviet police department was "at the meeting at the executive committee", and the police of the Maskouski department literally forced the journalists out: the deputy head **Mikalay Rutski** claimed that he had neither time nor desire for such talks – and asked the duty policemen to usher the visitors to the door. Remarkably, all the visits took place during the reception time when the administration must receive visitors.

On April 17 the district court of Rahachou (judge Iryna Malashkevich) considered the case of the civil activist **Dzianis Dashkevich** who was **accused of violating author's and patent right** (Art. 9.21 of the Administrative Code). The plaintiff **Andrey Shyshkin**, Editor-in-chief of the official local newspaper "Svabodnaye slova" (Free word) claimed that the website **vrogacheve.ru** copied materials from the newspaper. Dashkevich dismissed the claims and explained that he was neither administrator nor founder of the mentioned website. The plaintiff – these were Shyshkin and the local inspector, police lieutenant **Aleh Lukashevich** who made up the administrative protocol and represented the local police department - failed to provide evidence either. The court was adjourned till April 25 for a consultation in the Supreme Court.

On April 18 Minsk City Court (judge Ludmila Shapashnikava) **dismissed the appeal of Aliaksandr Yarashevich**: the journalist for Radio Racyia was finally claimed guilty of hooliganism, despite the incomplete prosecutor's check of the fact of his detention.

*We remind that Aliaksandr Yarashevich was **detained** on March 24, 2012 **at the concert “Food Not Bombs”** where he was on a job assignment. He was accused of using obscene language. The journalist spent two days in the detention center, and then the judge of the Central district court of Minsk Valiantsina Svistunova fined him 3 base amounts.*

The Investigating Committee of Belarus and Minsk prosecutor's office are doing investigation into the fact of arbitrary detention of more than 100 people at the concert “Food not bombs”.

On April 18 it became known that the Pershamayski district court of Minsk (judge Volha Bahomya) **imposed a penalty fee** of 140 million rubles on **Ales Bialiatski** – for **untimely payment of the fine**. It is worth saying that the fine was indexed due to inflation in January, and the whole sum of the fine almost doubled. The claimant - the tax inspection of the Pershamayski district – was represented by Sobaleva, Todryk and Kartashova. Colleagues, the lawyer and the family of Ales Bialiatski knew nothing about the court hearing which took place on March 29. Ales Bialiatski sent the court decision to his wife Natallis by post. The human rights center “Viasna” considers the decision political - to create formal conditions obstructing any possibility to release Ales Bialiatski, and also as an element of persecution of the prisoner and his colleagues.

On April 18 Vitsebsk region court (judge Sviatlana Ivanova) **dismissed the appeals** of members of BAJ **Aliaksandr Atroshchankau** and **Valery Shchukin**, saying they were guilty of hooliganism. Independent journalists were not allowed to enter the court room, on the pretext that there were no empty places. The court room was full of policemen and people in plain clothes.

We remind that on March 28 Atroshchankau together with other politicians was taken off the train “Minsk – Moscow” in Orsha. Later the judge of Orsha court Natallia Baytsova fined him 350 thousand rubles for using obscene language in public (Art. 17/1 of the Administrative Code).

Valery Shchukin was fined 1 mln 190 thousand rubles for minor hooliganism and disobedience to police during the court hearing on the politicians. Mr Shchukin blocked the door to the court hall to show his protest against the closed nature of the trial. He was lying on the floor in the doorway and ignored the police's demand to clear the way. The judge in his process was Tatsiana Rybakova.

As reported **on April 19**, the main justice department of **Minsk City Executive Committee** sent a **letter** to the capital **licensed lawyers** suggesting that they should **subscribe to “Yuridicheskaya Gazeta”** (Legal Newspaper) for the 2nd semester in 2012. The receipt confirming the subscription must be submitted to the General Department of Justice of Minsk City Executive Committee by May 10, 2012.

“Although the author of the letter a kind of “recommends” subscribing to the newspaper, the confirmation of subscription “must be submitted”, remarks one of the addressees.

Note: the “Licensed lawyers” are considered self-employed businessmen and commercial enterprises that have a license to provide legal services for business entities. The license is issued by the Ministry of Justice, but the statistical reports are submitted to Minsk City Executive Committee which keeps record of the lawyers.

On April 19 the **Nobel Committee admitted the nomination** of “Viasna” leader **Ales Bialiatski** for the 2012 Peace Prize. The application for registration was signed by a number of Polish and other European MPs and submitted at the end of January.

We remind that Ales Bialiatski, Vice President of FIDH and the President of the Human Rights Centre “Viasna”, in Belarus, was arrested on August 4, 2011, and sentenced to 4 years and a half imprisonment under fabricated charges of “large scale tax evasion” in November 2011, following a blatantly unfair trial which clearly showed the politically-motivated character of the prosecution. The money on foreign bank accounts was aimed for human rights activities.

On April 20 a **distributor** of the non-state newspaper “**Nash Dom**” **Sirhey Soupel** was **detained** by police in Vitsebsk. He was taken to the Pershamayski district police department and kept there for more than three hours. A protocol was made up against him for “unlawful distribution of printed press in the territory of Belarus” (Art. 29.9/2 of the Administrative Code).

We remind that at the end of February another volunteer of the campaign “Nash Dom” Hanna Hadleuskaya was also detained by Vitsebsk policemen.