

## THE BELARUSIAN ASSOCIATION OF JOURNALISTS

### Mass Media Week in Belarus

December 22, 2014 – January 4, 2015

**On December 22, BAJ appealed to the Prosecutor General, the department on cyber-crimes of the Ministry of Home Affairs and the Operative Analytical Center under auspices of the President, asking to investigate massive blocking of several websites in Belarus, to find those guilty and hold them accountable, and to restore access to the websites affected. BAJ underlined that the blocking violated citizens' rights and lawful interests guaranteed by the Constitution of Belarus, the Criminal and Administrative Codes of Belarus.**

**On December 23,** the independent informational agency **BelaPAN** disseminated the **statement** regarding the continuous **blocking** of the company's IP addresses – *belapan.by*, *belapan.com*, and *naviny.by*. The company demanded that the state bodies investigated the facts of unlawful blocking and published the results of the investigation.

*We remind that on November 20, access to BelaPAN had been blocked, for both Belarusian and foreign users. BelaPAN was able to restore access by changing IP addresses on December 21, but at around 2pm the same day the new addresses were blocked, too. "It is unknown yet who took the decision on blocking and who performed it. The hosting company and the state monopolist Beltelecom claimed they did not have information about it. Attempts to get answers with the Ministry of Information were useless," says the statement. The websites resumed work later in spite of the blocking.*

As became known **on December 23,** 26 state-run newspapers and magazines would get **budget support** in 2015. The respective ruling of the Government No 1208, dated December 20, enlists the newspapers for the support: newspapers Respublika, Sovetskaya Belorussia, Zorka, Belorusskaya Niva, Sportivnaya panorama, Zvyazda, etc. The sum of the finances was not mentioned.

And, according to the state budget for 2015, the whole sum of state support to mass media amounts to 804.2 billion rubles. From them, 653.74 billion rubles are allocated to TV and radio broadcasting; 70.2 billion rubles are allocated to print papers and publishing.

**On December 24,** the Center for Legal Transformations (**Lawtrend**) announced the results of **monitoring of websites of state bodies**. According to the results, websites of local authorities did not comply with the requirements of the Law on Petitioning of Physical and Legal Persons. The research looked into contents of 135 websites (7 of the regional executive committees and the Minsk City Executive Committee, 128 district and city executive committees).

The latest amendments to the law required compulsory consideration of petitions submitted with the help of electronic instruments. However, new amendments are being planned to make consideration of petitions filed through e-mail optional; the only compulsory form for considering petitions will be electronic petitions submitted through a special contact form on every website. Also, the amendments plan to impose on petitioners a compensational duty, in case they petition abusively. However, according to the research by Lawtrend, not even every website provides the required contact form.

**On December 24** the private printing house Plutos Market refused to print the latest issue of the non-state newspaper ***Svobodnye Novosti Plus* (SN+)**, without explaining the reasons.

The deputy head of the printing house Ihar Vishneuski said the trouble was about broken equipment. He explained that the equipment had not been repaired yet to print the newspaper of such a big circulation (over 30 000 copies). He did not say whether the printing house would publish the next issue. The editorial office had to urgently look for another printer. On January 6, the editor Vasil Zdaniuk signed a contract for publishing the newspaper with the state monopolist *Belaruski Dom*

*Druku.*

**On December 24, the Vitebsk regional court upheld sentences** to the seven people in the **photo** made for November 5 near famous graffiti in **Vitebsk**.

We remind that the photo was taken by regional activists before **November 5** and published on a Facebook page of the city and several websites. The photo was mentioned within the *Stand Up For Journalism campaign* (the EFJ campaign is held yearly and BAJ also joins it, adopting the campaign to the local context).

Quite unexpectedly, the journalists were accused of violating the procedure of holding **mass events** (article 23.34 of the Law on Mass Events of Belarus).

(Note: according to the legally established procedure, they should have applied to the local authorities at least two weeks before, asking a permit to stage the mass event; the authorities can refuse if the organizer fails to settle security issues, these are to arrange an agreement with an ambulance, firefighters and guardians to be on duty for emergencies – this is a typical procedure for organizing mass events and typical reasons for refusing permits to hold a mass event).

The court sentenced six people (**Alena Stsiapnava, Alena Shabunia, Zmitser Kazakevich, Kastus Mardzvintsau, Pavel Levinau**, and the activist **Tatsiana Seviarynets**) to fines from 2.7 to near 3.7 million rubles (around \$250 – \$330); one person (a passer-by **Piotr Berlinau**) was held preventively in pre-trial detention (so that he would not get lost, because he did not have a permanent registration), so the judge found it just to punish him with the three days arrest he had already served.

The appeal was heard simultaneously by several judges. The logic is unclear, but the journalists were split in couples, Pavel Levinau's appeal was heard separately. Judges **Iryna Smaliakova, Sviatlana Ivanova** and **Edvard Martirasian** were unanimous in upholding the decision of the court of lower instance.

BAJ as well as the European Federation of Journalists protested against the sanctions with open [statements](#). Our colleagues from the EFJ staged a photo session in a similar manner with the question "Is this a crime?"

**On December 24, journalist Ales Liauchuk from Brest was fined** for a large sum for contributing to **Belsat without accreditation** (administrative article 22.9); meantime, the journalist claims the court decision was poorly grounded, mostly on allegations from the KGB.

Ales Liauchuk presented his press credentials of *BelaPAN* non-staff correspondent. The judge did not take the documents into account. The journalist said the case materials clearly stated that the KGB had established the fact of his cooperation with Belsat, but it was not anyhow proved. The journalist said the decision had been written beforehand. "When I saw it was a circus and nobody was going to consider my case, I refused to testify and answer questions," he said. The judge fined him for 6 million rubles (which is around \$500). He is going to appeal to the Brest regional court. This was the 14<sup>th</sup> case under article 22.9, part 2 of the Administrative Code in 2014.

**On December 30, the independent journalist from Hrodna Aliaksandr Burakou** received a reply from the police saying they were unable to establish the persons who had published a **libelous article** about him on the **website voskresinfo.com**. The police replied it was not within their competences to search for the persons responsible.

*We remind that the mentioned website proliferated articles that can be deemed libelous against political and civil activists of Mahilow (it touched at least 20 people), especially in the wake of electoral campaigns.*

A month before the civil activist Anton Kastsou and journalists Ihar Barysau and Aliaksandr Burakou filed applications to the police asking to identify writers of the website and to block the website. All of them received replies that the police acknowledged that the materials were libelous, but were unable to do anything with it. In the reply to Barysau the police said the website was registered in Ukraine, and in the reply to Kastsou they said the website was registered in Russia. They

recommended to defend honor and dignity in courts of the countries they mentioned.