

# E-NEWSLETTER: MASS MEDIA IN BELARUS

*No.1 (January – March 2007)*



*Territory of independent press in Belarus'*



*Belarusian Association of Journalists*

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“...when in concerns freedom of speech, the authorities demonstrate roughness and consistence. Recent examples include the instruction that the Internet café owners should register the domain names of the web-sites visited by their clients or a classified government instruction regulating the use of economic information. There wouldn't be such pressure on independent media if the state officials would feel the threat to their efforts to provide the public exclusively with the official information. From my point of view, non-state media still remain the civil society institute that controls executive authorities.”

**Zhanna Litvina, Chairperson, BAJ**  
<http://gazetaby.com> , March 23, 2007

Cover Photo: Territory of independent press in Belarus'. © Yuliya Darashkevich

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## **1. Statistics**

1,209 printed periodical editions (698 newspapers, 477 magazines, 30 bulletins, 3 catalogues and 1 almanac) and 9 news agencies were officially registered in the Republic of Belarus on April 1, 2007. The list includes 388 state-owned editions (217 newspapers and 157 magazines) and 821 printed periodicals (481 newspapers and 320 magazines). However, the overwhelming majority of non-state media are either totally entertaining or advertising editions or periodicals that appear once or twice a year in order to retain their official registration certificates.

According to calculations of Belarusian Association of Journalists, only around 30 social and political non-state media with the print-run exceeding 1,000 copies exist in the country. Since the time of the Presidential election-2001 in Belarus, the number of such periodicals has diminished twice. Some areas (e.g., Homiel region) have been cleared of the independent press at all.

At the end of the first quarter 2007, the number of officially registered printed media in Belarus decreased to a certain extent. (There were 1,224 printed periodical editions in Belarus on January 1, 2007.) It happened, owing to the diminishment of newspapers (from 718 to 698 periodicals).

The majority of printed media, registered in Belarus, are published in Russian (469 editions). The Belarusian and other languages are used by 284 editions. 80 printed periodicals are published in Belarusian. The number of Belarusian printed media, published in other languages (Polish, Ukrainian, English) is very small (9 editions).

24 new printed periodical editions were registered and 17 periodicals got re-registered during the first quarter of 2007. (The Ministry of Information of Belarus deals with the official registration of media as well as with the cancellation of corresponding registration certificates in the country.) 37 registration certificates were cancelled during the first quarter of 2007 (mainly for the reason of non-appearance for more than a year's term). All in all, 424 printed periodical editions have been re-registered since 1996. At the same time, 1,173 media registration certificates have been cancelled since then.

The “Sovietskaya Byelorussia” newspaper, founded by the Presidential Administration, has the largest circulation in Belarus. It amounted to around 450,000 copies at the beginning of 2007. Circulations of other nation-wide state newspapers are much smaller – around 30,000 copies. One-time print-run of all state-owned local media in the country (136 regional, city, district and inter-district newspapers) totaled 868.3 thousand copies at the beginning of 2007.



Circulations of non-state periodicals are considerably smaller, though, in should be admitted that in some areas independent media have larger print-runs in comparison with the local state-owned editions).

Total print-run of all non-state social and political press is less than the print-run of “Sovietskaya Byelorussia” only. (It should be also taken into consideration that most independent newspapers appear once a week, while “Sovietskaya Byelorussia” is published five times a week. It is only “Komsomolskaya Pravda in Belarus” that can compete with “Sovietskaya Byelorussia”. Its daily circulation totals around 50,000 copies and it appears in 350,000 copies on Fridays. However, “Komsomolskaya Pravda in Belarus” is a trans-border media outlet, founded by the Russian capital and majoring in entertaining articles.

The imbalance of circulations of state and non-state press is caused by the legal and economic discrimination of non-state media in Belarus. At the same time, the state-owned media receive constant administrative support and various preferences from the state. Moreover, they are funded from the state budget and the amount of funding is growing from year to year. Around 64 million USD have been allocated to meet the objective. More than 47 million from this sum is aimed at funding the state TV and Radio broadcasting.

Situation in the TV and radio broadcasting field differs significantly from the situation with the printed media. 210 TV and radio broadcasting companies had the official registration on April 1, 2007, including 155 radio

broadcasters and 55 TV broadcasters. The majority of officially registered TV and radio broadcasting media (157) belong to the state. The number of non-state broadcasting media outlets totals 53.

The quantity and the structure of registered radio and TV media outlets have been remaining nearly the same for a long period of time. Only 1 TV broadcaster and 1 radio broadcaster have been registered since the beginning of 2007. All TV and radio companies in Belarus work on the base of a license, issued by the Ministry of Information. Consequently, they are straightforwardly controlled by the state authority.

The National State TV and Radio Company obtains the leading position in the national TV and Radio broadcasting market nowadays. It works as a broadcasting organization and a state management institution at a time. The National State TV and Radio Company includes the First Channel, the “Lad” channel, the “Belarus-TV” satellite channel, the First National Channel of Belarusian Radio, the “Culture” radio channel, the “Belarus” radio channel, broadcasting abroad, the “Stalitsa” radio channel, the “Radius-FM” radio channel and five regional TV and radio companies.

99.49% of Belarusian people can receive the First TV Channel. 97.35% of Belarusian population can watch two TV programs. 80.58% of Belarusians can receive three TV channels and 58.96% of Belarusians can watch four TV channels and more.

## **2. Situation Development in Belarusian Media Field (January – March 2007)**

The problem of distribution remained to be the most urgent challenge that independent media outlets faced in the first quarter of 2007. The state monopolist enterprises “Belposhta” and “Belsayuzdruk” refused to distribute more than 30 non-state social and political periodical editions by subscription and through a network of news stalls.

A dramatic situation with the “Vitsebskiy Kuryer M” newspaper has been in the center of attention of Belarusian independent media community since January 2007. Apart from severe problems with distribution (the newspaper has been expelled from the “Belposhta” subscription catalogue and it is not sold at the “Belsayuzdruk” news-stalls), the periodical edition faced problems, connected with retaining the location of its editorial office in Vitsiebsk and ensuring its printing in Belarus.



On *January 10, 2007*, the Economic Court of Vitsiebsk region met a claim, submitted by the “Elsan” enterprise that demised premises for the “Vitsiebskiy Kuryer M” editorial office. Consequently, the rental agreement was declared invalid. (The newspaper editorial had come across similar situations, when it had to change its office on the landlords’ requests twice in the year of 2006.) Just in a week afterwards, on *January 17, 2007*, the Ministry of Information sent a letter, signed by a Deputy Minister L. Ananich to “Vitsiebskiy Kuryer M”. The state official urged the newspaper editorial to inform her about its new legal address within two months. Otherwise, she promised to suspend the newspaper from publishing.



The Board of Appeals at the Economic Court of Vitsiebsk region, dismissed an appeal, submitted by the “Vitsiebskiy Kuryer M” editorial against the court verdict on *February 12, 2007*. As a result, the court decision came into power. The editorial team was obliged to leave the editorial premises within 10 days. However, it filed another appeal to the Supreme Economic Court of Belarus that suspended implementation of all previous court verdicts and returned the case for a new consideration on *March 26, 2007*. However, the

newspaper editorial faced another serious problem four days before the positive court decision.

The “Vitsiebsk Regional Printing House” state enterprise refused to continue a contract for printing services with “Vitsiebskiy Kuryer M” on *March 22, 2007*. The news arrived, when a fresh newspaper issue had been laid out and prepared for publishing. Consequently, the editorial had to re-compose the newspaper make up from format A2 to format A4 and made use of ordinary printers in order to get a fresh newspaper issue. The editorial was planning to continue the newspaper printing in Smolensk (Russia), where such Belarusian independent newspapers as “Tovarisch” and “Narodnaya Vola” we made to go. However, finally, the editorial managed to sign a contract with Vitsiebsk Regional Printing House till May 2007.

Independent journalists from Homiel came across some other problems within the first quarter of 2007. No independent periodicals can be found in this regional center. Therefore, the journalists contribute to media outlets in Minsk or/and abroad.

A lady journalist Yulia Salnikava received an official warning from the Public Prosecutor’s Office in Homiel region on *February 5, 2007*. The state officials notified the young media professional that she couldn’t work as a foreign correspondent without an official accreditation. Moreover, the journalist was warned about her responsibility “for contributing biased information to foreign media”.

On *March 17*, the Public Prosecutor’s Office in Homiel region composed a protocol about an administrative tort in relation to an independent journalist Anatol Hatouchyts, who works for the Belarusian “BelaPAN” News Agency. The actions were caused by publication of several articles by A. Hatouchyts at the “Radio Liberty” Belarusian Service’s Web-site – [www.svaboda.org](http://www.svaboda.org).

The case was filed by the KGB Department in Homiel region that had taken explanations from the officials, interviewed by A. Hatouchyts, and directed the statements to the Public Prosecutor’s Office. Among other, the



KGB-men wondered if the state officials gave their consent for being interviewed by a US radio station RL/RFE.

Consequently, the Central City District Court of Homiel penalized the journalist with two base amounts (around USD30) on March 26, 2007. A. Hatouchyts appealed against the court verdict. Particularly, he referred to article 19 of the International Pact on Civil and Political Rights in his claim. It states that every person has the right to get and distribute diverse information and ideas irrespective of state borders.

Public prosecutors issued notifications to journalists in other Belarusian regions as well. Thus, e.g., Piotr Huzayeuski, Deputy Editor-in-Chief of “Hantsavitski Chas” non-state newspaper (Brest region) received an official notification from the Public Prosecutor’s Office in Hantsavichy district on *January 9, 2007*. It was reasoned by his newspaper article “The Election to the District Council Will Be Held without Any Choice”, where the journalist analyzed the recent local election in the area. Among other, it was stated in the warning that the newspaper might be suspended from publishing if a similar breach would take place. The journalist appealed against the notification to the Public Prosecutor’s Office of Brest region. Nevertheless, it was upheld by the higher authority. Moreover, Alaksei Bely, Editor-in-Chief of “Hantsavitski Chas” newspaper received another notification from the same Public Prosecutor’s Office on February 26, 2007. It was stated again in the warning that the newspaper might be suspended from publishing if the publisher would violate the media legislation further on. The notification was reasoned by critical articles by P. Huzayeuski about the local election and its results in the Hantsavichy district.

The Ministry of Information was issuing official notifications to non-state newspapers as well. The “Pressball” non-state sport newspaper received a warning from the Ministry on *January 17, 2007*. It was blaming the publisher for having the other person than the Director of “Pressball” Unitary Enterprise as the newspaper’s Editor-in-Chief.

Also, the Ministry of Information issued to official notifications at a time to the editorial and the founder of “ARCHE. The Beginning” artistic, literary

and popular science magazine on *February 12, 2007*. The Ministry blamed the editorial for publishing three magazine issues at a time in December 2006. It happened after a three-month suspension from publishing in October, November and December 2006, given by the same Ministry on September 19, 2006. At that time, the Ministry accused the periodical of publishing social and political articles, being officially registered as an artistic, literary and popular science magazine.

On March 10, 2005, the OSCE Representative on Freedom of the Media Mr. Miklos Haraszti noted in his report, depicting the results of his visit to Belarus that the Ministry of Information has broad credentials for implementing sanctions in relation to media outlets and that it often abuses its power. However, the Ministry didn't pay any attention to the OSCE representative's advice to terminate administrative interventions in media activities. Just on the contrary, as soon as a new Code on Administrative Torts got adopted on March 1, 2007, the Ministry's credentials in relation to media outlets became much broader. It received another tool for treating the media. Nowadays, the Ministry can compose protocols on the Press Law violations. It should be emphasized that the envisaged punishment within article 22.9 "Violations of Legislation on the Press and Other Mass Media" is quite tangible: from USD 1,500 to USD 7,000 (article 22.9, part 3).

One more discriminative legal act, related to the freedom of information was adopted within the reporting period. The Council of Ministers issued a provision No. 175 of February 10, 2007 "On the Ways of Work of Computer Clubs and Internet Cafes."

Among other, it obliges the heads of Internet cafes and computer clubs to hold an electronic register of all domain names of Internet sites, visited by their clients and to present the data to the KGB, the police and the state control authorities on their request.

An attempt to exert the state control over the Internet space took place at the technical level as well. Practically all popular Belarusian Internet resources that might cover a public action of Belarusian democratic

opposition, dedicated to the Freedom Day on *March 25, 2007* were temporarily blocked.

### **3. The Main Problem**

*The problem of distribution* has been remaining a top trouble for Belarusian independent media since the end of 2005.

The distribution of newspapers by subscription was declared a licensed activity in May 2004. The licenses are issued by the Ministry of Communications and Informatization. The “Belposhta” Unitary Enterprise that holds the domineering position in the country’s subscription market is directly subordinate to the Ministry. Thus, the governmental officials decide on the possibility of letting potential competitors of their own enterprise enter the Belarusian subscription market. As a result, the majority of non-state economic entities that appealed for licenses to the Ministry received refusals there.

The “Belposhta” National Unitary Enterprise excluded 16 independent periodical editions from the subscription catalogue on the eve of Presidential election 2006. The “Belposhta” management pleaded “the obligation to include printed periodical editions in the catalogue wasn’t envisaged in the legislation”. Therefore, “the choice of printed periodical editions to be included in the catalogue for their further distribution through subscription belongs to “Belposhta” National Unitary Enterprise. The courts refused to consider claims, submitted by the readers and editorials of ousted periodical editions.

The problem wasn’t solved at the end of the Presidential election 2006. 13 non-state periodical editions weren’t included in the “Belposhta” subscription catalogue for the first half-year 2007.

The situation with the retail sale of independent newspapers is similarly desperate. The state monopolists in the field – “Belsayuzdruk” and “Belposhta” refused to distribute a large number of independent periodical editions. 19 newspapers couldn’t be found at the news-stalls in Belarus at the

beginning of 2006. Presently, “Belsayuzdruk” is not distributing 16 social and political periodicals. The diminished number of repressed newspapers is not explained by some improvement of general situation. Just on the contrary, separate printed editions terminated publishing. Some of them were closed down by the authorities (e.g., “Zhoda”, “Telescope”). Others terminated their existence on the publishers’ initiative (e.g., “Salidarnasc”, “BDG. Delovaya gazeta”). Being deprived of any possibility to get printed and distributed in Belarus, they had to move to the Internet.



The situation is getting worse. The “Minskabsayuzdruk” Department in Niasvizh District notified the “Niasvizhski Chas” non-state newspaper on *January 17, 2007* it would cancel its distribution contract with the periodical edition, starting from March 20, 2007. Luckily, the newspaper editorial managed to seek the contract continuation later on.

On *February 1, 2007*, the “Mahileusayuzdruk” department in Babrujsk refused to distribute the “Bobrujskiy Kuryer” non-state newspaper through its news-stalls, referring to its low sales rate and a large percentage of written off unsold copies. However, in reality, the newspaper’s sales figures increased in the recent months and the per cent of written off copies was quite small.

There were also other complications with distribution of independent periodical editions within the first quarter of 2007.

Local state authorities are insistently advising businessmen to abandon distributing non-state periodical editions and threaten them with negative consequences otherwise. The police detain private distributors of registered and non-registered newspapers every now and then.

The “Brestskiy Kuryer” newspaper editorial received a letter from Brest City Executive Committee, signed by the Deputy Head Viachaslau Khafizau, on *March 12, 2007*. The local official informed the independent publisher that

“Brest City Executive Committee didn’t consider possible to permit the newspaper editorial to sell the periodical through private distributors”. At the same time, the letter didn’t contain any complains or questions to the editorial that had been disseminating the newspaper through private distributors for 15 (!) years by then.

#### **4. Ratings and Events**

On *January 3, 2007*, the Moscow Media Law and Policy Institute (Russia) presented the results of analysis of media legislation in the CIS countries and the Baltic States as far as the insurance of media freedom is concerned in 2006.

Belarus took the 13<sup>th</sup> position among the former USSR republics with Kazakhstan and Turkmenistan at the bottom of the list.

On *March 6, 2007*, it became known that the independent Belarusian-language social and political newspaper “Nasha Niva” and the unregistered youth magazine on compact disks “CD-mag” became laureates of the Gerd Butserius “Young Press of the Eastern Europe” Award – 2006.

Beginning from the year of 1999, the “Zeit-Shtiftung” Foundation has been presenting this award to journalists and newspapers from transition countries in Eastern Europe, which stand for freedom of speech and democracy development in their work.

Belarusian authorities continued to restrict freedom of press in 2006, – informed the annual report about human rights in the world, presented by the US Department of State on *March 7, 2007*.

According to the document, “Belarusian authorities arbitrarily confiscated printed materials from public community activists and closed independent newspapers or limited their distribution. Few survived independent editions were often fined, usually according to the defamation incrimination or for not fulfilling strict registration procedures.”