

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting November 4 –17, 2013

Perhaps, the most remarkable event of the reporting period was the lawsuit filed by the private company *Belsat +* against the SA TVP, the founder of the satellite *Belsat TV*. The plaintiff, company owner Andrei Beliakou claims that the *Belsat TV* unlawfully uses its trade mark. The head of the TV channel Agnieszka Romaszewska-Guzy doubts that the plaintiff was independent in his decision to start the lawsuit and estimates the situation as pressure on the independent channel.

On November 4, BAJ sent an official letter to the private enterprise *DataPrint* demanding to explain the situation when the company refused to print a map of graveyards, ordered by the *Radio Svaboda*. We remind that on October 31 an administrator of the printing house *Karandash* refused to print the map on the order of the *Radio Svaboda* claiming that she complied with the inside instruction not to publish porn, extremist, Nazi and anti-state materials, as well as pre-electoral or civil and political campaigning materials. The map, on which graves of famous Belarusians were marked, also provided a link to the *Svaboda* website which the administrator did not like.

In the official letter BAJ asks the company director Yury Matusevich to explain: does the instruction really exist and what are the exact definitions and what norms of the instruction were violated when the client asked to print the map of *Uskhodnija Graveyard* etc.

On November 6 three journalists were **detained** near Akrestsina isolation center where people were meeting an activist Yury Rubtsou who had been arrested for three days for wearing a T-shirt with anti-Lukashenko slogan during the Dziady demonstration (officially – for disobeying police's demands).

Viachaslau Piashko, *Novy Chas* correspondent, freelancer **Nasta Reznikava** and film director **Volha Nikalaychyk** were taken to the Maskouski district police department for three hours. Volha Nikalaychyk, one of the detainees, told BAJ that they had been taken to the Maskouski district police department; their passport data were copied, and their belongings were inspected.

The policemen made journalists delete all the video recorded near the isolation center, but the data carrier were returned to the owners.

In all nine people were detained in the incident, including just-released Yury Rubtsou, reported *BelaPAN*.

On November 11 the Supreme Court of Belarus heard the first time the **lawsuit** of the private enterprise *Belsat +* against SA TVP (joint-stock company Polish TV, founder of the satellite channel *Belsat TV*). The plaintiff, company owner **Andrei Beliakou** claims that the *Belsat TV* unlawfully uses its trade mark. The plaintiff wants nothing more but the Astra satellite to stop transmitting the *Belsat TV* signal.

The Court upheld the plea of the *Belsat TV* official representative Mikhail Yanchuk to defer the hearing for a later date, as the defendant had learnt about the lawsuit only two working days ahead of the hearing and needed more time to prepare. The next hearing is to take place **on December 9**.

Note: the private enterprise *Belsat +* specializes in selling equipment for satellite and cable TV transmission. The company was set up by Siarhei Lysiankou in 2003 and was titled *High Tech-Market*. In 2006 Lysiankou passed over the trade mark to Andrei Beliakou who later changed it for *Belsat +*.

The satellite channel Belsat TV went on the air in December 2007. Several years before, preparatory work was conducted, and information about the new channel was disseminated in the media.

As reported on November 12, the State Customs Committee of Belarus assigned a **second examination** of the book by **Ales Bialiatiski** "Asvechanyaja Belaruschyna". The information was provided in a reply of the Committee's chairperson Siahei Barysiuk to the human rights defender Tatsiana Raviaka.

We remind that 40 copies of the book were seized from Tatsiana Raviaka on July 3. The book was passed over to the head of the ideological department of the Hrodna Region Executive Committee, and he assigned a linguistic examination of the book. On September 16 the website spring96.org published the expert conclusion: "it does not contain obvious and unambiguous calls for extremist activities or its propaganda..." but "the style and the rhetoric might push the reader toward wrong conclusions which further can be misinterpreted and misunderstood by the public and provoke activities related to inciting national, political or ideological hostility." Tatsiana Raviaka complained that employees of the customs office seized the book with procedural violations. She argued that the expert commission made violations too when it decided that the book "could inflict damage to the image of the Republic of Belarus".

In the reply **Siarhei Barysiuk** writes that another examination was assigned taking into consideration "your disagreement with the expert conclusion, and also lack of specific expert conclusions to the questions formulated by the customs office."

On November 12 the correspondent point **European Radio for Belarus** has its **accreditation extended** for one more year, until November 10, 2014. The respective ruling was signed by the Prime Minister Mikhail Miasnikovich.

We remind that Euroradio was launched in 2005, and started broadcasting in February 2006. It has worked in Belarus since November 2009. Now it has 10 accredited journalists in Belarus, the chief editor is Vital Zybliuk.

As reported **on November 13**, according to the Monitoring service of BAJ, the **situation in distributing the socio-political press** has not changed a lot since 2005. There are newspapers which have been denied services of Belsayuzdruk and Belposhta: *Novy Chas, SNPlus, Svobodnyie Novosti Plus, Tovaristch* (national); and *Borisovskiye Novosti, Volnaye Hlybokaye, Hazeta Slonimskaya, Intex-Press, Niasvizhski Chas, Otdushina, Regionalnaya Gazeta* (regional). Also *Vitebskij Courier* and *Nash Dom-Info* are out of the official distribution although they are officially registered in Smolensk (Russia).

The socio-political weekly *Borisovskije Novosti* was included into the catalogue of *Belposhta* **on June 1, 2013**, but was again thrown out in October.

On 13 November the Deputy Chairman of the Human Rights Center "Viasna" **Valiantsin Stefanovich lodged a complaint** with the Ministry of Communications and Informational Technologies. He is seeking the disclosure of the authority by whose decision the organization's website was banned from the use in the state agencies and institutions.

Earlier, the human rights defender applied to the Operational and Analytical Center and the State Supervisory Department for Telecommunications of the Republic of Belarus (SSDTRB), as this agency was to have given an answer on the essence of the raised questions. However, the human rights defender has not received the promised answer.

The head of SSDTRB Siarhei Bahdanau informed Valiantsin Stefanovich that the powers of the SSDTRB on distributing information about the distribution of information about the identifiers of the Internet resources which are put on the list of restricted access".

"The situation is quite strange. On the one hand, it is reported publicly and officially that a number of Internet resources including the website of the Human Rights Center "Viasna" are put on the list of

restricted access, whereas on the other hand I, as a user of Internet services and a regular contributor to this resource, cannot get comprehensive information about the decision on the basis of which this website was put on the list. According to the answer of the SSDTRB, this information is secret and closed to the general public. Instead of a substantive response to the questions I was asked to apply to the competent authorities, who take such decisions... So, do I have to look myself among a large number of the state agencies to find the one who had taken such a decision and find the reasons?" writes the human rights defender in his appeal to the Ministry of Communications and Informational Technologies.