

THE BELARUSIAN ASSOCIATION OF JOURNALISTS

Mass Media Week in Belarus

Info-posting July 8 – 21, 2013

Within the reporting period Iryna Khalip, a member of BAJ, had her criminal sentence terminated. The OSCE Representative on Freedom of the Media Dunja Mijatović welcomed the decision of the Minsk court and expressed her hope that a similar sentence, given to another Belarusian journalist Andrei Poczobut in 2011, would be terminated, too, and journalists would not be prosecuted any longer in future. A similar reaction came from the *Reporters without Borders* and some other human rights organizations.

On July 8 the judge of the Soviet district court in Minsk Tatsiana Palulekh fined the activist Pavel Prakupovich for an unsanctioned **one-man picket** which he held to remind about the **abduction of the journalist Dzmitry Zavadski** 13 years ago. On the evening of July 7 Pavel Prakupovich, from the organizational committee of the Belarusian Christian Democracy Party, went out to the Yakuba Kolasa square with a portrait of the journalist and was detained and brought to a detention center. He was found guilty of holding an unsanctioned mass event (art. 23.34 of the Administrative Code) and fined to 25 basic amounts (2.5 million BR, or around 230 euro).

On July 9 the Vitebsk-based journalist **Alena Stsiapanava** was summoned to a police department of the Kastychnitski district of Vitebsk, together with her lawyer, where she was handed in **an administrative protocol** against her, compiled by the senior inspector of protecting law and order and crime prevention Siarhei Viaraksa. The police accused the journalist of **contributing to the foreign mass media Radio Svaboda without accreditation**, which is a violation according to article 22.9 of the Administrative Code. If found guilty, she might be fined 20 to 50 basic amounts.

We remind that on August 30, 2012 Alena Stsiapanava received a warning from the regional prosecutor's office for contributing to the "Czech editorial office of the Radio Svaboda". Although such mass medium does not exist, she failed to overturn the sanction.

On July 12 the Kastychnitski district court of Vitebsk **postponed the case of Alena Stsiapanava** and sent back the administrative protocol for revision. It turned out that the protocol mentioned a wrong article – 22.9, part 2 of the Administrative Code, covering "a violation of the regulation to send obligatory free copies of periodic editions, distributing erotic editions, failure to publish refutation, or illegal production and distribution of mass media".

On July 9 the first hearing took place in the **criminal trial** over the former video engineer of the BelMusTV channel. In April the 28-year old man allegedly **broadcast a pornography video** on the TV channel; after adding the video to the playlist, he closed the door and broke both keys to the door. He said it was a quarrel with his girlfriend that provoked him to do that. It took a little time to break the door. The man was detained several hours after the incident.

The TV channel claimed 1.5 billion rubles compensation, which is around 130 000 euro. The criminal article 343, part 2 (keeping and spreading pornography materials, and demonstrating it by means of public channels) envisages up to 4 years' imprisonment.

On July 12 a group of people from Mahilou addressed a **collective letter** to the chair of the public council on morality Mikalay Charhinets, to the prosecutor general Aliaksandr Kaniuk and the Minister of

Information Aleh Praliaskouski with a demand **to ban broadcasting public threats made by the head of state**.

The authors of the letter saw a threat of violence in Aliaksandr Lukashenka's speech when he was visiting the Mahilou region. In an episode shown on the mainstream Belarusian channels on July 8, the head of state, when speaking about the issue of manufacturing harvesting machinery, claimed that he will "strike off the heads" of the officials if the machinery produced turns out to be of poor quality," reported BelaPAN. "This report was viewed not only by adults, but by children as well. And the children, the younger generation, BRSM members have a savage reprisal in their mind; a promise to behead the subordinate Ministers – from the guarantee of the law and lawfulness of the young independent state is associated with a horror film," this is a quote from the letter.

The citizens write that such statements must be discussed at a special hearing in the Chamber of Representatives, and the head of state must publicly apologize to the "offended Ministers, children and TV-viewers".

On July 15, 2013, the Belarusian Association of Journalists received **an official reply to its inquiry** of June 11, 2013 from the **KGB**. BAJ had addressed to the KGB Chairperson Valery Vakulchyk with an official letter, wondering about the actual situation with the filed **criminal case against Anton Surapin**.

The First Deputy Chairperson of KGB **Ihar Siarheyenka** directed BAJ to the KGB **website**, where, allegedly, the inquired information could be found. Moreover, Mr. Siarheyenka mentioned that Anton Surapin had been "**duly informed**" about the taken decision in relation to him. Alas, the BAJ press-service didn't manage to find the news on the KGB Web pages on July 14, 2013. The KGB press-service representatives failed to take a receiver, in order to clarify the reference either. "Despite the fact that termination of criminal proceedings in relation to Anton Surapin was reported **on June 28th**, we hoped to get an exhaustive answer that could clarify the motives of some actions, taken by the legal investigators. They look obscure up till the present moment", noted Andrei Bastunets, Deputy Chairman of BAJ.

On July 17 the **state-run newspaper Respublika** (founded by the Council of Ministers) published an updated Republican **list of extremist materials**. The list included the **Belarus Press Photo 2011** album, which was announced extremist by the Ashmiany district court decision dated April 18, 2013.

Previously the list included the compact disk of the polish movie "A lesson of the Belarusian language" and the concert "Solidary with Belarus" staged in concert; and also the disk MEGAUS MEG 16753 with photos of the October square on the elections day in 2006.

On July 17 the civil activist **Valery Vusik** had an official **appointment with the chairperson** of the Mahilou **region court Ihar Proshka** asking **to overturn the administrative sentence** imposed on him by the Bialynichy district court. After the meeting, the chairperson **filed an order to suspend administrative proceedings** and promised to clarify personally of the trial at the low-instance court meet all procedural requirements.

*We remind that **on March 29** the chairperson of the Bilaynichy district court Uladzimir Huz **fined** Valery Vusik to **30 basic amounts** (around 250 euros) for "**libeling** Piotr Bialou, the head of the agricultural complex "Lebiadzianka", and to **20 basic amounts** "for **violating** art. 17 of the Law on Mass Media" regulating **distribution requirements**. The judge found that the article under consideration about the work of the aforementioned complex, published in the low-circulation newspaper Mahilouski Vybar, libeled the head of the complex. Also the judge found that Valery Vusik libeled the head of the complex in*

comments to Belsat TV. The judge did not give a possibility for Valery Vusik to invite a lawyer and witnesses.

On July 19 a judge of the Partyzanski District Court in Minsk **lifted all restrictions on the freedom of the journalist Iryna Khalip**, the wife of former presidential candidate Andrey Sannikaw.

Ms. Khalip was granted complete freedom at the request of the probation department of the Partyzanski district police station in connection with the expiration of her suspended two-year prison sentence. She could have been sent to a correctional institution or had the suspension of her prison term prolonged.

Judge Ryta Shahray, who is on the European Union's entry ban list, conducted the hearing. Ms. Khalip challenged the judge because **the judge wanted no one to be present at the hearing**, including journalists, the defendant's family members and Prosecutor Natallya Sakalova.

After consulting the chairperson of the Partyzanski District Court, Ms. Shahray rejected the demand but allowed journalists who had **no recording equipment** to be present in the courtroom.

The judge issued **two warnings** to her lawyer Hanna Bakhtsina and she herself was warned that she might be charged with contempt of court.

*We remind that Iryna Khalip was detained together with her husband **on December 19, 2010** after the demonstration against falsification of the presidential elections results. She was placed in a KGB isolator; on January 29 she was placed under house arrest. On May 16, 2011 the Zavodski district court of Minsk found Mrs. Khalip guilty of participating in mass disorders on December 19, 2010 and sentenced her to two years' imprisonment with two years' deferment of serving the sentence. The deferment ended on July 21. Within the term, in February, the journalist was granted one-time permit to leave Belarus in order to visit her husband who is now in exile.*