



HONORARY CHAIRMAN  
Yuri Orlov

EXECUTIVE DIRECTOR  
Aaron Rhodes

DEPUTY EXECUTIVE DIRECTOR  
Brigitte Dufour

ADVISORY BOARD (CHAIR)  
Karl von Schwarzenberg

EXECUTIVE COMMITTEE  
Holly Cartner  
Bjørn Engesland  
Vasilika Hysi  
Krassimir Kanev  
Ferenc Köszeg

PRESIDENT  
Ulrich Fischer

VICE PRESIDENT  
Srdjan Dizdarević

TREASURER  
Stein-Ivar Aarsæther

Wickenburgg. 14/7, A-1080 Vienna, Austria; Tel +43-1-408 88 22; Fax 408 88 22-50  
e-mail: office@ihf-hr.org – internet: <http://www.ihf-hr.org>  
Bank account: Bank Austria Creditanstalt, 0221-00283/00, BLZ 12000

Session II

PC.SHDM.NGO/31/06  
14 July 2006

ENGLISH only

**The second Supplementary Human Dimension Meeting on Freedom of the Media:  
Protection of Journalists and Access to Information**

*Vienna, 13-14 July 2006*

**Contribution by the International Helsinki Federation for Human Rights and  
the Belarusian Helsinki Committee**

**FREEDOM OF EXPRESSION IN BELARUS**

The Belarusian constitution and the media act formally guarantee freedom of expression and the media but numerous regulations and especially practices by authorities placed serious restrictions on it. In a similar vein, the media act provides for access to information of public interest and importance but authorities continue to invent terms to classify information of public importance.

The media act provides that after the Ministry of Information has issued two warnings to a media outlet for what it terms “violations of the law,” a court could rule the entity’s closure. Moreover, the ministry is able to suspend the operation of an outlet without a court decision on similarly poorly worded grounds.

The amendments to the criminal code proposed by the president that were adopted in July (and came in force on 1 January 2006) brought additional restrictions on free expression. For example, “fraudulent representation of the political, economic, social, military or international situation of [...] Belarus” is regarded as “discrediting Belarus” and subject to punishment of up to six months of detention or two years of imprisonment. The punishment for acts of “public appeals for seizure of power or forcible change of the constitutional system” is increased to up to three years in prison, among other similar formulations.

Members of the political opposition and other openly critical public figures, including human rights defenders, are harassed, charged and detained on questionable or fabricated accusations.

- In May 2006, the court of the Minsk city Pershamaiski district sentenced young oppositionist Arthur Finkevich to two years of enforced labour for spraying the graffiti “We Want a New One!” on walls in the Belarusian capital.
- 13 July 2006, a former candidate for presidency of Belarus, former rector of the Belarusian State University Alyaksandr Kazulin, has been sentenced to 5.5 years of medium security colony by the court of Maskouski district of Minsk. His attempt to come to the National Press Centre to hold a press conference as a candidate for presidency on February 17 was viewed as hooliganism as well as an incident on March 2, when the candidate for presidency was brutally

beaten up as he attempted to enter the All-Belarusian Assembly, where Lukashenka was present. As for the events of March 25, when Alyaksandr Kazulin was detained during a forcible disband of a peaceful protest, the court found Kazulin guilty of organizing mass riot.

### *Freedom of the Media*

Belarusian authorities virtually monopolized the electronic media and they even control the contents of a few remaining private radio stations. This shortcoming is not resolved by the transmission from abroad. Thus the independent media in Belarus is solely represented by the printed media.

The state-run media is financed from the national budget. The Academy of Management – under presidential administration – trains staff journalists for the state-owned mass media. Meanwhile, the independent media outlets suffer under increasing criminal, administrative and economic pressure. All mainstream media practice self-censorship so as not to face repercussions, such as defamation charges, for legitimate criticism.

In 2004-2006, the Ministry of Information punished a number of media outlets after their critical reporting: *Novaja Hazerta Smarhoni*, *Navinki*, *Zgoda*, *Vremya*, *Predprinimatelskaya Gazeta*, *Vecherni Stoln*, *Regionalnaya Gazeta*, *Narodny Predprinimatel*, *Regionalnye Vedomosti*, and *Birzha Informacii* were temporarily suspended.

In addition, fearing problems from the authorities, printing houses frequently decline to print independent newspapers and magazines or censor them under various pretexts. Likewise, shops and supermarkets refuse to sell independent newspapers and magazines for the same reasons, and in September 2005, the state media distribution monopoly “BelSayuzDruk” ordered newspaper stands to stop selling independent newspapers such as *Narodnaya Volya*, *Nasha Niva*, and others. Another state monopoly, “BelPoshta,” refused to disseminate the independent newspapers by subscription.

Access to information of legitimate public importance or interest is blocked under various pretexts and vaguely worded regulations on “classified information.” Independent media outlets are, as a rule, not allowed to attend official events such as press conferences of public authorities and “public” hearings that are open to the state-run media.

- Local administrations and courts refused to give any information to correspondents of *Narodnaya Volya*, *Belorusskaya Gazeta*, *Den*, *Mestnaya Gazeta*, *Hancavitski Chas*, and other independent papers. A number of journalists were expelled from the court room during hearings on the case against a former candidate for presidency of Belarus Alyaksandr Kazulin.

Criminal defamation provisions are yet an additional threat to reporting on abuses of power and other misconduct by public officials. Defamation (article 367 of the criminal code) or insult (article 368) of the president carry penalties of up to five years’ and three years’ imprisonment, respectively. The sole existence of the defamation provisions has a chilling effect on reporting on sensitive issues because criticism of the authorities is often interpreted as equal to insult.

For further information:

IHF Executive Director, Aaron Rhodes, Tel: +43 -1 – 408 88 22 or +43 – (0) 676 – 635 66 12

Belarusian Helsinki Committee, Dzmitry Markusheuski, Press Officer, Tel: +375– 29 709 5702