

Belarus: Regulations of 1997 on the Residence and Professional Activity on the Territory of the Republic of Belarus of Representations of Foreign Mass Media and Correspondents Accredited in the Republic of Belarus

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General Provisions

1. These Regulations determine the main rules that govern the residence and professional activity on the territory of the Republic of Belarus of representations (press offices and bureaux included) of foreign mass media and foreign correspondents accredited in the Republic of Belarus.

Opening of Representations of Foreign Mass Media in the Republic of Belarus

2. Representations of foreign mass media (hereinafter referred to as representations') may be opened in the Republic of Belarus with the permission of the Council of Ministers of the Republic of Belarus.

3. A written notification, which contains information on a mass medium, and a request to open a representation, shall be forwarded by the head of the mass medium concerned to the Council of Ministers of the Republic of Belarus directly or via the diplomatic mission (consular office) in the appropriate country.

4. A decision to open a representation or not shall be taken by the Council of Ministers of the Republic of Belarus not later than two months after receipt of the request.

When a positive decision is rendered, the Ministry for Foreign Affairs of the Republic of Belarus shall issue the mass medium a certificate to open its representation.

Without such a certificate the representation shall be forbidden to carry out its activity.

5. The activity of a mass media representation without the above certificate and also that of representations including correspondents and/or other persons denied (not having) accreditation, shall

be terminated by a decision of the Council of Ministers of the Republic of Belarus on a recommendation of the Ministry for Foreign Affairs. The mass media representation may be re-opened not earlier than in six months after it has ceased its activity in compliance with this paragraph.

Accreditation of Correspondents of Foreign Mass Media

6. Correspondents of foreign mass media (hereinafter referred to as foreign correspondents') shall be accredited in the Republic of Belarus by the Ministry for Foreign Affairs of the Republic of Belarus in conformity with the Law of the Republic of Belarus "On the Press and Other Mass Media" and these Regulations.

Accreditation of foreign correspondents may be permanent and temporary.

Journalists (representatives of the periodical press, radio, television, video and news-reel programmes) may be accredited on a permanent basis, irrespective of their nationality, as foreign correspondents in the Republic of Belarus if they have discharged the duties of a foreign correspondent on the territory of the Republic of Belarus for a year and more.

Journalists, who have arrived in the Republic of Belarus under orders of corresponding mass media to cover some events or to replace for at least a year a permanently accredited foreign correspondent when he or she is on leave, ill or sent on a mission outside the Republic of Belarus, may be accredited as special correspondents on a temporary basis.

7. Employees of the diplomatic missions and consular offices of foreign states, representations of foreign enterprises, establishments and organisations in the Republic of Belarus cannot be accredited as foreign correspondents. Neither can be accredited as foreign correspondents the persons who are employees of the mass media registered in the Republic of Belarus.

A foreign correspondent cannot be accredited in the Republic of Belarus as a representative of two and more mass media.

8. The written request to be accredited as a foreign correspondent shall be forwarded by the head of the mass medium concerned to the Ministry for Foreign Affairs of the Republic of Belarus. It shall contain information on the mass medium and its representations on the territory of the Republic of Belarus.

The following shall be appended to the written request:

- curriculum vitae, the certificate which confirms the journalistic activities of the correspondent to be accredited, and two photographs;

- certificate that confirms the registration with a State tax inspectorate body (for residents of the Republic of Belarus).

9. A decision to accredit a foreign correspondent on a permanent basis shall be taken by the Ministry for Foreign Affairs of the Republic of Belarus within two months after receipt of the written request. In the case of temporary accreditation, an appropriate decision shall be taken within 20 days.

Accreditation certificates valid for one year as of the day of issue shall be given to permanently accredited foreign correspondents. Members of their families shall be given cards of members of the family of a foreign correspondent for the same period of time.

Special correspondents shall be given special correspondent's cards valid for two months.

One's activity in the capacity of a foreign correspondent shall be prohibited unless he or she has got an

accreditation certificate (card).

10. When the accreditation certificate (card) has been lost, its bearer should notify the Ministry for Foreign Affairs of the Republic of Belarus thereof, and the latter shall take a decision whether a duplicate of the lost certificate (card) can be made and issued.

11. The term of accreditation may be extended and so may be the term of validity of the accreditation certificate (card), when the head of a foreign mass medium requests in writing the Ministry for Foreign Affairs of the Republic of Belarus to do so not later than 15 days prior to the expiration of accreditation. A decision to extend the term of accreditation of a foreign correspondent shall be taken by the accrediting body within 15 days after receipt of the request.

12. The accredited foreign correspondent can be re-accredited as a correspondent of another foreign mass medium.

A foreign correspondent shall be re-accredited in the order envisaged by accreditation legislation.

13. On the expiration of the term of accreditation, a foreign correspondent shall be bound to return his and his family members' accreditation certificate and cards to the Ministry for Foreign Affairs of the Republic of Belarus.

Registration of Technical Support Personnel at Mass Media Representations and Those of a Foreign Correspondent

14. All persons, irrespective of their nationality, shall be registered as technical support personnel at mass media representations and those of foreign correspondents when they are employed by representations and foreign correspondents in the capacity of editors, secretaries-translators, and experts servicing the television and motion-picture equipment, means of communication.

Employees of the diplomatic missions and consular offices of foreign states, representations of foreign enterprises, establishments and organisations in the Republic of Belarus, and also persons that are employees of the mass media registered in the Republic of Belarus, cannot be registered as technical support personnel.

15. A person shall be registered in the capacity of a technical support employee at a representation or that of a foreign correspondent in keeping with the procedure stipulated by these Regulations to accredit a foreign correspondent, on the basis of a written application to be submitted by the head of a corresponding foreign mass medium, a representation or a correspondent.

16. An appropriate decision to register a technical support employee at a representation of foreign mass media or of a foreign correspondent shall be taken not later than two months after receipt of the application. In the case of a technical support employee of a temporary accredited foreign correspondent, not later than 20 days after receipt of the application.

17. Registration certificates valid for twelve months shall be issued to those registered in the capacity of technical support personnel at a representation of foreign mass media. Similar registration certificates shall be issued to technical support personnel of a foreign correspondent; they are valid for the term of accreditation of the latter.

A member of the family of a technical support employee shall get a card of the family member valid for the term of registration of the latter.

18. The term of registration of a technical support employee shall be extended in the order established in para 10 in these Regulations.

19. Upon the expiration of the term of registration, the technical support employee should return his registration certificate and his family members' cards.

Entry into the Republic of Belarus and Terms of Residence on Its Territory of Foreign Correspondents and Technical Support Personnel

20. The employees of foreign mass media designated from among non-residents of the Republic of Belarus shall have passports or documents substituting them to enter the Republic of Belarus. The passports shall have entry visas granted by the consular office of the Republic of Belarus, unless otherwise established by the international agreements and arrangements signed by the Republic of Belarus.

The consular offices of the Republic of Belarus shall issue entry visas to the above category of employees during five working days on condition that:

- this term is observed in respect of the employees of Belarusian mass media in corresponding countries;
- they have been accredited to the Ministry for Foreign Affairs of the Republic of Belarus.

21. Upon arrival in the Republic of Belarus, the accredited foreign correspondents and the registered technical support personnel, as well as members of their families, who are not citizens of the Republic of Belarus, must be registered in the established order with internal affairs bodies of the Republic of Belarus.

22. The accredited foreign correspondents and the registered technical support employees, who are not citizens of the Republic of Belarus, shall be issued multiple service entry and exit visas for the term of their accreditation (registration), unless otherwise specified by the principle of mutuality.

The Rights and Duties of Foreign Correspondents

23. The foreign correspondents, who are accredited in the Republic of Belarus, should carry out their business activity in conformity with the legislation of the Republic of Belarus. They shall enjoy the rights of a journalist stipulated by the international agreements and legislation of the Republic of Belarus.

The accredited foreign correspondents shall have a right to:

- form a public association of professional journalists on the territory of the Republic of Belarus in conformity with its legislation;
- invite, via the accrediting body, foreign citizens as their personal guests in the order established for the diplomatic staff of the state of nationality of the foreign correspondent;
- bring into and out of the customs territory of the Republic of Belarus, as provided for by the current legislation, printing equipment, printed and hand-written materials, audio-, video- and photographic materials and other property necessary for carrying out one's professional activity and also for personal use;
- make use of the services offered by appropriate organisations of the Republic of Belarus which cater for the diplomatic corps in the Republic;
- on the principle of mutuality, move freely on the territory of the Republic of Belarus, except visiting the sites and facilities access to which is restricted in accordance with the legislation of the Republic

of Belarus.

The rights and freedoms, which foreign correspondents enjoy, should not prejudice the interests of the Republic of Belarus, the rights and legitimate interests of the citizens of the Republic of Belarus and other persons.

24. Foreign correspondents are bound to:

- verify the reliability of the information they come by;
- provide objective information for publication;
- prevent the publication and broadcasting of false information with premeditation;
- get permission from a citizen or his (her) legal representative to disseminate in mass media some facts from his (her) private life;
- inform the citizens and office holders, from whom they get information, that this information will be used in audio-, video, cine- and photographic materials, and also in text materials;
- perform their professional duties only when they have accreditation certificates on them;
- perform other duties imposed upon journalists by the legislation and international agreements signed by the Republic of Belarus.

25. In conformity with the laws of the Republic of Belarus, foreign correspondents shall bear personal responsibility when using mass media in order to:

- undertake actions that are subject to criminal punishment;
- divulge the information that constitutes State or other secrets guarded by the law;
- propagate war, social, national, religious and racial intolerance; to call to seize power, to alter the constitutional system by violence, and to violate the territorial integrity of the Republic of Belarus;
- have the Republic of Belarus evade its international commitments;
- instigate disobedience to the lawful demands of State power bodies;
- form illegal public associations, to support and propagate their activity;
- encroach upon the moral integrity, honour and dignity of citizens and government officials, in particular to disseminate information that discredits the honour, dignity and business reputation of the President of the Republic of Belarus;
- carry out other unlawful activity.

26. The Ministry for Foreign Affairs of the Republic of Belarus shall have every right:

26.1. in the event of a violation by a foreign correspondent of these Regulations:

- to give a warning;
- to shorten the term of residence in the Republic of Belarus (for non-residents of the Republic of Belarus who are not citizens of the Republic of Belarus) or to expel from the territory of the Republic of Belarus in conformity with the Law of the Republic of Belarus "On the Legal Status of Aliens and

Stateless Persons in the Republic of Belarus";

26.2. to deprive a foreign correspondent of accreditation:

- if, when warned, he or she has again violated the rules of accreditation or disseminated information that is far from being true and denigrates the honour and dignity of citizens and/or other persons;
- if he or she has violated the current legislation of the Republic of Belarus and these Regulations;
- in the cases stipulated by the International Covenant on civil and political rights;

26.3. to withdraw accreditation for six months of all the correspondents of a mass medium which employs on the territory of the Republic of Belarus correspondents and/or other people deprived (having no) accreditation;

26.4. to take retaliatory measures against the correspondents of mass media of those countries which restrict the activity of Belarusian journalists.

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