

Another Depressing Year for Central Asian Media

Author: [Aslibegim Manzarshoeva](#)

Familiar patterns of harassment and obstruction, with new focus on curtailing internet. Media-watchers in Central Asia say 2008 was a period of stagnation, with many of the remaining independent press, broadcast and internet outlets under mounting pressure from national governments.

Internet publications faced particular problems in the past year as governments tried to rein in the new, less controlled forms of media.

In its 2008 Press Freedom Index, the Paris-based watchdog group Reporters Without Borders ranked Uzbekistan and Turkmenistan near the bottom of its list, at 163rd and 171st place, respectively, out of 173. Kazakstan at 125 and Kyrgyzstan at 111 also scored poorly, while Tajikistan performed best of the five Central Asian states at 106th place.

In the 2007 listing, Tajikistan was below Kyrgyzstan and its higher placing probably reflects a deterioration in the latter state's record than an actual improvement.

PROSECUTION AND INTIMIDATION

Reporters and editors continued to face intimidation and pressure in 2008, ranging from physical attack to the use of criminal law to prosecute and imprison them.

Turkmenistan and Uzbekistan continue to be the worst offenders when it comes to locking up journalists who dare to work for independent media, which are almost by definition based abroad.

"Despite the international community's initiatives and despite leadership changes, Turkmenistan and Uzbekistan continue to lag far behind Europe and the rest of the world in respect for freedom of news and information," Reporters Without Borders said in a September statement ahead of a security summit involving the EU and Central Asian states. "A high price is paid in these countries for any attempts at independent or critical reporting. Arrests, violence and harassment of journalists and their families are the methods habitually used by the authorities whenever they are criticised.

In October, Uzbek journalist Solijon Abdurahmanov was sentenced to ten years in jail at the end of a trial in the northern city of Nukus. He was convicted of narcotics offences, but insisted the evidence was planted. The sentence, coming only three days after the European Union eased sanctions against Uzbekistan, was seen as a sign that the government had no plans to alter its repressive practices, and undermined hopes raised by the release of another journalist, Umida Niazova, earlier in the year. (See **[EU Eases Uzbek Sanctions Despite Reporter's Jailing](#)**, RCA No. 551, 13-Oct-08.)

According to the New York-based Committee to Protect Journalists, Abdurahmonov's arrest brought the number of journalists who were held in detention in 2008 in Uzbekistan to six. Reporters Without Borders, meanwhile, noted that an RFE/RL correspondent was arrested and tortured in June, and that other

journalists in Turkmenistan reported being “harassed more than ever”.

Even in Kyrgyzstan, the most liberal of the five Central Asian states, media workers felt increasingly under threat.

Two journalists in Kyrgyzstan claimed they were being unjustly pressured by means of the judicial process. Babyrbek Jeebekov, editor of the Alibi newspaper, was arrested in early September 2008 for failure to pay a fine imposed on his paper for publishing an article on corruption that a court found to have “presented false information”. He was freed later that month after NGOs and opposition leaders mounted a campaign on his behalf.

Cholpon Orozobekova, editor of another newspaper, De Facto, later left the country with her family to avoid the same thing happening to her. A court had imposed a large fine on her paper guilty, again in reference to an article on corruption. (For background, see **Kyrgyz Libel Case Raises Protests**, RCA No. 548, 07-Jul-08.)

Prosecutions for libel – still a criminal offence under Central Asian laws – continued to be used as a way of harassing and marginalising working journalists.

“It is no secret to anyone that journalism is a dangerous profession,” commented Cholpon Jakupova, who heads a legal advice centre in Bishkek, in an interview for the Institute of Public Policy. “The saddest thing is that in our country this profession is becoming even more dangerous.”

In Tajikistan, Nuriddin Karshiboev, chairman of the National Association of Independent Media, says that “this year saw a greater level of persecution for critical reporting than previous years”. He added that “arrests and attacks on journalists were rare, which allowed the [Reporters Without Borders] organisation to give place Tajikistan highest ranking in Central Asia”.

In the last three years, there have been eight prosecutions for libel in Tajikistan, the majority relating to government officials.

In August, a criminal libel case was opened against Tursunali Aliev, a veteran journalist from northern Tajikistan, in relation to a magazine article critical of local government officials. Karshiboev’s group said this was a case of “deliberate persecution” by local police “acting on behalf of certain senior officials”, and was designed to intimidate journalists.

Later the same month, Jumaboy Tolibov of the Zarafshan Times newspaper got into trouble after a report alleging that valuables belonging to some of 15 people killed in a traffic accident went missing during a police investigation. He was charged with insulting a policeman.

Media rights activists in Tajikistan have launched a campaign to remove libel from the criminal law statutes, so that it would only be a matter for the civil courts. (For more on this issue, see **Tajik Media**

The suspension of local rebroadcasts of Radio Free Europe/Radio Liberty and the BBC in Kyrgyzstan in October-December were seen as another sign that the government wanted to curtail people's access to external sources of information at a time when the country faced a worsening economic situation.

The national broadcaster NTRK, which carried the local transmissions of both RFE/RL and BBC programmes, insisted the stoppage was simply the result of contractual disagreements, although it also expressed concerns about RFE/RL's objectivity. (For more on this case, see **Kyrgyzstan: Concern as Western Broadcasts Pulled Off Air**, RCA No. 559, 22-Dec-08.)

SELF-CENSORSHIP AS DEFENCE MECHANISM

Independent media in Kazakhstan, Kyrgyzstan and Kyrgyzstan responded to pressure in two ways - while some took a firm, at times defiant stand, others toned down their output to avoid irritating the authorities, or sought an accommodation with officialdom.

"Over the last three or four years, a certain kind of stagnation has set in," said Kazakhstan-based political analyst Sergei Duvanov. "Self-censorship mechanisms are already well-established."

In countries like Kazakhstan where non-state media exist alongside the government press, Duvanov said such outlets were often were run by "people who want to stay in the information market, so they simply switch into self-censorship mode and thereby avoid 'errors' that might negatively impact their publication and invite a tax inspection or another form of [intrusive] administrative action."

He went on, "Everyone is now resigned to this - not just the conventional media but also opposition outlets. Journalists have accepted the rules of the game that the authorities have set out, and they play by them."

Rajab Mirzo, chief editor at the Imruz radio station in Tajikistan, reported a similar situation there as media companies operated within unspoken boundaries. These restrictions, he said, consisted of "either self-censorship among journalists who avoid writing critical articles, or criteria set by bureaucrats who dictate which [senior] people are not to be touched."

Some experts argue that some journalists working in the non-state media sector make themselves vulnerable to libel charges when they take an excessively aggressive stance against the powers that be.

Marat Tokoev, head of Kyrgyzstan's non-government Public Association of Journalists, believes pro-opposition media often exaggerate in support of their backers' political views.

Mukhtar Abilov, deputy editor of the Kyrgyz government newspaper Erkin Too, agrees, saying, "Our opposition media are only 50 per cent objective, and when they exaggerate things, the authorities are forced to protect themselves."

Kazakhstan and Tajikistan, as well as Kyrgyzstan, are still in the fortunate position of having non-government media. Uzbekistan and Turkmenistan have no real independent news media, just state and quasi-state outlets.

Given suggestions that President Gurbanguly Berdimuhammedov, elected in February 2007, might be steering Turkmenistan away from the repressive system of his predecessor Saparmurat Niazov, the lack of change in that country has been particularly disappointing.

"We announced declared democratic changes but in reality everything stayed as it was before," commented one local journalist. "All the press is state controlled, and there isn't a single private TV or radio station.... Censorship is very strict," he said.

INTERNET UNDER CLOSER SCRUTINY

Attempts by Central Asian governments to exert greater control over the internet – increasingly an important source of alternative information in the region – were among the more alarming trends of 2008.

In Kazakhstan, for example, it has been a legal requirement since 2001 to register websites with the authorities, but the outgoing year saw further restrictions.

"The trend in 2008 was continued tightening of the screws on information," said Vladislav Yuritsyn, a journalist with the online newspaper Zona.kz.net. "Internet was the last more or less free form of media, but the pressure mounted throughout the year."

The media monitoring group Adil Soz notes that websites critical of the authorities in Kazakhstan are liable to be blocked or made accessible only with difficulty. In some cases web users find themselves directed to what looks like the real thing but is in fact a specially created fraudulent site containing modified information.

Yuritsyn noted that as part of their efforts to control the web, the Kazak authorities are trying to make website owners liable for content such as blogs, reader comments and discussion forums. As he put it, "The prosecution service treats an internet newspaper's own editorial copy and the comments submitted by readers as if they formed an integral whole."

Attempts to bring internet sites under tighter control have also been made in Kyrgyzstan and Tajikistan.

Alisher Sabirov, a member of the Kyrgyz parliament, has proposed a bill that would subject websites to the same degree of regulation as conventional media, specifically requiring them to apply for official

registration with the national authorities.

In an interview for the Bishkek-based Institute for Public Policy, Sabirov explained that he was mainly worried by sites that in his view incited hostility between different ethnicities, faiths or regions.

Neighbouring Tajikistan has since 2007 treated internet outlets the same as print and broadcast media when it comes to defamation.

Once again, Uzbekistan and Turkmenistan are special cases. The governments there already make a practice of scrutinising and closing domestically-owned sites at will, so their main concern is information seeping in from websites based abroad. To combat this, their security services deploy a range of techniques including blocking undesirable news sites and monitoring email traffic to identify journalists who may be freelancing for what they deem hostile outside media.

MEDIA LAWS CHANGED BUT NOT IMPROVED

Both Kazakhstan and Kyrgyzstan amended their media laws in 2008 – but certainly not for the better, according to critics.

Media rights groups said the amended Kazak media law, passed by parliament in November, was a disappointment as it failed to stop libel being punishable under criminal law. However, the changes did at least shift some of the burden of proof away from journalists charged with defamation. In the past, the accused had to prove conclusively that his or her allegations were true, which made it easy for officials accused of various abuses to win such cases. (See **Kazak Reform Bills Offer Little New**, RCA No. 557, 21-Nov-08.)

In addition, as Information and Culture Minister Mukhtar Kul-Muhammed noted, the amendments mean reporters will no longer be required to ask permission before using audio or video equipment to conduct an interview.

Ninel Fokina, head of the Almaty Helsinki Committee, agreed this was a step in the right direction but added, “It would be exaggerating to suggest that removing a draconian clause represents a serious step towards democracy.”

In Kyrgyzstan, a new law signed by president in June put an end to a project to transform the state TV and radio company NTRK into a more independent public-service broadcaster. Critics said this it took the country back to a situation where the president has too much power over the media.

Another defect in the bill, they say, is that it will make it almost impossible for local TV channels to survive as they must now generate half their material themselves rather than buying it in, and they must also ensure that 50 per cent of their broadcasting is in Kyrgyz rather than Russian. (See **Kyrgyz Media Bill Goes Back to Square One**, RCA No. 544, 02-May-08.)

Gulnura Toralieva is regional media coordinator with the BBC World Service Trust in Bishkek. Aslibegim Manzarshoeva and Irina Stupakova are IWPR-trained contributors in Dushanbe and Almaty, respectively.

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