Introduction

In spite of positive developments in terms of human rights, the rule of law and democratisation in Central Asia following the adoption of the European Union (EU) Strategy in June 2007, the state of the mass media continues to deteriorate in all five countries in the region. The dialogue on human rights initiated by the EU mostly focuses on the reform of the judicial and correctional systems, as well as on the rights of disenfranchised segments of the population, all of which is unarguably crucial for further democratisation in Central Asian states. However, restrictions on freedom of speech through the moral, physical and economic coercion of journalists, and the inexorably shrinking circle of independent media, have so far failed to attract the attention of the EU.

The regional media remain exceedingly powerful and effective instruments of government propaganda, and journalists are forced to follow rigorous directives laid down by the owners of media outlets, whom directly or indirectly support both the existing regimes in Turkmenistan and Uzbekistan, as well as presidential entourages in Kazakhstan, Kyrgyzstan, and Tajikistan. An almost Soviet-style official censorship, as well as self-censorship, has become a daily occurrence in Central Asian media, resulting in the public’s deprivation, to varying degrees, of the access to independent information.

Developing independent mass media and supporting free speech are not priorities for EU countries in their dealings with Central Asia, as the following tendencies indicate:

- Programmes related to the development of mass media in the region receive little funding.
- EU countries’ reactions to violations of freedom of speech in the media in the five Central Asian states are, as a rule, lethargic and unduly cautious, whilst discussions on the state of freedom of speech during bilateral and multilateral meetings and dialogues lack a clear message.
- Remedies to these problems proposed by various EU representatives fall short due to a predilection for differentiation and a lack of coordinated action.
- The EU Strategy and related documents on Central Asia lack clearly developed approaches and mechanisms for developing the mass media, as well as standards and criteria with which to measure the EU's approach to the development of mass media in Central Asia

Gulnura Toralieva

About the Author

Mrs. Gulnura Toralieva has a BA and MA degrees with honors in International Journalism from Kyrgyz-Russian Slavonic University. She worked as IPP (Institute for Public Policy, Bishkek) Program Director from May 2006 to August 2008. In this post Ms. Toralieva has been responsible for management of all IPP projects on good governance, rule of law and media she moderated public events, delivered workshops on journalism and edited a number of training materials for journalists. Initially she started as a Journalist-Analyst; subsequently she worked as a Training Program Coordinator/Analyst, Media Program Coordinator/Editor-in-Chief of BPC web-site. Currently Mrs. Toralieva works as a Regional Media Coordinator for BBC World Trust Service in Bishkek.
progress.

- Donors incorrectly define projects as media programmes. Instead of directly supporting freedom of speech and the mass media, several media related projects in fact aim at resolving other problems through the mass media.1

- There is no qualitative analysis or monitoring of the media situation and, consequently, no efficient response to positive and negative changes in the media sphere. This policy brief identifies tendencies and problems affecting the development of free media outlets in Central Asia and proposes ways and means through which the EU could engage to improve the situation.

The state of the media in Central Asia

Freedom of speech is under threat, and the situation of mass media development is very alarming. Central Asian journalists are increasingly subjected to pressure, persecution and violence; the field and influence of independent media outlets rapidly shrinks, particularly on the Internet;2 and the degree of censorship and self-censorship continues to grow.

In its 2008 Freedom of Speech Index, the Paris-based international organisation Reporters without Borders rated freedom of the press in 173 countries, with Uzbekistan and Turkmenistan ranking 163rd and 171st, respectively. Kazakhstan (125th) and Kyrgyzstan (111th) ranked almost as low. Kyrgyzstan has slowly begun to lose its status as the Central Asian country with the best access to information for its citizens.3 This became blatantly obvious with the sensational killing of the Kyrgyz Alisher Saipov, the editor of the independent Uzbek-language newspaper Syosat, which had strongly criticised the policies of President Islam Karimov – according to unofficial reports, this was the reason for Saipov’s murder, which has allegedly been carried out by the special forces of a neighbouring country.4 Kyrgyz authorities attempted to appease the local citizenry, which had reacted to the journalist’s murder by organising roundtables, issuing publications and demanding an impartial investigation.5 According to Reporters without Borders, Kyrgyzstan’s ranking has dropped this year due to the overall worsening of the media situation in the country.

In an attempt to persecute and isolate journalists, Central Asian authorities frequently accuse them of defamation (a criminal offense in those countries) – a tactic that also serves as an instrument of censorship and for imposing self-censorship.

Among the most serious problems are the complete restrictions on freedom of speech on the Internet in Uzbekistan and Turkmenistan, as well as attempts by the authorities in Kazakhstan, Kyrgyzstan, and Tajikistan to regulate the content of Internet publications, which have increasingly become alternative sources of information in the region.

Turkmenistan and Uzbekistan

International media and human rights organisations have repeatedly referred to Turkmenistan and Uzbekistan as the most repressive governments in the world, with the least open and free mass media.

Both countries present the largest number of arrests of journalists working for independent foreign media organisations. These Central Asian states have no independent media of their own, and the population has access only to governmental or pro-governmental sources of information. Expectations that Turkmen President Gurbanguly Berdymukhammedov (who assumed power in February 2007) would be able to reverse the country’s course away from a repressive regime have proved unfounded.

In September 2008, preceding a conference on security attended by representatives of the EU and Central Asian governments, Reporters without Borders issued a statement indicating that the initiatives of the international community had not produced tangible improvements in terms of freedom of speech and information in Uzbekistan and Turkmenistan.6

All attempts at independent, critical reporting concerning the authorities in these countries continue to result in arrests, violence, and the harassment of journalists and their families.

In Turkmenistan, according to international human rights groups, Sazak Durdymuradov, a correspondent of Radio Free Europe/Radio Liberty (RFE-RL), was arrested and tortured in June 2008. Other journalists continue to “face more pressure than never before”,7 but the exact number of victims among Turkmen journalists remains unclear.

In October 2008, Uzbek journalist Solidzhon Abdurakhmanov was given a 10-year prison sentence on charges of possession and use of narcotics, even though he steadfastly maintained that the case was fabricated. The sentence was handed down just three days after the EU relaxed its sanctions against Uzbekistan – a clear indication that the country’s government remains wedded to its previous course of repression. This also destroyed the glimmer of hope – that had appeared after the release early last year of Umid Nyazov – that other journalists might be released as well.8 According to the New York-based Committee

1 For example, the programme Discussion of Problems Related to Human Rights aims at increasing the volume of information on human rights, and not at strengthening the potential of the mass media. Another example is the programme Mobilisation of the Mass Media in Support of Women and Children, aimed at women and children while the mass media become merely an instrument for advocacy and lobbying rather than the primary beneficiary.

2 For example, the blocking of access to LiveJournal.com for Kyrgyz citizens.


5 Kyrgyz authorities have dismissed the version that Uzbek law enforcement authorities were implicated in the Saipov’s murder. Within the society as a whole, there is suspicion that this version was suppressed because the Kyrgyz authorities were apprehensive of upsetting relations with Uzbekistan.

6 IWPR, 5 January 2009, op. cit.


to Protect Journalists, six journalists were imprisoned in Uzbekistan in 2008.

The OpenNet Initiative noted in 2007, “Uzbekistan has the most stringent Internet surveillance and censorship regime among the CIS countries”. Perhaps only North Korea, Burma, and China still control the flow of outside online information as strictly. Reporters without Borders has duly included these countries in its list of “Enemies of the Internet”.

Internet content is regulated by government agencies that not only closely track and discard “superfluous information”, but also block out unwanted sources. Of the 44 Internet providers in Uzbekistan, only one has the legal right to connect users to the international section. Connection to the World Wide Web is done only through UzPAK, a government entity. Uzbek authorities did not even try to hide the reasons for such actions: they clearly stated that the creation of such a monopoly would make it easier to regulate and monitor the flow of information on the Internet.9

Control of the flow of outside information into Uzbekistan tightened after the series of terrorist attacks that hit the country in 2004. The government blamed the attacks on militant Islamists, but their true objective remains unknown. The situation worsened after police opened fire at peaceful demonstrators in Andjion in 2005. After those events, the government expelled almost all independent foreign journalists.

Both Uzbekistan and Turkmenistan remain concerned about the information that filters in through foreign-based web sites. The security services hence use a whole array of tactics, including shutting down “unfriendly” news web sites and monitoring electronic mail to identify journalists who might be freelancing for “enemy” foreign media organisations.

**Kazakhstan, Kyrgyzst and Tajikistan**

In 2008, Kyrgyz authorities continued their campaign of aggression and harassment against journalists and newspaper editors, either through physical force or by exploiting the criminal justice system to persecute and jail “unfriendly” journalists. However, attempts at establishing proof of physical abuse have not met with success. Likewise, two well-known opposition newspapers – Alibi and De-facto – were forced to close down after a court imposed on them fines that even some of the most successful Western newspapers would have been hard-pressed to pay. One of these newspapers had reported a car crash that ended in a fatality allegedly involving the nephew of the president. The court ruled that the article contained false information and found the paper guilty in a libel suit. One of the editors was imprisoned and the other was forced to flee the country with his family in order to avoid further persecution.10

The temporary interruption of RFE-RL and the BBC in Kyrgyzst from October 2008 to the beginning of December, and then again in January 2009, was also viewed as another government attempt to limit the public’s access to outside sources of information. According to the National Television and Radio Broadcasting Corporation (NTRC) – that handled the local re-transmission of RFE-EL and BBC programmes – the interruption was the result of a misunderstanding regarding contractual obligations, even though NTRC had previously voiced concern about Radio Free Europe/Radio Liberty’s impartiality in reporting.11

In Kyrgyzst, attempts have also been made to establish stricter controls over Internet web sites. Lawmakers are drafting a law that equates web sites to ordinary media organisations, obliging them to register before being allowed to operate.

A law requiring that web sites register with government agencies was adopted in Kazakhstan in 2001, and the requirements were tightened even further last year. The non-governmental media organisation Adil Soz has noted that web sites critical of Kazakh authorities can be shut down arbitrarily or access to them made more difficult. In some cases, users are routed to an apparently legitimate web page, which is in reality a specially set-up bogus site containing altered information.12

However, it is worth noting that both in Kazakhstan and Kyrgyzst, the authorities have been attempting to change the laws governing the functioning of the mass media. Amendments were passed in the two countries in 2008, but these changes have brought nothing but disappointment. In Kazakhstan, journalists continue to risk facing criminal charges for alleged defamation. Nonetheless, the new law at least relieves journalists charged with defamation from the burden of having to prove the veracity of their reports, whereas until recently this avenue was routinely used by bureaucrats accused of various misdeeds.13

In Kyrgyzst, the new media law, signed by the president in 2008, ended plans to reform NTRC into a more independent public broadcasting corporation. According to critics, this action has returned the country to a previous situation where the president had at his disposal a large number of tools for controlling the media. The likelihood that the situation of online media will further deteriorate has increased. The new law requires that no less than 50 percent of the content of online media organisations be made up of news produced internally, with half of it being in the official government language. Since online media organisations find themselves in a dire economic state and lack sufficient personnel, they will be forced to revert to simply retransmitting news carried by Russian or Kazakh television and radio broadcasting networks or to shut down altogether.

In Tajikistan, eight libel suits have been filed over the past three years, mostly linked to government bureaucrats accused of various misdeeds. In August 2008, a criminal libel suit was filed against Tursunali Aliev, an experienced journalist from northern Tajikistan, after he published an article critical of local government officials. According to the National Association of Independent Media in Tajikistan (NANSMIT), this was a case of “deliberate


12 IWPR, 5 January 2009, op. cit.

persecution” of a journalist by local law enforcement agencies “acting on behalf of particular government officials,” and designed as a means of scaring other journalists.  

Later that month, Jumaboib Oltoib, a correspondent for the newspaper Zaravshan Times, was charged with insulting a law enforcement officer after publishing a report alleging the disappearance of the valuables of 15 victims during the investigation of an automobile accident. Activists of the movement to protect the media in Tajikistan have launched a campaign to remove the paragraph on libel from the country’s criminal code and have such cases heard in civil courts in the future.  

EU efforts to address and promote media freedom in Central Asia

EU countries are among the leaders in supporting human rights programmes in Central Asia and efforts in this area have produced some positive results. From a European political standpoint, this is reflected in the EU Strategy for the region. After the establishment of the Strategy, a course of action was undertaken to fine-tune the dialogue on human rights with all Central Asian republics supportive of this initiative.

However, the EU has raised the issue of freedom of the media only partially in Kyrgyzstan but not in Kazakhstan and Tajikistan. The reasons for such an approach include: the prickliness with which Central Asian governments react to any mention of the problem; the fact that the issue is not a priority in EU-Central Asia relations; and the simple lack of time during meetings, as organisers put too many issues on the agenda, and problems get thus discussed only superficially.

Moreover, freedom of the media is not directly mentioned in the EU Strategy to Central Asia, but is of course part of the Strategy’s claim to promote human rights and fundamental freedoms. Consequently, reports on its implementation contain no detailed information on progress in this direction. The absence in these strategically important documents of a clause on developing the mass media enables implementers to avoid working towards achieving progress in the area of freedom of speech and to exclude the issue of human rights from dialogues, seminars, and meetings. The lack of a platform to discuss problems of developing the media may result in the significant deterioration of the human rights situation, with a concomitant negative effect on the democratisation processes in the region.

Despite the dire state of the media in the region, the initiatives of local media organisations to promote freedom of speech receive extremely meagre support from the European Commission (EC) and EU countries. Most organisations from or funded by EU countries in Central Asia, including the EC, do not work directly on media development related programmes. For example, in Kyrgyzstan – where EU donor organisations are the most active in the region – the EC has supported no more than five media development programmes in the past three years; of these, two were at the regional level. As for other EU donor organisations, none has showed any interest in this problem for the period under discussion.

A review of the programmes would conclude that there is no strategic approach to developing the media in the region:

Firstly, the few existing programmes do not meet the demands of today’s challenges. In a region faced with violence, economic and moral pressure, and judicial persecution of journalists, there are no initiatives to combat such illegal practices; to help adopt media laws; or to reduce legal loopholes (including in the criminal code), which currently enable the persecution of journalists. The lack of qualitative analyses and monitoring of the media situation by independent European institutions is the prime reason for the lack of prompt reactions or support for positive reforms in the media sphere from EU countries.

Secondly, most existing media programmes focus on using the media to lobby for progress in other human rights aspects and on broader campaigns for information and advocacy; one existing regional project aims at widely covering the human rights situation, while another focuses on qualitative coverage of women’s and children’s issues. Yet another project seeks to use the media to focus attention on issues of torture. These projects touch only indirectly on how to improve the condition of journalists and to strengthen the potential of the media.

In addition to the Commission, European delegations and EU embassies in the region, the Organisation for Security and Cooperation in Europe (OSCE) is the main party that could help to develop independent media, but its resources for supporting media initiatives are limited. At the beginning of the year, the OSCE slashed its media programme by almost half. This has had negative effects for the newly established media organisations active in all of Kyrgyzstan’s six districts. The above donors support mainly programmes directed at educating professional journalists and, only to a lesser degree, projects to protect journalists or to lobby for improvements in the media law. Journalists who benefit from educational programmes generally move into careers in public relations and marketing in the private sector – more rarely in international media outlets or often [sic.] continue to work under conditions of strict censorship and self-censorship in government-controlled media organisations, where they do not use the knowledge acquired.

Another reason why there are so few media programmes in the region is rooted in the complex procedures for securing grants, particularly from the EC. The bureaucratic labyrinth often dampens the desire for cooperation even among the most successful organisations. In addition, the requirement that projects be co-funded leaves only large, stable Western organisations among the aspirants willing to work with the European Commission; as a result, the bulk of the available funds is spent on maintaining expensive, Western-style offices instead of going directly towards strengthening the
potential of local organisations. Furthermore, organisations working in remote districts do not always have access to information regarding grants, and hence only those located in the capitals receive funding.

Thirdly, the EU’s weak and irregular response to violations of journalists’ rights in the region solidifies the Central Asian authorities’ confidence in their own omnipotence and impunity, further exacerbating their harsh treatment of the media. Such tactics of silent acquiescence on the part of the EU confound local civil organisations, as well as international observers.19 This situation – dynamically evolving around the issue of freedom of speech – now demands undivided attention from all parties interested in the further democratisation of Central Asia, including the EU. The introduction of sanctions against Uzbekistan immediately after the events in Andjion is considered one of the most important steps taken by the EU. But, for various reasons, the bulk of those sanctions has already been lifted.20 Only a symbolic measure – the embargo on arms sales – remains in place. Despite being mild, the original sanctions served as an important reminder that the EU remains committed to democracy and human rights, and, primarily, that it will not tolerate attempts at a human being’s right to life.

Fourthly, measures taken by various EU institutions in Central Asia to develop the media suffer from uncoordinated actions. In supporting media programmes in Central Asia, EU countries rely most often on intuition rather than on a thorough analysis of the situation and thus their actions often overlap. It is not uncommon to see the same project being fully funded twice, by two different donors. Furthermore, monitoring of changes as assessed by local partners is often superficial and of substandard quality. This is due to both a lack of diligence on the part of the EU and the low professional qualification of the local partners conducting the monitoring. In addition, the pool of potential partners is severely limited.

Recommendations to the EU

The situation of freedom of speech and the media in Central Asia continues to deteriorate, with the concomitant risks of regression in the sphere of human rights and of a deceleration in the processes of democratisation in the region. In view of this, the EU should pay more attention to these problems and change some aspects in its approach to resolving them. Thus, following steps include:

1. Acknowledging the worsening situation of the media in the region and including the issue in its agenda of planned activities within the implementation of the EU Strategy. These actions should be included in the EU-

Central Asia Human Rights Dialogues, as well as in bilateral and multilateral meetings and seminars with non-governmental organisations and the media.

2. Increasing funding to support the free media, based on the situation of the media in each of the five Central Asian countries. Programmes should include thorough and qualitative analyses of the situation and of ongoing projects, and be further based on such analyses and on the quality and results of previous programmes.

3. Shifting the focus from programmes where the media are used as an instrument in advocacy and information campaigns to programmes geared towards improving the situation of journalists and strengthening the potential of the media as an instrument of public and political control.

4. Simplifying grants procedures and the requirements for implementing budgets and overall activities within the framework of projects. Increasing access to information on EU initiatives, particularly in remote regions.

5. Responding more actively and regularly to important events – both positive and negative – related to media development and threats by the authorities in the region. A close monitoring of the situation by European partners should have a constructive impact on the development of a media environment in Central Asia.

6. Identifying and implementing new ways of creating formal and informal platforms to discuss violations of freedom of speech and the rights of journalists, inviting the journalists themselves to participate.

7. Launching a thorough, qualitative analysis of European and other international initiatives on media development in Central Asia. Organising EU meetings with representatives of local non-governmental media organisations in order to avoid project overlapping, increase the efficiency of existing and future programmes, and define priorities and set qualitative benchmarks for assessing progress.

8. Organising meetings between EU donor organisations active in the region in order to develop a common approach towards media development; defining courses of action; exploring cooperation in the framework of overall initiatives; including freedom of the media on the agenda under the Strategy’s chapter on “Human Rights, Rule of Law, Effective Governance, and Democratisation”; and, where possible, inviting other actors in or outside the EU with similar mandates to join the efforts.

In working simultaneously in several directions, the EU uses its limited resources in diverse initiatives, which its local partners are then unable to bring to a successful conclusion due to a lack of funding and inadequately trained staff. Moreover, the absence of a clear strategy on media development runs the risks of local partners laundering funds, projects producing little results, and, in consequence, free speech in Central Asia deteriorating even further. Each institution bestowing development aid in the region has its own agenda (which is quite natural). The EU, through its political leverage and wide range of human rights values, has a unique opportunity to try and coordinate action. It should seize this opportunity.

---

19 For example, during the Dialogue on Human Rights conference in Turkmenistan, European parties failed to voice any public assessment of the multiple serious problems, including the incident related to the arrest of journalist Durdymuhadov. Human Rights Watch has confirmed this in its recent report on Turkmenistan. See HRW, op. cit.

About EUCAM

The Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE), Spain, in co-operation with the Centre for European Policy Studies (CEPS), Belgium, has launched a joint project entitled “EU Central Asia Monitoring (EUCAM)”. The (EUCAM) initiative is an 18-month research and awareness-raising exercise supported by several EU member states and civil society organisations which aims:

- to raise the profile of the EU-Central Asia Strategy;
- to strengthen debate about the EU-Central Asia relationship and the role of the Strategy in that relationship;
- to enhance accountability through the provision of high quality information and analysis;
- to promote mutual understanding by deepening the knowledge within European and Central Asian societies about EU policy in the region; and
- to develop ‘critical’ capacity within the EU and Central Asia through the establishment of a network that links communities concerned with the role of the EU in Central Asia.

EUCAM focuses on four priority areas in order to find a mix between the broad political ambitions of the Strategy and the narrower practical priorities of EU institutions and member state assistance programmes:

- Democracy and Human Rights
- Security and Stability
- Energy and Natural Resources
- Education and Social Relations

EUCAM will produce the following series of publications:

- A bi-monthly newsletter on EU-Central Asia relations will be produced and distributed broadly by means of an email list server using the CEPS and FRIDE networks. The newsletter contains the latest documents on EU-Central Asia relations, up-to-date information on the EU’s progress in implementing the Strategy and developments in Central Asian countries.
- Policy briefs will be written by permanent and ad hoc Working Group members. The majority of the papers examine issues related to the four core themes identified above, with other papers commissioned in response to emerging areas beyond the main themes.
- Commentaries on the evolving partnership between the EU and the states of Central Asia will be commissioned reflecting specific developments in the EU-Central Asia relationship.
- A final monitoring report of the EUCAM Expert Working Group will be produced by the project rapporteurs.

This monitoring exercise is implemented by an Expert Working Group, established by FRIDE and CEPS. The group consists of experts from the Central Asian states and the members countries of the EU. In addition to expert meetings, several public seminars will be organised for a broad audience including EU representatives, national officials and legislators, the local civil society community, media and other stakeholders.

EUCAM is sponsored by the Open Society Institute (OSI) and the Netherlands Ministry of Foreign Affairs. The project is also supported by the Czech Republic Ministry of Foreign Affairs, the Spanish Ministry of Foreign Affairs and Cooperation and the United Kingdom Foreign and Commonwealth Office.

About FRIDE

FRIDE is a think tank based in Madrid that aims to provide original and innovative thinking on Europe’s role in the international arena. It strives to break new ground in its core research interests – peace and security, human rights, democracy promotion and development and humanitarian aid – and mould debate in governmental and nongovernmental bodies through rigorous analysis, rooted in the values of justice, equality and democracy.

As a prominent European think tank, FRIDE benefits from political independence, diversity of views and the intellectual background of its international staff. Since its establishment in 1999, FRIDE has organised or participated in the creation and development of various projects that reinforce not only FRIDE’s commitment to debate and analysis, but also to progressive action and thinking.

About CEPS

Founded in Brussels in 1983, the Centre for European Policy Studies (CEPS) is among the most experienced and authoritative think tanks operating in the European Union today. CEPS serves as a leading forum for debate on EU affairs, and its most distinguishing feature lies in its strong in-house research capacity, complemented by an extensive network of partner institutes throughout the world.

CEPS aims to carry out state-of-the-art policy research leading to solutions to the challenges facing Europe today and to achieve high standards of academic excellence and maintain unqualified independence. CEPS also provides a forum for discussion among all stakeholders in the European policy process and builds collaborative networks of researchers, policymakers and business representatives across the whole of Europe.