

Central Asia Media Conference Special Report

Overview

Representative

Mandate

Contact

Press Information



15th Annual Central Asia Media Conference: Reflecting on OSCE Media Freedom Commitments

To commemorate the 15th anniversary of the Central Asia Media Conference (CAMC), the Office of the Representative for Freedom of the Media (RFOM) commissioned qualitative, interview-based research at the conference to gauge how media freedom has changed in the region after fifteen years. RFOM has organized such conferences in Central Asia since 1999 when it held the first one in Bishkek.

This report examines the Office's activities and their impact on the state of media freedom, from professionalism and pluralism to legislation and government restrictions. While it is difficult to draw correlation between RFOM's activities and the change in media freedom landscapes, this report shows how local participants believe RFOM has or has not contributed to positive developments in the sector across five Central Asian countries: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

Attendees frequently remarked that these conferences are one of the few opportunities for the journalists and media workers to discuss media freedom issues directly with their own authorities. Such discussions rarely, if at all, take place in their own countries.

The conferences also offer a rare opportunity to discuss with colleagues from the region the most important issues related to media freedom, such as freedom of the internet and digitalization. Regardless of the current political situation in the countries and the bilateral relations between some of the countries, this conference brings together the media community and creates an atmosphere of solidarity in this challenging region. This conference is also seen by some of the participants as a conflict prevention and confidence building measure.

Each annual conference is devoted to a specific subject and tries to address some of the most pressing issues faced by the media in these countries. A recent success was that Turkmenistan hosted the CAMC in 2012 for the first time in Ashgabat, and currently the country is working on Internet legislation, which can be also seen as a direct follow-up of last year's conference. In 2010 Kyrgyzstan decriminalized defamation and established a self-regulatory body, after the issues were extensively discussed at the previous conference. Almost every conference is followed-up with activities related to the subjects, such as seminars and trainings.

RFOM Activities in Central Asia - Page 2

Since 1999, the Office of the RFOM has engaged in Central Asia with governments, journalists and civil society to uphold media freedom standards across the region. Highlights include the Office's role in contributing to the passage of legislation to establish public service broadcasting in Kyrgyzstan in 2010 and the CAMC held in Turkmenistan for the first time in 2012.



Research and Resources - Page 3



Interviews were conducted over two days at the 15th CAMC in Bishkek in June 2013, with all five Central Asian countries represented in the sample. In the research findings, six themes are selected to highlight the top issues facing media freedom in Central Asia over the past 15 years and how they have or have not changed. These themes reflect perspectives and opinions of interviewees, all of whom live in and work with media in Central Asia.

Major Issues - Pages 4-6

Journalist Safety

Representative Mijatovic said that the issue of journalist safety continues to plague the region and the solution lies not with international organisations but within a society that is 'developing and moving towards more freedom. In order to do this, governments need to show more maturity, more political will.'



Internet Freedom

Along with journalist safety, Internet freedom has been a major issue for the RFOM, making it the focus of the CAMC for the past two years. The limited progress that has taken place to increase physical and content access to Internet in Central Asia is mostly due to web-savvy citizens, especially the youth.

Decriminalization of Defamation

Representative Mijatovic said her Office is concentrating on this effort throughout the OSCE region, not just in Central Asia, and uses conferences such as at the CAMC to meet bilaterally with officials on this issue. She has focused on this topic in the general discussion at CAMC and follows through with relevant governments immediately after to discuss best practice and practical application for their countries.

2012:
New criminal
code debated in
Kazakhstan but
defamation still
criminalized

Professionalism & Code of Ethics

The RFOM has highlighted this as a specific issue at previous conferences because self-censorship and poor quality journalism are consistent problems across the region and the industry. While trainings by international NGOs are useful and helpful, journalists do not have the legal support nor the resources to continue their professional development and improve their reporting.

Yes, but...

Major
Problem

Access to Information

Most of the countries in the sample have a law that provides for access to information for journalists and citizens but they are poorly implemented.

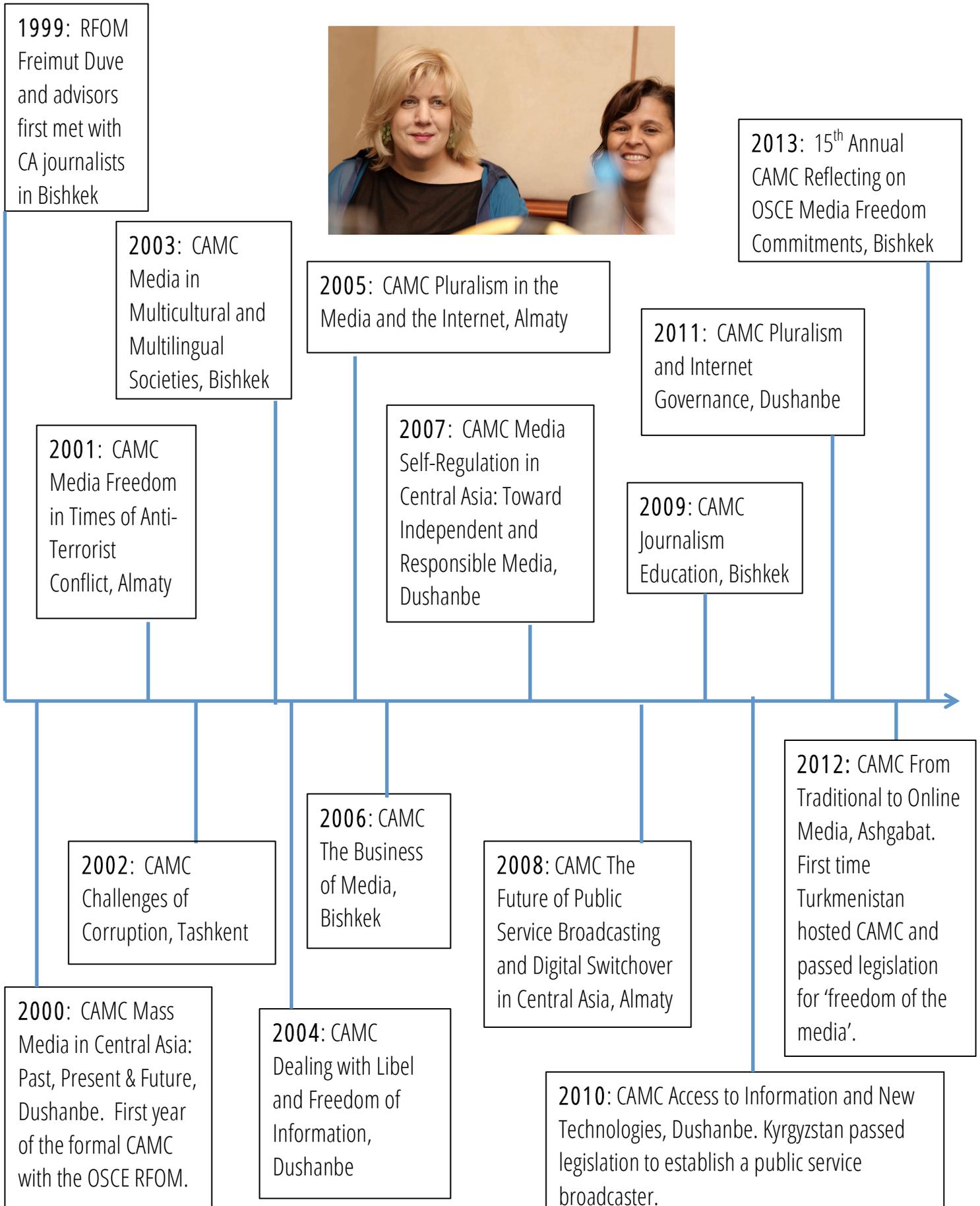
Public Service Broadcasting

The graphic focuses on Kyrgyzstan because it is the only Central Asian country that has established public service broadcasting through legislation. While its legal presence is a positive step, its practical success leaves room for improvement, as some of the interviewees were not familiar with the content found on the PSB.



OSCE RFOM ACTIVITIES IN CENTRAL ASIA

1999–2013



RESEARCH & RESOURCES

The objective of the CAMC is to bring together journalists, government authorities, academics and international experts to examine and discuss the changes in the media landscape taking place in the Central Asian region each year. The 2013 conference reflected on OSCE media freedom commitments and each country's progress in this area over the past 15 years. In addition to the first day of roundtable discussions, delegates participate in a master class on the second day to apply international principles and standards to their own countries' specific circumstances.



METHODOLOGY

Several qualitative methods were used to determine the findings laid out on the following pages.

- Interviews were conducted over two days at the 15th CAMC in Bishkek, with all five Central Asian countries represented in the sample.¹
- All interviewees were asked 20 questions related to media in their countries and their own experiences. The question scheme (see Annex A) was based on issues and recommendations raised at previous conferences and laid out in annual **conference declarations**² from OSCE RFOM.
- Existing reports from **IREX**³, **Human Rights Watch**⁴, **Reporters Without Borders**⁵ and **Transparency International**⁶ provided baseline research to understand the media environment in each country in 2013.

In the research findings, six themes are selected to highlight the top issues facing media freedom in Central Asia over the past 15 years and how they have or have not changed. These themes reflect perspectives and opinions of interviewees, all of who live in and work with media in Central Asia. **Interviewees who wished to remain anonymous are identified only by their professions; initials are used for those who gave consent.**

TOP ISSUES FACING CENTRAL ASIAN MEDIA

JOURNALIST SAFETY

'One difference from our neighbours: No journalists have been killed for their work in 20 years.'

-Journalist, Uzbekistan

Q: Do journalists feel free to report on political spending? In the past year have there been instances of violence against journalists?

'When you discover financial spending of politicians or financial criminal acts, it is dangerous to write about them and journalists often think of ... their safety... Personally, I do not know of cases where my colleagues were threatened but when you write about spending of politicians and financial issues, it can be dangerous and there are some restrictions.' - Radio Journalist, Kyrgyzstan

'In Kazakhstan there is no such thing as public officials and the interest of society. In the rest of the world, a journalist can write something if he believes it is for the good of the society, the society will accept it and that journalist will have some kind of protection. In Kazakhstan, the officials are the ones who are applying in the courts for the violations of their rights against the journalists.' - D.M.

INTERNET FREEDOM

Q: What challenges do new media create for the news industry? How has Internet improved media freedom in your country?

REQUIREMENTS

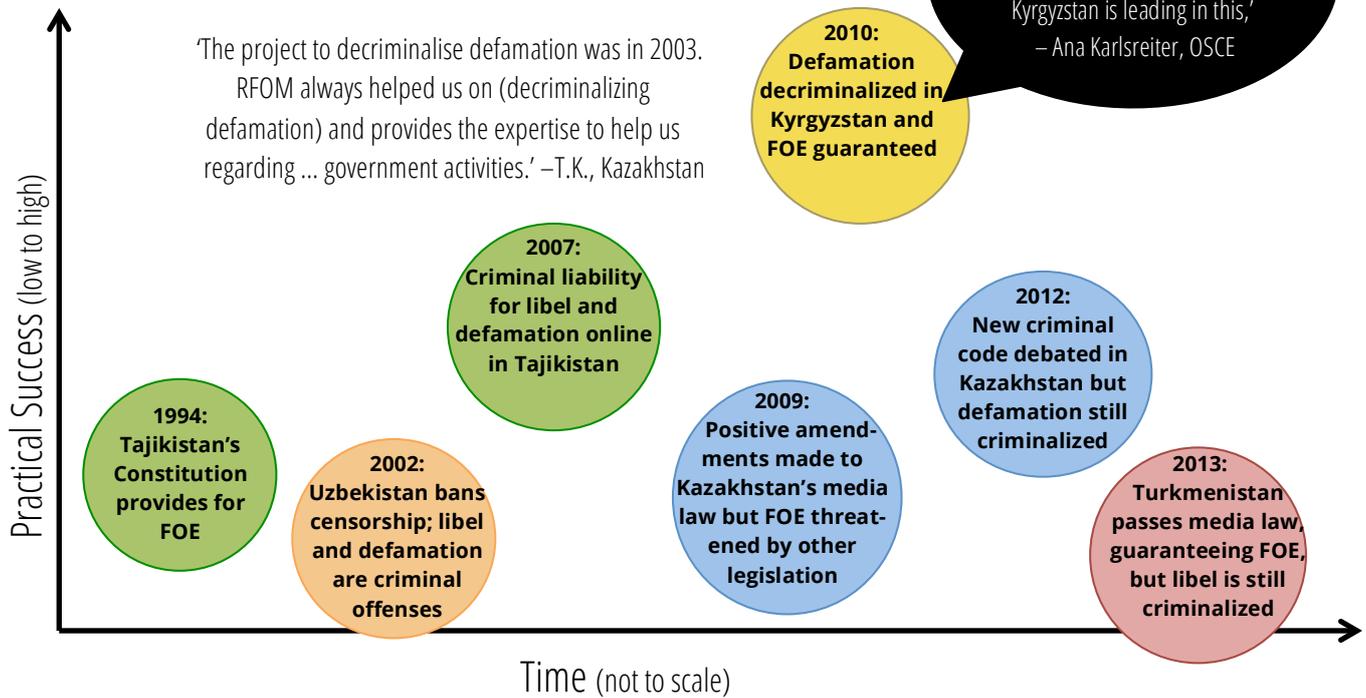
1. Internet penetration is >50% in all countries.⁷
2. Freedom House rankings for Internet Freedom do not surpass 'partly free'.⁸
3. 'The problem is that Internet is regulated by an agency that is also operated by the government.' - A.A. Tajikistan
4. 'Government repression towards media agencies is the same towards the Internet.' - T.K., Kazakhstan
5. 'I would not say that journalists feel free, even on the Internet, for now.' - K.R. Kyrgyzstan
6. 'Morality legislation' is currently being deliberated in Uzbek government, which would limit access to the Internet.⁹

ACHIEVEMENTS

1. 'Access to Internet is growing but is still hard to access in rural areas... There is competition among (online) news agencies for speed and quality.' - Radio journalist, Kyrgyzstan
2. 'If government blocks sites, people will still find a way to access them.... Censorship doesn't really matter.' - Journalist, Uzbekistan
3. Tajikistan has National Association of ISPs
4. 'Blocked sites have found ways to survive and indicate to people how to use other platforms,' - T.K. Kazakhstan
5. Turkmenistan hosted CAMC on Internet Freedom, 2012

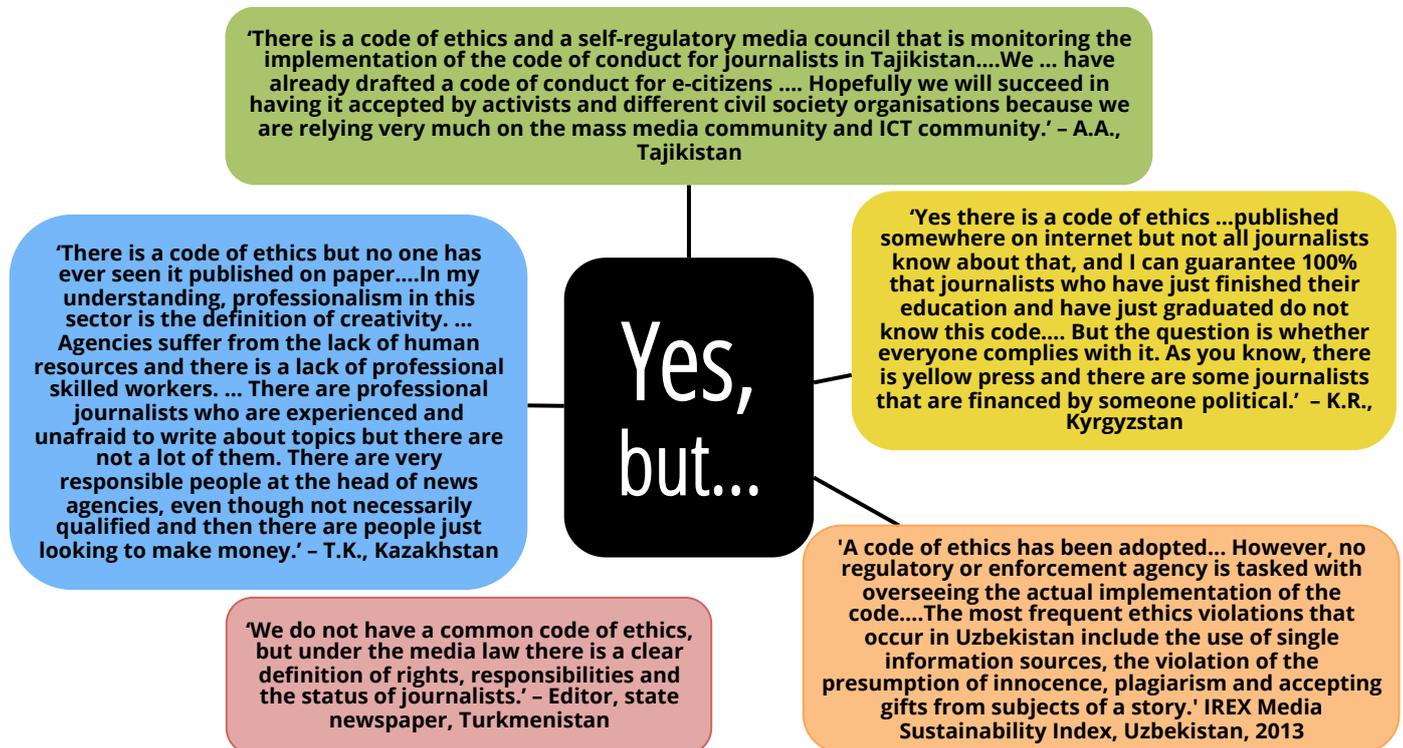
DECRIMINALISATION OF DEFAMATION

Q: Is freedom of expression legally guaranteed in your country? Is libel a criminal offense?



PROFESSIONALISM & CODE OF ETHICS

Q: Does a common code of ethics or self-regulatory body exist in your country for all journalists?



ACCESS TO INFORMATION

Q: Do journalists and citizens know they can request access to information? Do governments know to give information when requested? Is it an easy process?

'Personally, I had a violation of my right to access information and I went to the court and I actually won the case. I was suing the ombudsman in Bishkek since he refused to provide information and I was also suing the law enforcement since they violated my right by denying information that I needed, and I won the case.' – K.R. Kyrgyzstan

'The major problem still is the access to information for journalists. I think that the press was freer (15 years ago) than now since there was not strict government regulation. ... On the one hand, there was less restriction from the legislation side and journalists felt more free, but on the other side the officials were acting in very uncivilised ways.' – D.M. Kazakhstan

'I wanted to write an article about religious extremism and when I wanted to access information about judicial decisions on those cases, they denied access saying they do not provide information to journalists.' – Radio journalist, Kyrgyzstan

'We have a good law that provides us with the rights to access any information that we need and when you know the rights and know the law, you can fight through the courts but unfortunately journalists as well as citizens don't know their rights and don't protect their rights in most cases.' – K.R. Kyrgyzstan

Kazakhstan: Access to Information Law deliberated in Parliament since 2010

Kyrgyzstan: Two laws (1997, 2006) provide various methods to obtain information

Tajikistan: Law on Information signed by president in 2002

Turkmenistan: No Access to Information Law

Uzbekistan: Law on Freedom of Information passed in 2002

'When journalists tried to access that information (spending by politicians) they were prosecuted for invading the private lives of politicians or humiliating or breaching human rights. So journalists are willing to write about it but the conditions that enable us to do so are not there.' – N.Q. Tajikistan

PUBLIC SERVICE BROADCASTING

Q: What is the state of public service broadcasting (PSB) in your country?

The biggest media pre-2010 was state propaganda. The new government introduced PSB but it is still politically linked....The law is still unsatisfactory and does not set a clear understandable relationship between the Executive Director and the Advisory Board.' – M.S., Kyrgyzstan



'During elections in Kyrgyzstan (the OSCE) monitored the performance of the public service broadcaster and what they saw was that equal time was given to position figures, to the governing party and neutral reporting. From what I hear they are getting more and more objective.'
– Ana Karlsreiter, OSCE

'The PSB has cultural programs, they have shows about traditions and they also have news segments in the morning, midday and the evening news. We have one very good radio station that broadcasts parliament debates for the entire day.... quality is increasing every year.' – Radio journalist, Kyrgyzstan

ANALYSIS & COMMENTARY ON OSCE RFOM IN CENTRAL ASIA

In an effort to understand RFOM's role in Central Asia, the following analysis looks at the issues above within the context of the Office's activities and collates the views of participants who have witnessed the work of RFOM in their countries.

Journalist Safety

Dunja Mijatovic, current OSCE RFOM since 2010, said in an interview that her Office has focused on the issue of safety of journalists because challenges are strong and present even today, both 'online and offline'. After extensive research to understand a case in which a journalist is imprisoned or a target of criminal prosecution, to be certain he/she is criminalised for journalistic activities, the first actor with whom she interacts is the government in order to follow her mandate. 'The formula we use is constant dialogue and talks with the officials that are responsible in the government in order to look at the particular cases,' she said.

According to the 2013 Human Rights Watch (HRW) country report for Kazakhstan, Representative Mijatovic's powerful call for the immediate release of a Kazakh editor-in-chief Igor Vinyavskii who was imprisoned in January 2012 led to his release two months later.¹⁰ Reporters Without Borders cites the precarious situation for journalists in Kazakhstan in particular in 2012, 'with assassination attempts, arrests and intimidation aimed at independent journalists, ending with the outright closure of the main national opposition news organizations.'¹¹

There are reports that Uzbek journalists have been harassed by the authorities, though as the quotation above reveals, none have died for their trade. In Turkmenistan, media dissent is not an option as the government controls all mass media, but if state journalists stray from the party line or are even slightly critical of the president, they lose their jobs, according to the Media Sustainability Report for Turkmenistan, 2013.¹²

Representative Mijatovic said that the issue continues to plague the region and the solution lies not with international organisations but within a society that is 'developing and moving towards more freedom. In order to do this, governments need to show more maturity, more political will.'

Internet Freedom

Along with journalist safety, Internet freedom has been a major issue for the RFOM, making it the focus of the CAMC for the past two years. The limited progress that has taken place to increase physical and content access to Internet in Central Asia is mostly due to web-savvy citizens, especially the youth. As Ana Karlsreiter of OSCE RFOM said, the Internet provides 'islands of free expression.' The 2013 CAMC included a one-day Masterclass focused on the practical application of regulating the Internet, especially social media.

According to interviewee Diana Medvednikova, the government of Kazakhstan is becoming more wary of censoring social media like Facebook because they faced challenges from the international community the last time they did so. In Tajikistan, one participant raised the problem of the lack of legislation for regulating the Internet, saying users need laws that will protect them online. Tajikistan is currently in the process of creating a self-regulatory code for e-citizens (see more in Professionalism & Code of Ethics).

Tajikistan also offers an interesting case study for e-government, which RFOM has recommended be developed in previous CAMC declarations. While a representative from the government said there has been great investment and commitment to this initiative, Nuriddin Qarshiboev, Chair of NANSMIT, said in an interview, 'in reality, many of the websites of the government do not work properly and are not updated regularly.'

Decriminalisation of Defamation

In the graphic that explains the issue of defamation as a criminal offense, it is important to note the significant step taken by Kyrgyzstan in 2010 to legally protect journalists, according to interviewees and the RFOM Office. Until today Kyrgyzstan remains the only Central Asian country to fully decriminalise defamation. According to international standards, defamation should not fall under the criminal code and should only require a civilian or professional response from the author or media house.

In 2012, the government of Tajikistan decriminalized libel but 'retained criminal sanctions for insulting the president' which effectively misses the point.¹³ According to interviewees from Tajikistan and Kazakhstan, their governments fear that decriminalising defamation will increase violations of privacy and even violations of human rights.

Representative Mijatovic said her Office is concentrating on this effort throughout the OSCE region, not just in Central Asia, and uses conferences such as the CAMC to meet bilaterally with officials on this issue. She has focused on this topic in the general discussion at CAMC and follows through with relevant governments immediately after to discuss best practice and practical application for their countries.

Professionalism & Code of Ethics

As illustrated in the graphic, neither content nor accessibility of a general code of ethics for journalists was familiar to interviewees, particularly from Kazakhstan and Kyrgyzstan. The RFOM has highlighted this as a specific issue at previous conferences because self-censorship and poor quality journalism are consistent problems across the region and the industry. While trainings by international NGOs are useful and helpful, journalists do not have the legal support nor the resources to continue their professional development and improve their reporting.

In Kazakhstan, the Adil Soz Foundation is against a self-regulatory body and a common code of ethics because 'it's too early,' according to Tamara Kaleyeva, the organisation's president. The government continues to unjustly regulate media in Kazakhstan and fighting this, she says, is a priority for them over self-regulation. However, if the government has a misconstrued understanding of self-regulation, they might view it as a pre-requisite for journalists before they restrain their own regulation. Here, OSCE's negotiation with governments and explanation of international practices and standards of journalism will come into play.

In Tajikistan, the Association of Internet Service Providers is trying to establish an open alliance of civil society organisations to monitor and enforce the code of conduct for e-citizens, suggested by Asomiddin Atoev, the current chair of the Association. By having multiple organisations involved in monitoring citizen responsibility online, they hope to promote transparency and trust. OSCE RFOM is involved in this process.

Access to Information

One can easily determine by desk research which countries have freedom of information legislation, but the advantage of interview-based research is hearing different anecdotes and personal stories related to the topic. Based on the experiences of the interviewees, especially Kamil Ruziev's successful court case, Kyrgyzstan is showing progress in its openness, though Ruziev lamented that journalists do not fight hard enough to ensure the information they receive is accurate or timely. He suspects that journalists do not want to tarnish their relationship with local authorities; thus they do not take cases to court as he did. Another participant from Kyrgyzstan said his country is more open to distributing information compared to the neighbouring countries, and even if officials don't want to publish something themselves, such as a map of Bishkek, it is easily found on Google.

Despite the Law on Freedom of Information in Uzbekistan and the official rhetoric against censorship, the government blocks independent information sources regularly both online and offline. One interviewee said that citizens and journalists are able to circumnavigate blocked sites and access information online despite the restrictions. In Turkmenistan, there is no law allowing access to public information for journalists or citizens, and the lack of access to the Internet for mass media outlets prevents them from obtaining objective information that could contribute to a valid news report.

Public Service Broadcasting

The graphic focuses on Kyrgyzstan because it is the only Central Asian country that has established public service broadcasting through legislation. While its legal presence is a positive step, its practical success leaves room for improvement, as some of the interviewees were not familiar with the content found on the PSB. According to international standards, PSB is meant to focus on cultural programming that highlights a country's diversity, but one interviewee said there is still not enough coverage of minority issues since the June 2010 revolution.

Because of its lack of existence in the other countries, PSB was not discussed with interviewees representing Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan.

Commentary on OSCE RFOM's Role in Central Asia

Having taken place for 15 years, the CAMC is a forum where journalists and media NGOs gather annually to discuss issues that affect their countries. Representatives from the RFOM Office expressed a change in the atmosphere of the conference over time. Dunja Mijatovic, Andrey Rikhter and Ana Karlsreiter revealed a stronger sense of community among participants at this particular conference, the 15th CAMC, as they recognized one another and crossed over national boundaries more often and more comfortably than they did in earlier settings. The CAMC also offers a prime opportunity to meet with government officials bilaterally and discuss pressing issues, which the Office pursues throughout the year. It is also a setting where civil society, journalists and government officials can meet and exchange thoughts about media freedom under the umbrella of the conference.

'The conference was really the only forum where in the last 15 years journalists from almost always all 5 Central Asian countries could meet and freely discuss topical issues and have a publication summarizing the debate,' said Andrey Rikhter, Director, OSCE RFOM.

'The level and numbers of participants from each country has increased,' said Ana Karlsreiter, Senior Advisor, OSCE RFOM. 'There were five representatives from Turkmenistan this year and ...the last conference took place in Ashgabat and this was a huge breakthrough.'

'Apart from bringing people together, they are also sharing experiences and learning about the issues of our time such as regulation of social media from international experts, all the possibilities of modern, open journalism, engagement and the role of social media activists who are sometimes seen as intruders in countries such as in Central Asia,' said Representative Mijatovic. 'So we try to open up and bring different experiences from around the world.... Also government officials see this as a very important exercise to bring some topics closer to the people.' Representative Mijatovic said people who approach her on the sidelines of the conference often give 'excellent' feedback.

All interviewees were asked how they felt OSCE RFOM contributed to progress in the area of media freedom in Central Asia, as many of them attended the CAMC several times and have interacted with the Office over the years. A selection of their comments is below, but in general, there was an expressed need for the OSCE RFOM to:

- Hold governments accountable
- Invite rural journalists and bloggers to future conferences
- Continue to react quickly and strongly to government offenses
- Continue to hold CAMC annually, including the Masterclasses, and continue regional activities

‘The major impact and contribution of OSCE is that they changed the attitude towards acceptance of the mass media sector. There is also contribution of OSCE in legislation changes and in people’s behaviour and attitudes, not only in Tajikistan but throughout the region. ...OSCE also has restrictions in that they are not donors and that is an issue. And also OSCE is an intergovernmental organization so they have to find a common ground with the government and society and that is very hard.’ – N.Q. Tajikistan

‘I participated last year at Ashgabat. The Turkmenistan government was very happy to hold this (conference) in Ashgabat. It showed they want to be open, democratic, and it showed support of international organisations and OSCE. Only because of OSCE could we achieve the media law of 2012 and increase the level of education for journalists.’
Editor, state newspaper,
Turkmenistan

‘The best thing was meeting my colleagues.’ – Journalist, Uzbekistan

‘The OSCE contribution has been good and bad. They try to evaluate one country based on (the experiences of) many. I don’t like when international organisations try to (use) experiences of other countries ...and best practices and try to make it fit into Tajikistan.’
- Official from the Office of the President, Tajikistan

‘One of the most important things is that we can share experiences and meet colleagues and people from mass media and of course the presentations were great. I think we have to promote and develop this in the future.’
– K.R. Kyrgyzstan

‘This is my third or fourth conference, and in these conferences every time these kinds of issues that are not always pleasant to raise are raised by the OSCE and when these issues are discussed, it encourages a continuing of discussions at the local level between regulators and civil society organisations which is definitely helpful.’
– A.A. Tajikistan

‘I wouldn’t say that the OSCE had a huge impact. The major contribution is that they played more of an educational role and gave us international standards of freedom and clear definitions of what that is.... I would say the OSCE impact hasn’t been huge on development, but that is not because of the OSCE. Even internal efforts within the country have not influenced that much the development of the media sector.’
– T.K., Kazakhstan (has attended almost every CAMC)

‘Masterclasses have brought more engagement among participants and we will continue them in the future...In Central Asia I can only say that we are moving in a very positive direction but we are also moving too slow, which I tell the governments. I think with a bit more political will, we would be able to jointly achieve something that would make the media environment more vibrant, healthier and freer.’

– Dunja Mijatovic, RFOM

ANNEX

Interview Question Scheme

1. Were you working in the media industry in your country in 1998?
2. What were the major problems facing your country's media sector in 1998 (nb *going back 15 yrs...*)?
3. Has there been an increase in government funding for journalist education in your country? What about for journalist safety and professional training?
4. Are journalists free to report on spending by politicians? If it is legal to do so, do they FEEL free to do it?
5. How are cases related to journalist activities and conflicts dealt with in your country? Through the court or independent media councils?
6. Is libel a criminal offense? Are other journalist activities?
7. Is freedom of expression and pluralism legally guaranteed in your country?
8. Does a common code of ethics exist in your country for all journalists? (does it only exist for each outlet? If so, do the newspapers print it in their papers?)
9. Is there a self-regulatory body in your country and to what degree has government been involved in its creation and structure?
10. How is the public media literacy in your country? Are there examples of awareness campaigns to educate the public about ethical media and individuals' right to complain?
11. What is the state of public service broadcasting in your country? (*especially in Kyrgyzstan)
12. Is equal access guaranteed for all broadcasters? Is there an independent licensing body?
13. Are there recent (in the past year) examples of violence against journalists?
14. Do journalists have access to training in entrepreneurial and technical skills?
15. Is there collaboration with other Central Asian countries to share journalism training materials?
16. Do journalists and citizens know they can request access to information? Do government agencies know they must give information when requested? Is it an easy process?
17. Does e-government exist in your country? (using the internet to facilitate wider access to information and access government services online)
18. What percentage of the population has internet in your country?
19. What challenges do new media create for your country's news industry?

20. Have these issues changed up to this point, in 2013? For better or worse?
21. If they have changed, what do you think has been the main cause for the change?
22. What are the most important challenges still facing your country's media sector?
23. How has the OSCE contributed to change in your country's media sector if it all?

Footnotes

1. The five countries represented in the sample are Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Mongolia joined the OSCE in November 2012, and one representative from Mongolia came to the 15th CAMC but did not participate in the research.
2. CAMC Conference declarations: <http://www.osce.org/fom/66078>
3. IREX Media Sustainability Reports 2013: <http://www.irex.org/project/media-sustainability-index-msi-europe-eurasia>
4. Human Rights Watch World Reports 2013: <http://www.hrw.org/news/2013/01/31/central-asia-widespread-rights-abuse-repression>
5. Reporters Without Borders: <http://en.rsf.org/central-asia.html>
6. Transparency International: <http://www.transparency.org/country#KAZ>
7. Internet Penetration Rate Data, economywatch.com: http://www.economywatch.com/economic-statistics/economic-indicators/Internet_Penetration_Rate/
8. Central and Eastern Europe/Eurasia, Freedom House: <http://www.freedomhouse.org/regions/central-and-eastern-europeeurasia>
9. 'Uzbekistan: Tashkent Wants to Stifle Children to Protect Them', eurasianet.org <http://www.eurasianet.org/node/67316>
10. 'Freedom of Expression', Kazakhstan World Report 2013, Human Rights Watch, pg 2, <http://www.hrw.org/world-report/2013/country-chapters/kazakhstan?page=2>
11. World Press Freedom Index 2013, Reporters Without Borders, pg 14, http://fr.rsf.org/IMG/pdf/classement_2013_gb-bd.pdf
12. Europe and Eurasia Media Sustainability Index 2013, IREX, pg 296
13. 'Freedom of Expression', Tajikistan World Report 2013, Human Rights Watch, pg 2, <http://www.hrw.org/world-report/2013/country-chapters/tajikistan?page=2>