



Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
Freimut Duve

Report to the Permanent Council on
the Media Situation in Central Asia
(Agenda item 2)

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Mr. Chairman, Ladies and Gentlemen,

Today, my report will focus on the OSCE member states in Central Asia. My Office has monitored the situation over several months. In April, I visited Uzbekistan, Kazakhstan and Kyrgyzstan; at the same time, my Advisor, Stanley Schrager, visited Turkmenistan and Tajikistan. Let me share with you at this stage the results of our work: our assessment of the media situation in the five countries mentioned, our concerns and our conclusions.

During all five visits, we had meetings with what I call the "four constituencies", with the Government, with Parliament, with media people and with NGO's. In this respect, I would like to acknowledge, first of all, the hospitality and the cooperation of the respective governments who welcomed us on every stop of our itinerary and worked closely with us in developing a suitable program. Second, we were impressed with the work of the OSCE representations throughout Central Asia. Our visits could not have succeeded without their advance preparations and their experience.

Our visits to Central Asia have confirmed that the OSCE, through its offices in place and its institutions here in Vienna, in Warsaw and The Hague, can play a role of the catalyst in speeding up the difficult transition to democracy. But, to quote something we heard quite often during our conversations with government officials, the transition "cannot happen overnight." The question then is, really, how long is "overnight?"

However, Uzbekistan, Kazakhstan, Kyrgyzstan, Turkmenistan and Tajikistan have voluntarily joined the OSCE family of nations, and, as such, have obligations to fulfil. We need to continue to urge them to take these obligations seriously and move toward continued progress in the field of freedom of the media and freedom of expression.

Although we are talking about a distinct geographical region, with many historic and cultural similarities among the five countries, one would be mistaken to over-generalise about the status of media freedom in these nations. We can go to Kyrgyzstan with considerable media freedom; to Turkmenistan with a virtual absence of media freedom; to Kazakhstan which until 1997 enjoyed a relatively high degree of media freedom; to Uzbekistan with its particular problems; to the special case of Tajikistan, just coming out of a five-year civil war. Each country is different in how its governments have dealt with, and are dealing with, the issue of freedom of the media. The economic situation, too, varies from country to country and should be taken into account, since media independent from Government and State can only exist, if they are economically viable.

Mr. Chairman, Ladies and Gentlemen,

Let me now briefly make a few comments about each of the countries we visited.

Kyrgyzstan remains the example of how there can be media freedom in Central Asia. Independent media clearly exist in Kyrgyzstan, large numbers of independent print and electronic media outlets function. The details are given in a report on media freedom in

Kyrgyzstan which we distributed here early this year and which appears as well in our Yearbook.

There is an ongoing debate over the limits of media freedom in Kyrgyzstan, and, although its record thus far is good, it is not without problems as both members of Government and the media test the limits of freedom of the media in a series of potentially damaging libel suits. I hope these judicial cases can be solved without damage to the record Kyrgyzstan has compiled thus far. This includes one high-profile court case between the Head of State TV and the newspaper Res publica.

The Government of Kyrgyzstan has suggested to me that it host a conference on the media in Central Asia. I welcome and support such an initiative.

I feel obliged, however, to provide a cautionary note, as we receive occasional reports of problems with the independent media, and of attempts by Parliament to legislate restrictions on media freedom. This confirms that moving toward freedom of the media is a process, one that needs constant nurturing. During a meeting with President Akaev, I noted Kyrgyzstan's achievements thus far and expressed my hope that this kind of freedom of expression which he continues to champion could be institutionalised in the country so there would be no turning back.

In Uzbekistan, I expressed my concern about the country's poor record regarding the independent media and press freedom, noting it was still difficult to start and maintain a newspaper, television or radio station truly critical or independent of the Government. There is, in Uzbekistan, a near absence of independent media and, as we had to note, a great divergence between Government, Parliament and the media on their understandings of press freedom.

I am still concerned about the Government of Uzbekistan's attempt to monopolise and control access to the Internet and have requested further clarification on this matter. A major issue in my meetings with officials were the insidious effects of "structural censorship," a concept not unique to Uzbekistan, I might add. It includes difficulties in licensing and registration, discriminatory tax schemes, government control over ownership, office space and rental rates, printing facilities and distribution networks. At the same time, the government representatives took issue with some of my conclusions, insisting that there had been progress in freedom of the media since the country's independence.

Perhaps the most telling incident occurred after I was assured that there was no censorship in Uzbekistan. I was informed of an official agency that did, indeed, practice day-to-day censorship. While paying a surprise visit to this office, I witnessed Government officials perusing newspapers paragraph by paragraph for unacceptable coverage.

Kazakhstan, until its elections last year, had a relatively enviable record regarding press freedom and the existence of independent media, but has not fully recovered from a pre-election crackdown on the media. Unlike the other Central Asian Republics, it offers economic viability to the independent media, which should partake in the country's financial prosperity, both now and in the future. The pressure on Kazakhstan independent media would appear to be mostly indirect. The Government apparently seeks to influence media coverage through licensing requirements, tax inspections and the occasional shut-down. I understand that pressure on the media somewhat alleviated after the election, but there are concerns that this kind of pressure might resurface in the days leading up to the parliamentary and local elections scheduled for later this year. I urged the Government to continue to encourage increasing press freedom.

A high-ranking Foreign Ministry official noted the vacuum created after the abolition of censorship. He said he did not believe in "absolute freedom," but rather noted that this vacuum should be filled in what he called, a "sophisticated process." He urged us to try to understand their "mentality," as he called it, and engage in constructive dialogue, rather than repeating the same thing over and over again. At a meeting with journalists, they expressed concern about a new proposed "law on mass media" and the interpretation of legislating restrictions on media freedom. This law will be an important step in defining the relationship between Government and media in Kazakhstan. From discussions with

both parties, it is apparent that wide gaps remain. I have encouraged a parliament-sponsored hearing on this newly drafted media law. I have also encouraged the OSCE Office in Kazakhstan to host a one-day seminar which would bring Government and media representatives together to discuss issues of mutual concern.

Tajikistan is a special case; it has just come out a civil war which took thousands of lives. While the other countries have almost a decade of independence, one might say that Tajikistan, as an independent country in a transition to democracy, has had only two years' experience to implement these necessary reforms. One should not underestimate the difficult security situation as well which prevails throughout the country.

There is, however, a semblance, the faint stirrings, of independent media in Tajikistan. Even in this difficult environment, there are several nominally independent (that is to say non-government) newspapers and several television stations. But these are often independent in name only, and the dire economic situation of the country mitigates against the growth, at least in the very near future, of independent media. Strangely enough, there is no independent Tajik radio station, although several have applied. Even in a society which is apparently nearly totally dominated by television, there is room for independent radio and we urge the government to move forward expeditiously with the licensing procedure of at least one of the stations which has applied. We found, too, journalists who were willing to publicly air their grievances against what they perceived as government control of media. Most striking was the enormous economic difficulties the independent print media have in simply surviving in Tajikistan today. The OSCE Mission in Dushanbe has secured funding to rehabilitate several independent newspapers. We praise such an initiative and hope it could be expanded.

Unlike the other Central Asian countries, where some independent media exist, although they may be threatened, and journalists are willing to discuss their concerns openly to some degree, Turkmenistan offers no independent media nor any healthy debate on the issue. While the Constitution guarantees freedom of expression, we could find no person willing to avail himself of that privilege. Government officials carefully qualified their statements; "We allow," said one Government official, "only constructive criticism"; "our concern, through the media," said another, "is to bring about a positive perspective." One journalist insisted that they "try to show the positive and good news." Another journalist engaged in a bit of psychoanalysis, noting that Turkmen society was a "conflict-avoidance culture," and that the reluctance to criticise an all-pervasive government structure might be culturally ingrained.

The most telling incident regarding media freedom in Turkmenistan came about as a result of a session which the OSCE Office arranged for my advisor to meet with journalists not employed by the state media, or unemployed. As reported by the OSCE Office subsequently in a memo to the CiO, nobody appeared. Some journalists invited reported that they had been contacted by the State Security Service and urged not to participate. Other invited journalists told OSCE representatives later that they did not attend the session because of their fear of government harassment.

We hold similar meetings with non-government media representatives everywhere we go; this is the first time that nobody attended such a meeting because of their fear of harassment.

We have expressed our concern regarding this incident to the authorities in Turkmenistan. We are urging, too, that any gains regarding media freedom which would come about through pending elections be institutionalised and that Turkmenistan begin to make progress on the issue of media freedom.

On the other hand, in a paradox which we still do not understand, there is a proliferation of satellite dishes throughout Ashgabat, and there appears to be no restrictions on the availability of these apparently quite popular satellite dishes.

Mr. Chairman, Ladies and Gentlemen,

I would like to conclude my report with some observations and proposals for the region as a whole and for our own activities.

We have, in Tashkent, Uzbekistan and Almaty, Kazakhstan, provided facilitative assistance for the establishment of two independent student newspapers. The idea is to cultivate in young, high-school-age students the spirit of independent thinking and journalistic professionalism. The student newspapers will receive financial help in the first year of their publication, so that they can purchase necessary office equipment and pay printing costs. Two student-journalists will travel from Europe to those countries in September, before editorial activities officially begin at the student newspapers, to share their expertise on student newspapers with would-be student journalists from those two schools.

As is the case with many of the countries in the OSCE region, virtually all the Central Asian countries are in the process of drafting new media legislation. This legislation will provide the structural foundation for media freedom setting out the parameters of government responsibilities and obligations. As an OSCE institution we have been asked to provide comments wherever we go on the draft media laws, both by journalists and parliamentarians. We believe we cannot neglect to become involved in something as important as the drafting of a media law, although in the past we have been reluctant to engage directly in strictly legal issues. We are aware that the Central Asian States may not have access to the kinds of legal and international expertise most other members of the OSCE enjoy. My Office will therefore look into appropriate ways and means of serving as a honest broker in assisting the Central Asian States in their efforts to reform the legislation.

Another observation concerns the parliamentary or presidential elections which are foreseen in Central Asian States before the end of the year or early next year. I believe that these elections may provide a small window of opportunity for opening up the media in this process. Turkmenistan, for example, has assured us that their government-controlled media will be available during the elections for all candidates to put their positions across to the public. We will want to look at ways, in consultation with ODIHR, to capitalise on this small window of opportunity that will presumably arise, and seek to keep open that window of media liberalisation.

My last observation is on the dire economic situation of independent media, particularly the print media, in all the Central Asian countries with the possible exception of Kazakhstan. We noted the initiative of the OSCE Mission in Tajikistan, which, for a small amount of money, has been able to keep three independent newspapers from going out of business.

I believe the OSCE could and should undertake more such initiatives which would not involve large funds, but could help to save media with little means. We therefore propose to consider the establishment of a Media Fund for Central Asia. Working closely with OSCE Representations in the Central Asian countries and with our Office, modest funds would be designated to assist struggling independent media, mostly the print media, through a difficult economic transition. This would be a partnership endeavour with contributions from the Central Asian media.

Mr. Chairman, Ladies and Gentlemen,

Central Asia remains a great challenge for the OSCE organization, and for my Office, particularly. I have tried today to outline some of our concerns based on our recent visits, and to enlist the assistance of this organization when possible. I want to pledge to the Governments our desire to work closely with them and their independent media to promote media freedom. We are of course willing to cooperate with the Chairman-in-Office's Personal Representative preparing a co-ordinated approach with respect to activities in Central Asia.

Despite my cautionary notes and my candour, which I hope is taken in the spirit in which it is offered, I remain optimistic.