

PRESS RIGHTS AND CONSTRAINTS IN KYRGYZSTAN: THE FIRST YEAR OF PRESIDENT ATAMBAEV

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ABSTRACT

The ouster of authoritarian President Kurmanbek Bakiyev in April 2010 was heralded as opening the door to a new era of human, press, and political rights protections in Kyrgyzstan. However, the interim administration of President Roza Otunbaeva and the accession of her democratically elected successor, President Almazbek Atambaev, on 1 December, 2011, failed to produce the anticipated, significant commitment to restore and

safeguard press rights. Drawing on interviews with journalists and mass media experts in Bishkek and Osh, this article examines the press rights situation and restraints in the first year of the Atambaev administration. It concludes that achievement of a strong press rights record will be neither easy nor swift in light of Kyrgyzstan's Soviet-era and post-independence history, economic constraints, and political fragility.

KEYWORDS: *Kyrgyzstan; journalism; press freedom; ethnic conflict; post-revolution.*

Introduction

In April 2010, Kyrgyzstan experienced its second revolutionary change of regimes since independence nineteen years earlier. A popular uprising ousted the increasingly authoritarian president, Kurmanbek Bakiev, who was replaced by an interim president, Roza Otunbaeva. Kyrgyzstan experienced a second major upheaval in June 2010 when violence between ethnic Uzbeks and ethnic Kyrgyz erupted in the country's South. The nongovernmental organization (NGO) International Crisis Group labeled that conflict a "pogrom" and reported that the "June events"—as local residents characterized it—left more than 420 people dead and displaced more than 400,000 others.¹ Both events quickly proved to have serious adverse impacts on a media environment that had come under tighter controls under Bakiev.

Voters subsequently amended the constitution to sharply reduce the power of the president and to provide greater authority to Jogorku Kengesh (Supreme Council). Under the new structure, the popularly elected president serves as head of state and the Jogorku Kengesh, a unicameral parliament, chooses the prime minister, who serves as head government. Atambaev, a former prime minister, became president on 1 December, 2011. On that day, the U.S. Embassy in Bishkek released a congratulatory statement expressing U.S. support "to the people of the Kyrgyz Republic as they undertake the hard work of building upon the democratic gains of the past eighteen months and realizing a democratic, prosperous and just future for all citizens of the country."² Four of the five parties holding seats in the parliament formed a governing coalition.

Research Question

Since independence in 1991, Kyrgyzstan has had an inconsistent but usually weak record of protecting the rights of free speech and free press. That record has generated widespread concern among human rights and press rights NGOs such as Reporters sans Frontières (RSF), Committee to Protect Journalists (CPJ), Freedom House, and International Research & Exchanges Board (IREX). Even so, its human rights record generally had been more favorable than the records of the four other former Soviet socialist republics in Central Asia; two of them—Uzbekistan and Turkmenistan—rank among the world's most repressitarian regimes, those that are "both authoritarian in governance and repressive in human rights practices."³

Scholars are increasingly studying the press system in Kyrgyzstan. The first comprehensive post-independence study reviewed the history and status of the mass media; in it, Svetlana Kulikova and Gulnara Ibraeva discussed restraints on press freedom, media economics, and relationships among state and private news outlets.⁴ In a later analysis of media discourse leading to the February 2005 parliamentary elections, K.A. Karagulova found that the Askar Akaev regime had "created a

¹ See: *Kyrgyzstan: Widening Ethnic Divisions in the South*, Asia Report No. 222, International Crisis Group, p. 3, available at [<http://www.crisisgroup.org/en/regions/asia/central-asia/kyrgyzstan/222-kyrgyzstan-widening-ethnic-divisions-in-the-south.aspx>], 29 March, 2012.

² See: *Statement by U.S. Embassy Bishkek Congratulating President Atambaev on His Inauguration*, 1 December, 2011, available at [http://bishkek.usembassy.gov/pr_embassyinauguration.html], 1 December, 2011.

³ E. Freedman, R. Shafer, S. Antonova, "Two Decades of Repression: The Persistence of Authoritarian Controls on the Mass Media in Central Asia," *Central Asia and the Caucasus*, Vol. 11, Issue 4, 2010, p. 95.

⁴ See: S. Kulikova, G. Ibraeva, *The Historical Development and Current Situation of the Mass Media in Kyrgyzstan*, Occasional Papers 1, Cimera Foundation, Geneva, Switzerland, 2002.

discourse of danger and instability” to mold public opinion and delegitimize political adversaries.⁵ The present author found no major changes in university-level journalism education after the Tulip Revolution; academic programs still adhered to Soviet-style pedagogy with little emphasis on practical training.⁶ Irina Wolf content-analyzed how *Vecherniy Bishkek* covered an illegal Islamist organization linked to terrorist attacks in Central Asia.⁷ G. Pitts used survey research and interviews to assess professionalism among journalists in Kyrgyzstan.⁸ And S.V. Kulikova and D.D. Perlmutter examined the role of *samizdat*-style websites in disseminating oppositional information during the run-up to the Tulip Revolution.⁹

As happened with the advent of independence in 1991 and the Tulip Revolution in 2005,¹⁰ many people inside and outside Kyrgyzstan hoped that the April 2010 revolution would usher in a rapid movement toward transparent, participatory governance and strong respect for human rights, including press rights. However, both prior experiences failed to make such promises come true. After the 2010 revolution, initial experience also proved disheartening amid anti-press incidents and practices.

In one positive sign during the interim administration, parliament decriminalized libel. Although lauded by human rights groups, the legislation was largely symbolic because no journalist had been criminally prosecuted for libel since independence; rather, plaintiffs who felt victimized by press coverage used civil suits to punish and, in some cases, bankrupt news organizations and journalists. It remains a crime to insult public officials.¹¹

In the second half of 2010, doubts arose about the future of press freedom despite Otunbaeva’s promises to protect it. In May 2011, the Organization for Security and Cooperation in Europe (OSCE) Representative on Freedom of Media commended her government’s attempts to establish public service broadcasting and to decriminalize defamation but expressed concern about journalists’ safety.¹² Meanwhile, CPJ chastised her failure to intervene in the criminal case of Azimjon Askarov, an imprisoned human rights activist and freelancer for the independent news website Voice of Freedom; his case is discussed later in this article.

International press rights monitoring NGOs still give Kyrgyzstan low evaluations. Freedom House’s “Freedom of the Press” report rates its press system as “not free,” while the organization’s “Freedom on the Net” report places it 18th among 47 countries ranked.¹³ The 2012 IREX report on media sustainability in the region assesses its press system as barely in the “near sustainability” category in free speech, plurality of news sources, and supporting institutions factors, but as an “unsus-

⁵ See: K.A. Karagulova, “Danger Ahead: The Government Discourse on the Elections and Observation Before 24 March, 2005,” in: *Observing or Participating in Regime Change? Kyrgyz Perspectives on the Role of International Election Observation Missions in 2005*, ed. by S. Torjesen, I. Overland, Norwegian Institute of International Affairs, Oslo, 2006, pp. 25-43.

⁶ See: E. Freedman, “After the Tulip Revolution: Journalism Education in Kyrgyzstan,” Paper presented at the World Journalism Education Congress, Singapore, 2007.

⁷ See: I. Wolf, “Hizb ut-Tahrir in Kyrgyzstan as Presented in *Vecherniy Bishkek*: A Radical Islamist Organization through the Eyes of Kyrgyz Journalists,” in: *After the Czars and Commissars: Journalism in Authoritarian Post-Soviet Central Asia*, ed. by E. Freedman, R. Shafer, Michigan State University Press, East Lansing, Michigan, 2011, pp. 79-97.

⁸ See: G. Pitts, “Professionalism among Journalists in Kyrgyzstan,” in: *After the Czars and Commissars: Journalism in Authoritarian Post-Soviet Central Asia*, pp. 233-243.

⁹ See: S.V. Kulikova, D.D. Perlmutter, “Blogging Down the Dictator? The Kyrgyz Revolution and Samizdat Websites,” in: *After the Czars and Commissars: Journalism in Authoritarian Post-Soviet Central Asia*, pp. 263-286.

¹⁰ See: E. Freedman, “When a Democratic Revolution Isn’t Democratic or Revolutionary,” *Journalism*, Vol. 10, No. 6, 2009, pp. 843-861.

¹¹ See: *Freedom of the Press 2012-Kyrgyzstan*, Freedom House, available at [<http://www.freedomhouse.org>].

¹² See: “OSCE Media Freedom Representative Praises Kyrgyzstan’s Media Freedom Progress, Urges Authorities to Ensure Safety of Journalists,” Press Release, Organization for Security and Cooperation in Europe, available at [<http://www.osce.org/fom/77788>], 19 May, 2011.

¹³ See: *Freedom of the Press 2012* and *Freedom on the Net 2012*, Freedom House, available at [<http://www.freedomhouse.org>].

tainable mixed system” in professional journalism and business management factors.¹⁴ RSF places it tied at 108th among 179 countries.¹⁵

The disappointing overall failure of the interim administration to protect and expand press freedom may be attributed in part to the uncertainties of Kyrgyzstan’s immediate post-revolutionary environment, to the national trauma produced by the ethnic violence in the South and to a continuing legacy of authoritarianism.

Whatever the reasons, it is reasonable to inquire into events and policies under what is presumed to be the more politically stable administration of the democratically elected Atambaev. Thus the research question: What was the state of press freedom in Kyrgyzstan during the first year of the Atambaev administration, from 1 December, 2011, to 30 November, 2012?

Methods

This article is based in large part on eleven in-depth interviews of journalists, journalism educators, and mass media experts in Bishkek and Osh in May 2012. Those cities were chosen because one is the capital and the other, Kyrgyzstan’s second-largest city, was the center of inter-ethnic violence in June 2010, several months after the revolution. Interviewees were selected based on their experience with a wide array of print, broadcast, and online media, including state, independent, and opposition news organizations. Interviews took place in Russian with the assistance of a translator or in English. Most interviews lasted forty-five to ninety minutes. Participants were asked to sign an informed consent form approved by the author’s university and had the right to withhold their names from published studies and articles; two chose that option.

A number of studies in Kyrgyzstan have used in-depth interviews as part of mass media research. As examples, see studies of the post-Tulip Revolution press situation after the Tulip Revolution¹⁶ and of environmental journalism in Kyrgyzstan and Kazakhstan.¹⁷ Irina Wolf’s dissertation about newspaper coverage of Hizb ut-Tahrir incorporated interviews with *Vecherniy Bishkek* reporters who covered the outlawed Islamist organization.¹⁸

In addition to formal one-on-one interviews, the author conducted a roundtable discussion in Osh with nine young radio journalists at the bilingual Yntymak Public Radio that was launched by the U.S.-based NGO Internews; its name means “accord” or “harmony” in Kyrgyz and Uzbek. A television station is planned as well, according to the Internews country director.¹⁹ This article also draws on reports and statements from international press rights and human rights advocacy NGOs, from other civil society groups, from contemporary accounts from news media in and out of Kyrgyzstan, and from informal conversations with other experts.²⁰

¹⁴ See: *Media Sustainability Index 2012: The Development of Sustainable Independent Media in Europe and Eurasia*, International Research & Exchanges Board, 2012, p. 290.

¹⁵ *Press Freedom Index 2011/2012*, 2012, Reporters sans Frontières, available at [<http://en.rsf.org/press-freedom-index-2011-2012,1043.html>].

¹⁶ See: E. Freedman, “When a Democratic Revolution Isn’t Democratic or Revolutionary.”

¹⁷ See: E. Freedman, “Environmental Journalism and Ecological Nongovernmental Organizations in Kyrgyzstan and Kazakhstan: Too Rarely Shall the Twain Meet,” *Central Eurasian Studies Society*, October 2009.

¹⁸ See: I. Wolf, “Comparative Quantitative and Qualitative Content Analyses of Coverage of Hizb ut-Tahrir in German, British and Kyrgyz Quality Newspapers in 2002-2007,” Dissertation for a Ph.D. in Psychology, University of Constance, Germany, 2011, 362 pp.

¹⁹ Mark Walsh, interview, 22 November, 2012, Bishkek.

²⁰ Media, multinational, and NGO sources included: the Committee to Protect Journalists; Institute for War & Peace Reporting; Ferghana News; EurasiaNet; Forum 18 News Service; International Crisis Group; International Research &

The National Council for Eurasian and Eastern European Research and Michigan State University's Muslim Studies Program and School of Journalism provided field research grants.

Anti-Press Events

The situation of imprisoned journalist-activist Azimjan Askarov at the start and end of the first year of the Atambaev presidency can be viewed as emblematic of the broader media landscape during the study period. Askarov is a human rights advocate and journalist for Moscow-based Ferghana News, the *Golos Svobody* website, and other media outlets. He is now serving a life term on fabricated allegations of organizing riots, possession of extremist literature and ammunition, attempted kidnapping, and complicity in a police officer's murder.²¹ Amnesty International named him a prisoner of conscience; he received human rights awards in absentia from the Moscow Helsinki Group and the Czech Republic-based NGO People in Need.

In events that bookend the study year, press rights defenders vigorously advocated his release in the run-up to Atambaev's assumption of office and continued to push the issue through the end of his first year. Calls for his freedom had begun earlier, however; among those efforts was a 14 June, 2011, letter from CPJ to interim President Otunbaeva urging his release. Shortly after Atambaev took office, CPJ criticized the Supreme Court's 30 December decision upholding the conviction and sentence. Toward the end of the study period, on 12 November, 2012, the Open Society Justice Initiative and a Kyrgyzstani lawyer filed a complaint on his behalf with the United Nations Human Rights Committee. The complaint asserted that authorities targeted Askarov based on his status as a human rights defender and his minority Uzbek ethnicity, and that authorities subjected him to torture, illegal detention, and an unfair trial.²² And on 21 November, 2012, he received a CPJ International Press Freedom Award in absentia. After learning of the award from the Voice of America Uzbek Service, he wrote to CPJ to express appreciation for the recognition and to criticize what he called biased reporting "during the tragic days of June 2010." His letter stated: "I was doing my work in Bazar-Korgon: documenting violence and helping to identify victims. Twenty-three civilians were shot dead, more than 50 were wounded, and 205 houses belonging to ethnic Uzbeks were burned to ashes. Yet, not a single one of these facts was publicized by the mainstream Kyrgyz media, and authorities continue to remain silent about the killings, the mass-scale looting, and the arson in Bazar-Korgon."²³

Although the Askarov case drew international attention, violations of press rights during the study period went far beyond the plight of a single journalist. That was manifested in government activities on a number of fronts. For example, in February 2012, the country's largest Internet provider, which serves as many as half of Kyrgyzstan's Internet users, blocked domestic access to the Moscow-based independent website Ferghana News. The company acted on orders from Prime Minister Omurbek Babanov; news reports cited a parliamentary deputy's justification that Ferghana News had published material that promotes religious and ethnic strife.²⁴ In September 2012, a Bishkek court

Exchanges Board; Radio Free Europe/Radio Liberty; U.S. Department of State; Amnesty International; Reporters sans Frontières; Organization for Security and Cooperation in Europe; IFEX; and Human Rights Watch.

²¹ See: M. Suleymanov, "Otunbayeva Must Put Words into Action in Askarov Case," *Committee to Protect Journalists*, available at [<http://cpj.org/blog/2011/03/otunbayeva-must-put-words-into-action-in-askarov-c.php>], 11 March, 2011.

²² See: "Human Rights Azimjan Askarov Takes His Torture and Unfair Trial in Kyrgyzstan to Human Rights Committee," *Ferghana News*, available at [<http://enews.ferghananews.com/articles/2792>], 13 November, 2012.

²³ See: "A Letter of Thanks from Askarov," *Committee to Protect Journalists*, available at [www.cpj.org/awards/2012/a-letter-of-thanks-from-askarov.php], 2012.

²⁴ See: "Kyrgyz Government Blocks Access to News Website," *Committee to Protect Journalists*, available at [<http://cpj.org/2012/02/kyrgyz-government-blocks-access-to-news-website.php>], 23 February, 2012.

prohibited showing of the film “I Am Gay and Muslim” at a human rights documentary film festival; the court acted at the behest of the State Committee on Religious Affairs.²⁵

Findings: Major Problems Confronting the Press

Overall, journalists differed on whether the country’s media environment had improved under Atambaev. Even those who stated that the situation in general is better also expressed concerns about critical weaknesses of the system, including official and extra-official constraints, political interference, and lack of media independence, absence of sustainability, and unwillingness to tackle controversial issues and investigative projects.

There were geographic differences in perspective as well. Journalists in the South reported that the media situation in their region was more precarious and vulnerable than in the North as a result of the June 2010 ethnic violence. One piece of evidence they cited was self-censorship rooted in fear that the press would be blamed if violence again breaks out between ethnic Uzbeks and ethnic Kyrgyz. Such differences of opinion mirror findings by IREX in its most recent *Media Sustainability Index* (MSI) which covers the eleven months immediately before Atambaev’s ascension to office and the first month of his administration: “Overall, in 2011 Kyrgyzstan received very contradictory ratings in regard to the freedom of speech: some MSI panelists felt that in 20 years of independence freedom had never been greater, while others believed that there were plenty of episodes in 2011 where freedom was being throttled.”²⁶

The press system was “in crisis before the revolution” but “generally improved” afterward. “It usually does in Kyrgyzstan,” according to the head of the Department of Journalism and Mass Communication at American University of Central Asia. “The government gives some room to write the truth,” and some journalists began “small-scale investigations and feel some freedom to challenge the government and parliament.”²⁷ A Radio Azattyk journalist in Bishkek said, “Before it was difficult to find information, and there was much more pressure. Before, [journalists] knew who was unhappy and from whom to expect a negative reaction and harassment.” Now, he continued, “it is more open but sometimes they still feel pressure.”²⁸ Speaking from a media development donor’s perspective, the mass media support program director for Soros Foundation-Kyrgyzstan saw a change under the new government and a “transformation in ownership . . . for some short period of time,” but it was “very brief, as in 2005,” a reference to the Tulip Revolution. She opined that the “only advantage” of the new parliamentary system compared to the old presidential model was increased diversity of the media market, “especially if you consider Internet sources” that are not covered by the mass media law—“but the relationship between the media and those in power didn’t change much.”²⁹

And an Osh-based correspondent for an international news agency remarked: “Public relations and journalism are mixed in our country. The situation after the June [2010] events changes all the

²⁵ See: D. Trilling, “Kyrgyzstan: Rights Activists Condemn Ban on Gay Muslim Documentary,” *EurasiaNet*, available at [<http://www.eurasianet.org/node/65986>], 1 October, 2012.

²⁶ See: *Media Sustainability Index 2012: The Development of Sustainable Independent Media in Europe and Eurasia*, p. 289.

²⁷ G. Toralieva, interview, 15 May, 2012, Bishkek.

²⁸ Z. Kubonych, interview, 15 May, 2012, Bishkek.

²⁹ E. Karakulova, interview, 14 May, 2012, Bishkek.

time. Everything repeats and repeats. There is a political crisis ... There are situations when journalists send articles to make sure someone is looking good. This is public relations, not journalism."³⁰

What follows are observations by the interviewees on key elements of the mass media environment during the study period.

Legal and Extra-Legal Constraints

Constraints on press freedom can come from multiple sources, including national, regional, and local public officials and bureaucrats; individual politicians; political parties; and businesses, NGOs, and other entities with actual or perceived power. Media owners also may limit what their staffs are allowed to print or broadcast for economic, political, or personal reasons.

Constraints can be highly visible, such as statutes, libel suits, criminal charges, and physical attacks. They can be more subtle, such as harassment, tax audits, license denials, and pressure on advertisers. Self-censorship also represents a significant obstacle to independent reporting. Asked about the dangers that reporters and editors face in Kyrgyzstan, a leader of the Public Association "Journalists" replied, "In this field we got used to working in extreme situations."³¹ A journalist for an international news organization said, "The mass media in our country is honorable and respectable but some people don't obey the rules of the country and threaten me or beat me."³²

Interviewees repeatedly pointed to three incidents in particular to illustrate the point. One is the government's blocking of the Moscow-based Ferghana News website.³³ A second is the conviction in absentia of the former owners of two Uzbek-language television stations in Osh on contrived charges of stirring up ethnic tensions. Dzhavlon Mirzakhodzhaev of Mezon TV and Khalil Khudaiberdiev of Osh TV chose self-exile rather than face long prison terms; the trial took place between the presidential election and Atambaev taking office.³⁴ The third is the conviction of ethnic Russian journalist Vladimir Farafonov on charges of fueling racial hatred under a law that bans incitement of "national, racial, religious, or interregional enmity."³⁵ He was fined 50,000 som (about U.S. \$1,100), but the court rejected a prosecution request for a prison term.³⁶

The Farafonov case in particular tested the limits of government tolerance for unpopular and potentially volatile journalism. It is easy to understand the strong reaction generated among the majority population when he wrote in the newspaper *Bely Parus* "that only 20 percent of ethnic Kyrgyz are 'modern humans,' while 80 percent are 'stupidly stuck in the Asian middle ages.'"³⁷ As news story by an international news outlet put it, "While few disagree that Farafonov's articles include

³⁰ Anonymous 2, interview, 18 May, 2012, Osh.

³¹ B. Ibraimov, interview, 18 May, 2012, Osh.

³² Anonymous 1, Interview, 16, May, 2012, Osh.

³³ For background, see: "Kyrgyzstan: News Agency Sues Government Over 'Illegal' Ban," *EurasiaNet*, available at [<http://www.eurasianet.org/node/66292>], 12 December, 2012.

³⁴ For background, see: "Two Media Owners Sentenced in Absentia," *IFEX*, available at [http://ifex.org/kyrgyzstan/2011/11/16/media_owners_sentenced_absentia], 16 November 2011.

³⁵ For background, see: D. Trilling "Kyrgyzstan: 'Political Reporting is Not a Crime'—Watchdog," *EurasiaNet*, available at [<http://www.eurasianet.org/node/65067>], 1 March, 2012.

³⁶ See: A. Muratbekov, "Kyrgyzstan: Caught between Nationalists, Court Fines Journalist," *Global Voices Online*, available at [<http://globalvoicesonline.org/2012/07/10/kyrgyzstan-caught-between-nationalists-court-fines-journalist>], 10 July, 2012.

³⁷ Quoted from: C. Rickleton, "Kyrgyzstan: Prosecution of Russian Journalist Tests Ethnic Enmity Laws," *EurasiaNet*, available at [<http://www.eurasianet.org/node/65130>], 14 March, 2012.

distasteful and offensive anti-Kyrgyz slurs, the case offers a fairness test for Kyrgyzstan's justice system: amid a rise in nationalist rhetoric since the ethnic violence between Kyrgyz and Uzbeks in June 2010, no ethnic Kyrgyz have stood before a court on a charge comparable to that faced by Farafonov.³⁸ And a Western media analyst in Bishkek said, "Cases like that are tough. It's a great way to provoke ethnic hate, but still you are prosecuting journalists."³⁹

Among additional incidents, there was a libel suit against the online news outlet 24.kg and unsuccessful pressure on a *Vecherniy Bishkek* editor to leave the country for writing about the conflict in the South. "The National Commission on the State Language under the President of the Kyrgyz Republic considered that this article offended [the] feelings of Kyrgyz people, saying that Dina [Maslova] had mentioned in the article that only people with a narrow mind don't respect other nationalities... Members of the Commission contacted Dina and said that this is offensive. Then Dina published another article saying that Commission people collected signatures to declare Dina *persona non grata* to make her leave the country."⁴⁰

To illustrate the subtle pressure that influential policy-shapers can exert on the press, a Russian diplomat warned a radio journalist against pursuing a story about the U.S. military base in Kyrgyzstan, saying such coverage could damage relations between Russia and Kyrgyzstan. The journalist quoted the diplomat as saying, "This is a big game. You should keep out." That remark was made "in a good way," the journalist recollected, and the diplomat did not demand deletion of the story "but encouraged me to be more careful in the future. Of course it didn't stop me. It irritated me the way they talked to me."⁴¹

Lack of Access to Information and Officials

Difficulty in obtaining information from government agencies and officials, as well as from nonofficial sources, remains a serious impediment to effective reporting. While the Atambaev administration has made efforts to improve transparency, "the government changes but they're all the same players," a media analyst says of ministry staffs. "All the same people are behind the windows. They still have a very strong obstructionist perspective ... [that is] adversarial to the press."⁴²

Access to official information may be more difficult away from the capital than it is for journalists in Bishkek. A young reporter at Yntymak radio in Osh observed, "It's really problematic for us to get information from government or officials," depending on the "popularity of the news organization" and of the individual reporter.⁴³ A newspaper journalist with *Osh Shamy* (Candle of Osh) said, "Society is not open for giving interviews about the problems we have... There is a mentality in Osh: They care about the opinions and ideas of other people—what they'll say about him." In addition, he said that bureaucratic procedures can be slow. For example, municipal officials solicited for interviews about HIV/AIDS must call the mayor and Bishkek for permission to speak to the press. "It's a long process and takes a lot of time."⁴⁴ The coordinator of the Osh Media Resource Center complained that journalists have received a "porridge" or "mixture" of accurate and untrue information, especially after the June 2010 ethnic violence.⁴⁵

³⁸ Ibidem.

³⁹ F. Styers, interview, 14 May, 2012, Bishkek.

⁴⁰ G. Toralieva, email to author, 26 February, 2013.

⁴¹ Z. Kubonych, interview, 15 May, 2012, Bishkek.

⁴² F. Styers, interview, 14 May, 2012, Bishkek.

⁴³ Roundtable at Yntymak Radio, 17 May, 2012, Osh.

⁴⁴ T. Aidakunov, interview, 18 May, 2012, Osh.

⁴⁵ A. Pyatibratova, interview, Osh, 17 May, 2012.

Opaque Ownership and Lack of Economic Sustainability

As T. Hanitzch and R. Berganza observed, “Journalists do not operate in a vacuum but within highly organized contexts, most notably the newsroom, and media organization. Especially ownership has long been established as a major, if not the most important factor that shapes news production at the organizational level.”⁴⁶ Thus the media ownership situation in Kyrgyzstan is particularly troubling as an obstacle to press independence.

“Every parliamentarian, every party, every political organization has its own paper or a paper under their influence,” while ownership of media outlets is opaque because it is often masked under the names of joint stock companies. “Outright agendas are visible through the content,” a media analyst said.⁴⁷ “Politicians, to express their political opinions and approaches, create a newspaper for two or three issues,” a press rights activist said.⁴⁸

“Politicians have their own newspapers so it divides into the politician’s private theme,” meaning they reflect the owners’ political positions and interests. “Those journalists are also divided” because their own work, therefore, must reflect the same political positions and interests. “Journalists for those newspapers try to write good things for their chief.”⁴⁹

A civil society NGO official said, “The issue of media ownership remains unresolved in the state and so-called ‘independent’ media but everyone knows who owns them.” She noted the absence of a rating system for television stations and the lack of transparent and verifiable circulation figures for newspapers. In her view, it will take time before advertising income proves sufficient to sustain media outlets; she predicted that within a decade, some newspapers will be owned by larger companies with investors and will survive on ad revenue.⁵⁰

The lack of economic viability of news outlets is closely related to questions about ownership. The consensus is that nonstate media outlets in the country are not financially profitable—with the possible exception of *Vecherniy Bishkek*—but that owners profit in other ways, namely public relations value and political influence. Among independent newspapers, only *Vecherniy Bishkek* is currently sustainable, according to a media analyst, who cautions that such status will “evaporate ... because it makes all its money from classified ads, and people are turning instead to the website Diesel.kg for online classified ads. The country has only about ten major advertisers, such as banks, beverage companies, and telecommunications companies,” he said, adding, “The ad market will take years to develop.”⁵¹

Journalism Skills and Ethics

Many interviewees criticized the skill levels, ethics, or both of journalists. For example, an editor with Radio Free Europe/Radio Liberty cited “a lack of qualified journalists on the ground,” with the exception of those working for international news organizations such as RFE/RL and the British Broadcasting Corporation. “Even state TV channels, when they do report on these [controversial] issues have very loose reporting.”⁵² He attributed the frequency of bribes to low salaries, saying journalists at regional media outlets may earn only US \$100-\$150 a month and in Bishkek US \$300-\$500 a month,

⁴⁶ See: T. Hanitzch, R. Berganza, “Explaining Journalists’ Trust in Public Institutions across 20 Countries: Media Freedom, Corruption, and Ownership Matter Most,” *Journal of Communication*, Vol. 62, No. 5, 2012, pp. 794-814.

⁴⁷ F. Styers, interview, 14 May, 2012, Bishkek.

⁴⁸ B. Ibraimov, interview, 18 May, 2012, Osh.

⁴⁹ Roundtable at Yntymak Radio, 17 May, 2012, Osh.

⁵⁰ E. Karakulova, interview, 14 May, 2012, Bishkek.

⁵¹ F. Styers, interview, 14 May, 2012, Bishkek.

⁵² T. Umaraliev, interview, Bishkek, 14 May, 2012.

“depending on professional level,” although international news organizations pay more. “Therefore,” he continued, “they easily accept bribes or material goods.”⁵³ The director of the Osh Media Resource Center said journalism students do not get basic knowledge of how to organize stories, what the law and ethics require, the structure of government, or an understanding of the consequences of their stories. And when new journalists join a media organization, “the organization has no editing rules or specific policies to follow... Here they’re told where to go, who to meet, what to write, the results in advance.”⁵⁴

In addition, the most talented university students are increasingly likely to seek jobs in public relations or with international NGOs rather than journalism because they are not satisfied with opportunities and salaries at local media outlets.⁵⁵ One journalist put it bluntly, saying: “Young people don’t want it,” citing salaries that are too low to support a family and the possibility of physical assault or death.⁵⁶ Yet a more optimistic young reporter at Yntymak Radio said, “Every journalist has to have a dream to be in a higher position, to grow in the job.”⁵⁷

Decline of Uzbek-Language Media

The ethnic violence of June 2010 in southern Kyrgyzstan remains one of the most destructive impediments to development of independent and reliable mass media. In addition to seizure of Osh’s two Uzbek-language television stations during the interim Otunbaeva administration, many ethnic Uzbek journalists have moved from the South to Bishkek or left Kyrgyzstan for other countries. Ethnic Kyrgyz also took over two Uzbek-language newspapers. “Uzbek-language media were completely wiped out of the media landscape, with only one 1,000-circulation newspaper left in the South, but it is state-funded and “on the brink of survival,” according to a civil society NGO official. “Television is even worse.”⁵⁸ EurasiaNet reported that three municipalities in the South publish Uzbek-language weekly newspapers, all with low circulation.⁵⁹ It also called Yntymak Radio “perhaps the brightest hope for an Uzbek-language revival in mass media.”⁶⁰

Further Findings: Cumulative Effects on News Coverage

Collectively, these factors play out in two visible, interrelated ways: avoidance of controversial topics in news coverage, such as ethnic conflict, and a dearth of investigative reporting.

In a comprehensive overview of international media coverage of ethnic conflicts, Murad Esenov discusses both the essential role of such coverage and how partisan journalism may fuel the fires of violence, as some analysts say it did in Chechnia and in the June 2010 events in Kyrgyzstan. On the first point, he wrote, “By offering the broad public information on this subject, the media not only inform people, but also generate mass ideas and moods with respect to ethnic relations. This makes the way the media presents and interprets the ethnic life of different peoples extremely

⁵³ Ibidem.

⁵⁴ M. Aitieva, interview, Bishkek, 15 May, 2012.

⁵⁵ G. Toralieva, interview, 15 May, 2012, Bishkek.

⁵⁶ Anonymous 1, Interview, 16, May, 2012, Osh.

⁵⁷ Roundtable at Yntymak Radio, 17 May, 2012, Osh.

⁵⁸ E. Karakulova, interview, 14 May, 2012, Bishkek.

⁵⁹ See: “Kyrgyzstan: Language and Media Still Sensitive Subjects in Southern Regions,” *EurasiaNet*, available at <http://www.eurasianet.org/node/66068>, 18 October, 2012.

⁶⁰ See: Ibidem.

important.”⁶¹ On the second point, he cited an analysis by D. Atykanova of newspaper coverage during the 2010 ethnic conflict. “She comes to the conclusion that many articles on ethnic issues published during this period were of an outraged and accusatory nature with respect to a particular ethnicity and so promoted aggravation of the conflict.”⁶²

In an interview after his conviction in absentia, the self-exiled former owner of Osh TV discussed the ethnic situation in terms of media professionalism. He said a growth in nationalism during the Bakiev regime escalated after the uprising, including “pogroms” against ethnic Kurds and Turks in villages near Bishkek in spring 2010. He continued: “It was during this time that rumors of inter-ethnic strife started to disseminate in southern Kyrgyzstan where Bakiev initially fled after the coup. Osh TV journalists went to investigate those reports, and found that local small-scale conflicts happening at the time were about access to power, not ethnicity of the residents. But the post-coup tensions continued to stir rumors of ethnic violence. Realizing the role and influence news media had, we, the journalists, tried to defuse those rumors by calling the developments by their real names. And when we learned of a May 2010 protest rally in Jalal-Abad, led by Kadyrzhan Batyrov, an informal leader of the ethnic Uzbek community, and Bektur Asanov, regional governor and ethnic Kyrgyz, we immediately decided to broadcast it. We understood that cohosting of the rally by the leaders of two ethnic groups was good material for neutralizing those rumors, and we aired it. We continued our broadcasts—five news reports a day—until June 11, 2010, the day the conflict started, and the day when the Osh mayor, Melis Myrzakmatov, ordered us to cease broadcasting.”⁶³

In fact, ethnic Uzbeks accounted for more than 80 percent of suspects arrested on violence-related charges in June 2010 although they made up more than 70 percent of the casualties.⁶⁴

News organizations do not directly address the issue of ethnic tensions, perhaps from fear or because there is “no economic necessity to promote a multilingual society,” said a civil society NGO official. “It comes back to ownership: If the media depended on ratings, they would fight for each and every reader and each and every viewer.”⁶⁵ The coordinator of the Osh Media Resource Center observed. “It’s not popular to write about issues covering nationalities.”⁶⁶

On another controversial topic regarded as largely off-limits, the official of the Public Association “Journalists” said. “It’s really dangerous to cover corruption issues connected with politicians,” adding that “responsible journalists” need sources of balanced and accurate information—sources not easily available in Kyrgyzstan.⁶⁷ That corruption remains a serious concern is not in doubt. The latest Transparency International report on perceptions of public corruption ranked Kyrgyzstan in the 13th percentile among 154 countries; it scored twenty-four of 100 possible points on scale where 0 means “perceived to be highly corrupt” and 100 means “perceived to be very clean.”⁶⁸ In July 2012, the United Nations High Commissioner for Human Rights identified corruption as an obstacle to the rule of law and human rights.⁶⁹ Individual incidents reported during the first year of Atambaev’s administration illus-

⁶¹ See: M. Esenov, “The Role of the Media in Covering Ethnic Issues,” *Central Asia and the Caucasus*, Vol. 13, Issue 2, 2012, p. 7.

⁶² See: *Ibid.*, p. 8.

⁶³ See: M. Suleymanov, “Q & A: Khudaiberdiyev on Kyrgyz Trial, Press Freedom,” *Committee to Protect Journalists*, available at [<http://www.cpj.org/blog/2011/12/q-a-khudaiberdiyev-on-kyrgyzstan-trial-press-freed.php>], 1 December, 2011.

⁶⁴ See: *Country Reports on Human Rights Practices for 2011: Kyrgyz Republic*, U.S. Department of State, available at [<http://www.state.gov/documents/organization/186678.pdf>].

⁶⁵ E. Karakulova, interview, 14 May, 2012, Bishkek.

⁶⁶ A. Pyatibratova, interview, Osh, 17 May, 2012.

⁶⁷ B. Ibraimov, interview, 18 May, 2012, Osh.

⁶⁸ See: “Corruption Perceptions Index 2012,” Transparency International, available at [<http://www.transparency.org/country#KGZ>], 5 December, 2012.

⁶⁹ See: S.U. Kim, “UN Rights Chief Urges Kyrgyzstan to Address Corruption, Discrimination,” *Jurist*, available at [<http://jurist.org/paperchase/2012/07/un-rights-chief-urges-kyrgyzstan-to-address-corruption-discrimination.php>], 10 July, 2012.

trate the continuation of corruption and reinforce the need for a vigilant, aggressive, and independent press to report about it. For example in June 2012, a parliamentary opposition deputy who had been mayor of Bishkek was arrested, and the next month, authorities charged the Minister of Social Development with trying to extort payments from an international adoption agency.⁷⁰ In November, a senior Energy Ministry official in Kyrgyzstan was arrested on charges of abusing her government position, forgery, and fraud for allegedly issuing a license to a shell company that bought energy at reduced prices and resold it at artificially inflated rates to consumers.⁷¹

As for investigative stories, a civil society NGO official said, “The media ownership system has to change... Ownership is an obstacle to investigative reporting. Journalists face policies and politics on the newsroom which are in line with the owners” but not spoken aloud.⁷² In other words, close economic and political alliances between individual politicians and parties on the one side and media owners on the other erect barriers to independent reporting and presentation of news and analysis. That plays out in three principal ways: First, reporters and editors are discouraged or prohibited from pursuing possible stories that would embarrass their news outlets’ benefactors and sponsors or would jeopardize the financial support provided to the press organization. Second, reporters and editors are ordered to dig up dirt on their benefactors’ and sponsors’ opponents, including rumor and innuendo. Third, such evident lack of fairness and independence endangers public trust in the press as a civil society institution committed to transparency and accountability of government and other institutions of power and influence.

Conclusions

The press rights situation in Kyrgyzstan should be placed in the context of wider abuses of individual and political rights during the same twelve months. Human rights violations reported during the study period fall into such categories as:

- *Religious rights*: Law enforcement and other government agencies failed “to stop or even appear sympathetic to violent attacks on people exercising freedom of religion or belief,” including arson attacks on a Jehovah’s Witness Kingdom Hall in Jalal-Abad region and attacks on Protestants in Naryn region.⁷³
- *Prisoner rights*: The human rights group *Spravedlivost* (Justice) reported that police beat detainees at a temporary detention facility in Jalal-Abad on 6 November. In some cases the police stripped and humiliated them while searching for mobile phones and other “contraband.”⁷⁴
- *Disability rights*: The government has not yet ratified the United Nations Convention on the Rights of Persons with Disabilities, preventing most special-needs children from greater educational opportunities.⁷⁵

It is also essential to understand that press rights are not established merely to protect journalists and media companies. Instead, press rights are a cornerstone of transparent and responsive demo-

⁷⁰ See: C. Rickleton, “Kyrgyzstan: Is Corruption Controversy and Sign of Political Trouble Ahead?” *EurasiaNet*, available at [<http://www.eurasianet.org/node/65715>], 26 July, 2012.

⁷¹ See: A. Sultankulova, “Kyrgyzstan Energy Official Faces Corruption Charges,” *RIA Novosti*, available at [<http://en.rian.ru/news/20121112/177388448.html>], 12 November, 2012.

⁷² E. Karakulova, interview, 14 May, 2012, Bishkek.

⁷³ See: M. Bayram, “Kyrgyzstan: We Need to Protect the Rights of the Majority,” *Forum 18 News Service*, available at [http://www.forum18.org/Archive.php?article_id=1712], 15 June, 2012.

⁷⁴ See: “Kyrgyzstan: Investigate, Prosecute Police Abuse,” Statement, Human Rights Watch, available at [<http://www.hrw.org/news/2012/11/14/kyrgyzstan-investigate-prosecute-police-abuse>], 14 November, 2012.

⁷⁵ See: “Kyrgyzstan: Schools Wrestle with Equal Access Issue,” *EurasiaNet.org*, available at [<http://www.eurasianet.org/node/66102>], 24 October, 2012.

cratic governance. Infringement on those rights impairs the ability of a country to empower its citizenry to make informed decisions about public policies and officials. It is easy to see how this study's findings on impediments to access to information fit J.E. Relly's observation about the interconnection between access to information and freedom of expression, a relationship that scholars consider "inseparable because of the press' critical role in monitoring information about government activity... Democratic theory suggests that a free news media and access to public information are associated with an informed electorate in what ultimately constitutes a feedback loop to government... This model is based on the assumption that citizens will access government-held information on their own or through news media monitoring and ultimately hold government accountable through free and fair elections."⁷⁶

So what is the Atambaev government's current commitment to press freedom? As the Public Association "Journalists" representative put it, "If the government was transparent without darkness, why are they afraid of sites like Ferghana.ru?"⁷⁷ A media analyst observed that even good journalists "are always subservient to some editor who is answerable to someone else. There's always a political agenda." Even so, the analyst said that research shows that trust in the press remains "fairly strong," and although "people may have lots of complaints, they want to see Kyrgyzstan framed well in the media."⁷⁸ Yet the director of the Osh Media Resource Center adds, "No one trusts media owned by the government."⁷⁹

Accounts by individual journalists and media experts confirm the analysis of press rights advocates that promises of press freedom were not fulfilled during Atambaev's first year in office. They also support the assessment that progress toward that goal will be neither swift nor smooth although advocacy for change will continue. Questions remain about the willingness of the still-young presidential administration and the constitutionally more powerful Jogorku Kengesh to adopt legislation, policies, and governmental practices that respect and safeguard press rights. Even if the national government undertakes press protection initiatives as a priority, however, the willingness of local officials to follow remains in doubt. Uncertainty also continues about the degree of support for press rights among the citizens, the courage of media owners to challenge official and quasi-official restrictions, and the financial viability of independent press outlets that are not subservient or beholden to government, political parties, or individual politicians.

It is important for researchers to go beyond official statements and reports to inquire of working journalists what the actual press freedom situation is and how it affects their ability to perform their professional duties. Negative effects such as self-censorship, bribe-taking, conflicts of interest, threats, and harassment impair the ability to build public trust in the ethics and credibility of the press and the ability of the press to serve as a foundational institution in a democratic society with effective avenues for citizen participation and protection of individual and political rights. In addition, the attitudes, perceptions, and practices of journalism educators also are important subjects of research inquiry because their students are the country's future journalists and professional communicators.

The final question then becomes: What is the prognosis for press freedom five years from now? "Events in Kyrgyzstan tell us not to plan the future. I can't say anything about the future," responds the coordinator of the Osh Media Resource Center."⁸⁰

⁷⁶ See: J.E. Relly, "Do Journalists Have Information Access? Exploring News Media Freedom and Colonial Heritage in 42 Nations," Paper presented to the Association for Education in Journalism and Mass Communication, 2010.

⁷⁷ B. Ibraimov, interview, 18 May, 2012, Osh.

⁷⁸ F. Styers, interview, 14 May, 2012, Bishkek.

⁷⁹ M. Aitieva, interview, Bishkek, 15 May, 2012.

⁸⁰ A. Pyatibratova, interview, Osh, 17 May, 2012.