

TAJIKISTAN : OFFICIALS BRING LIBEL ACTIONS AGAINST PRINT MEDIA IN RUN-UP TO PARLIAMENTARY ELECTIONS

"The Tajik authorities must stop using the judicial system to harass independent news media", Reporters Without Borders said today in reaction to an appeal court's decision to uphold an astronomical damages award against a news weekly and the announcement of new lawsuits against a total of four leading newspapers.

The damages award of 300,000 somoni (49,000 euros) against the weekly Paykon ("Arrowhead") was confirmed on 26 January by a Dushanbe court. The newspaper had been ordered to pay this amount on 26 October in a libel suit by Tajikstandart, a government agency that monitors the quality of imported goods.

Last summer, the newspaper published an open letter to President Emomali Rakhmon from a number of businessmen accusing Tajikstandart of corruption and incompetency. Although the agency was accorded the right of reply, it nonetheless brought the legal action claiming that the letter's authors had used false names.

"Tajikistan's defamation law should be amended to ensure that damages awards are proportional to the resources of the media concerned," Reporters Without Borders said. "Such high awards threaten the publication's survival and therefore the diversity of the country's news media, which is already very limited."

The press freedom organisation added: "Aside from the flawed legislation, a new tendency is emerging in the lawsuits that have been brought against the country's leading independent newspapers in the past few days. With just weeks to go to parliamentary elections on 28 February, there is clearly an all-out drive to intimidate news media and get them to censor their coverage of state authorities."

The official newspaper Khovar reported on 28 January that the agriculture ministry has brought a libel suit against the leading newspaper Millat (Nation) in which it is demanding 1 million somoni (165,000 euros) in damages. When contacted by Reporters Without Borders, editor Zohir Davlat refused to comment until he received formal notification of the suit.

But he said he was surprised because the offending report, published last December, was "short and purely factual, referring to investigations into corruption within the agriculture ministry that were carried out and published by parliament." The ministry was accorded the right of reply in this case as well.

Libel actions were brought the next day against three other leading newspapers - Asia-Plus, Ozodagon ("The Independent") and Faraj - by three supreme court judges and a judge based in the Dushanbe district of Sino over their coverage of a conference about corruption and bias within the Tajik judicial system. The suits demand a total of 5.5 million somoni (900,000 euros) in damages.

One of the plaintiffs, supreme court judge Nur Nurov, has even requested that the newspapers be closed pending the outcome of the case. It is ironic that President Rakhmon himself lambasted the work of the supreme court and prosecutor-general's office in a recent cabinet meeting.

A Tajik journalist based in Europe told Reporters Without Borders that the lawsuits could be the result of contradictory signals from the government in recent months. The press was emboldened by a meeting between the president and media representatives last autumn and had started publishing more critical articles.

Serving as a reminder that it is dangerous to criticise the authorities, the current lawsuits appear to signal the end of the détente. The journalist also pointed out that, in a February 2009 decree, President Rakhmon had explicitly encouraged government officials to bring actions against news media that criticised them.

Paykon has not been particularly critical of the government since its launch last March although its editor, Jumaboy Tolibov, used to upset the authorities with his investigative reporting and was beaten and given a two-year jail sentence in 2005.

Tajikistan's last parliamentary elections led to a crackdown on the media and it seems that history could be in the process of repeating itself.

<http://www.rsf.org/Officials-bring-libel-actions.html>