

Freedom of Speech in Tajikistan, February 2013

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February 2013

In February 2013, the Monitoring Service received 17 reports. Five of them describe the factual situation in the media in the light of social, legal and political environment; nine reports describe direct violations of rights of media professionals; and two reports describe conflicts and accusations against the media and journalists.

I. POLITICAL, SOCIAL, ADMINISTRATIVE AND LEGAL ENVIRONMENT DEFINING THE FACTUAL SITUATION IN THE MEDIA

1. Statements of public officials defining the factual status of the mass media

3 February

Rakhmatillo Zoirov, leader of SDPT, Dushanbe

The leader of the Social-democratic Party of Tajikistan made a statement saying that Abdukayum Kayumzod is one of the best media professionals in the country. "In his work, Kayumzod provides no privileges neither to the authorities nor to the opposition", - said Zoirov.

On 3 February, the Committee on amendments and changes in the law on presidential elections made a statement supporting Abdukayum Kayumzod, correspondent of Radio Ozodi (Tajik branch of Radio Free Europe / Radio Liberty). The statement was sent to the Tajik Foreign Ministry.

Earlier this year, the Foreign Ministry refused to prolong the accreditation to Kayumzod.

6 February

Robin Ord-Smith, ambassador of the United Kingdom to Tajikistan, Dushanbe

The Ozodagon weekly published an interview with Robin Ord-Smith, the ambassador of the United Kingdom to Tajikistan (#5, 6 February 2013).

Inter alia, the diplomat touched upon the issues of the freedom of expression and problems of journalism in Tajikistan. In his opinion, the authorities should observe the principles of the freedom of speech and create better conditions for the mass media. The ambassador stressed that the UK government cooperates with journalists, and he personally is an opponent of any limitations of liberties in the media.

2. Factual situation in the media and the freedom of speech

6 February

The US embassy to Tajikistan, Dushanbe

The embassy of the United States in Dushanbe published a statement regarding the accreditation of Abdukayum Kayumzod, correspondent of Radio Ozodi (Tajik branch of Radio Free Europe / Radio Liberty).

The embassy calls the government of Tajikistan to respect the freedom of the media; diplomats urge the Tajik authorities to establish a robust and transparent mechanism regulating accreditation of journalists and media outlets.

“The United States supports the freedom of speech, the free media and the right of media professionals to work without fear of censorship and persecution”.

13 February

Ozodagon weekly, Dushanbe

The Ozodagon weekly published an article titled “A whip for journalists” (#6, 13.02.2013) presenting the analysis of frequent judicial persecutions of journalists.

Inter alia, the newspaper mentions the lawsuit of the government Religious Affairs Committee against the journalist Amrullohi Nizom, the lawsuit of Rustam Khukumov against the ImruzNews weekly, and the lawsuit of Sojida Nazarova, director of a kindergarten against Abdullo Shukurov, correspondent of Radio Ozodi (RFE/RL).

In all these cases, complainants demand protection of their honor and dignity. Experts indicate a relation between the legal persecutions and the forthcoming presidential elections scheduled for the fall of 2013.

21 February

Rustem Safronov, Russia Today, Dushanbe

On 21 February, the advisor to the Director General of the Russian TV channel RT (Russia Today) met with the deputy of the Tajik Foreign Minister Nizomiddin Zokhidov.

The parties discussed the issues of cooperation in the information sphere and opportunities of strengthening contacts between the Tajik media and the Russian TV channel Russia Today.

“We are interested in expanding our audience. Along with that, we offer our Tajik colleagues free internship at Russia Today with a purpose of further cooperation”, - said Safronov.

RT (*Russia Today*) is a Russian international multilingual information TV company established in 2005. RT is a 24x7 information TV channel broadcasting through satellite in English, Arabic and Spanish languages.

II. VIOLATION OF RIGHTS

1. Ungrounded limitation of access to information

1 February

CPJ, international human rights organization

Committee to Protect Journalists (CPJ) indicates an alarming trend of pressure against the media in Tajikistan.

Domestic Internet providers frequently block access to certain web resources following orders of the government Communication Service. A statement launched on CPJ's web site says that the authorities order to block local and foreign web sites that publish information criticizing the

policies of Emomali Rakhmon and covering the issues of corruption, social and economic problems in Tajikistan.

According to CPJ, a number of web sites and portals, including Facebook and YouTube, were blocked thrice during last year, following orders from Beg Zukhurov, head of the Tajik government communication service.

“The Tajik authorities always deny their involvement in the blocking, referring to “technical maintenance”. However, in November 2012, Zukhurov publically called Facebook “a hotbed of libel”, adding that the access to the web site was initiated by a group of ‘civil activists’”, - the CPJ statement says.

CPJ also reports that Zukhurov’s deputy Rafikjon Shokirov referred to “certain amendments” to Tajikistan’s civil code, according to which it is prohibited to publish information defaming honor and dignity of citizens. The official failed to explain who comprise that group of ‘civil activists’. According to Shokirov, the communication service did not issue any written orders for the Internet service providers.

Referring to Tajik media experts, CPJ says that the ‘interested civil activists’ are public servants charged to control the Internet content and trace publications criticizing the president and bureaucrats.

CPJ says that the Tajik authorities intend to join the “regional club of Internet censors” (dictators of Uzbekistan and Turkmenistan) to limit access to such sources as BBC, Radio Free Europe / Radio Liberty, RIA Novosti, Lenta.ru, Asia Plus, TojNews, and Ozodagon. These very agencies published objective materials covering the topics of corruption in the government, growing unemployment, energy crisis and repressions against the media and religious groups.

2. Ungrounded limitation of access to information

1 February

Farazh weekly, ImruzNews, Ozodagon, Najot

On 31 January, correspondents of the Farazh weekly, ImruzNews, Ozodagon, and Najot came to the Tajik government migration service to attend a press conference, but the organizers informed the journalists that they are in a “black list” and are not allowed to participate.

Abdullo Kodiri explained the journalists that the migration service does not welcome their presence because the newspapers they represent criticized the agency and the government.

3. Attack on a journalist

28 February

Abdurakhim Umarov, press secretary, customs service, Dushanbe

On 27 February, unknown individuals attacked Abdurakhim Umarov, press secretary of Tajikistan’s customs service. Umarov was delivered to the Interior Ministry hospital with bodily injuries.

The police initiated a criminal investigation, but the victim has no allegations about the motive of the crime.

4. Accusation of disorderly conduct

18 February

Amrullohi Nizom, TojNews, Dushanbe

The Shohmansur district court in Dushanbe conducted the first hearing on the complaint of the government Religion Committee and the Organized Crime Control Unit under the Interior Ministry against the correspondent of the TojNews information agency Amrullohi Nizom.

The defendant says that the chairman of the government Religion Committee initiated the case because of a series of articles criticizing the Council of Ulems (religious leaders).

Amrullohi Nizom also published a letter requiring a legal assessment of actions of officers from the Organized Crime Control Unit who came to the ImruzNews office to arrest him, and to evaluate the professional competence of the head of the Religion Committee.

On 19 February, the Shohmansur district court delivered a judgment, according to which the journalist is accounted guilty (Article 460 of the Tajik administrative code – disorderly conduct). He must pay a fine in the amount of seven minimal monthly salaries, which is 280 Somoni, an equivalent of \$57.

Amrullohi Nizom intends to appeal the case in a court of superior jurisdiction. Media experts say that the accusation against the journalist was fabricated because of his insistence in attempts to have access to information.

5. Нарушение гражданско-процессуальных норм судопроизводства

11 february

ImruzNews weekly, Dushanbe

The Sino district court in Dushanbe started hearings on the lawsuit of Rustam Khukumov against the ImruzNews weekly.

Khukumov, the son of the director of the Tajik Railroads applied to the court complaining that the newspaper insulted him.

The judge, Sherzod Nizamov ruled that the hearings will be held behind closed doors, referring to the norms of Constitution and the Tajik civil-procedural code.

Khukumov applied to the court in January 2012 demanding a moral compensation form ImruzNews in the amount of 50 thousand Somoni. Thye demand is based on the publication in ImruzNews last year, titled “Khukumov and Bakiev are headache for their fathers” telling about conflicts between the sons of influential Central Asia public servants/politicians and the law enforcement agencies in foreign countries.

Legal experts say that the decision of the judge to hold the hearings behind closed doors is ungrounded – the public at large had known the facts about Khukumov long before they were described in the article published by ImruzNews.

26 February

CPJ, international human rights organization

The international organization Committee to Protect Journalists (CPJ) is concerned about court hearings being held in Tajikistan behind closed doors. A representative of CPJ Muzaffar Suleimanov told the media that the fine of 50 thousand Somoni as a moral compensation imposed on ImruzNews weekly can have a negative impact on the Tajik non-state mass media.

On 25 February, the judge Sherzod Nizamov ruled to oblige the newspaper to pay 50 thousand Somoni to the complainant Rustam Khulumov as a moral compensation for the publication “defaming his dignity and reputation”. The judge also ruled that the newspaper must publically apologize before the complainant.

The editor of ImruzNews told the media that the newspaper is going to appeal against the verdict to the court of upper instance.

III. CONFLICTS, VIOLATIONS OF RIGHTS

1. Defamation

15 February

ImruzNews, Dushanbe

The company Tojiron applied to the economic court with a complaint against the ImruzNews weekly and the lawyer Faizinisso Vokhidova. The company accused the defendants of libel and damage of business reputation. (Asia Plus, #15, 21.02.2013).

Tojiron demands public refutation of an article published by ImruzNews and a moral compensation of 50 thousand Somoni from the lawyer and a symbolic amount of 1 Somoni from the newspaper.

25 February

ImruzNews, Dushanbe

The Ismoili Somoni district court obliged the ImruzNews weekly to pay a moral compensation in the amount of 50 thousand Somoni to Rustam Khukumov, the son of the director of the Tajik railway company.

Gulchekhra Kholmatova, the lawyer of ImruzNews told the media that she is not satisfied with the court decision – since the requirements of the defendant were not taken into consideration and the trial was held behind closed doors.

The lawyer added that she intends to appeal against the verdict in the city court.