

Freedom of Speech in Tajikistan November 2013

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In November 2013, the Monitoring Service received 21 reports. Seven of them describe the factual situation in the media in the light of social, legal and political environment; five reports describe direct violations of rights of media professionals; and nine 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 and actions of public officials defining the factual status of the mass media

11 November

Nizom Kosim, parliamentarian, Dushanbe

On 11 November, the Tajik parliamentarian Nizom Kosim told the Asia Plus news agency that “certain representatives of the so-called “intelligentsia” and the “independent mass media” are trying to defame the real national poet of Tajikistan and the master of artistic craft Bozor Sobir – who complimented the president Emomali Rakhmon with his victory at the presidential elections”.

According to the parliamentarian, Bozor Sobir is sincerely confident that Emomali Rakhmon deserves poems to be dedicated to him – since he has made so much for his people and his country.

“I would advise those who fight for democracy and the freedom of speech to be tolerant and restrain from insulting others”, - said Kosim.

29 November

Davlatsho Gulmamadov, acting head of Khatlon province administration, Kurgan-Tube

On 29 November, the new head of administration in Khatlon province Davlatsho Gulmamadov met with managers of the government printing and electronic mass media and journalists.

In the course of the conversation, the official urged the media to establish a closer cooperation with the authorities; he asked journalists to be more objective in their publications.

However, the administration did not invite regional representatives of non-state mass media.

2. Journalists protecting their professional rights

21 November

Nuriddin Karshiboev, chairman of NANSMIT, Dushanbe

On 21 November, Nuriddin Karshiboev, chairman of NANSMIT told Radio Ozodi (Radio Free Europe / Radio Liberty) that he has approached the National Legislation Center under the president’s administration with a request to provide the text of amendments and changes in the laws regulating the Internet in Tajikistan.

The head of NANSMIT considers that prior to be presented to the parliament, such draft laws must be discussed among journalists, media organizations and experts with the purpose of proposals and opinions.

“We have heard about the amendments to be developed, and our representative was assigned to the working group in charge of these issues, but we are not aware about the changes proposed by the National Legislation Center. The media community is also excluded from the process of discussion”, - said Karshiboev.

3 . Factual situation in the media and the freedom of expression

7 November

TV Poytakht, Dushanbe

The municipal TV station Poytakht is planning to replace its broadcasting equipment.

“We have purchased a new transmitter from the Ukrainian manufacturers for \$70 thousand. The new transmitter is 6-7 times more powerful compared to the previously used one, which we leased from Teleradiocom, the technical branch of the government Communication Service”, - Abdulkodir Abdukahhor told the media.

17 November

All media, Dushanbe

The Tajik National Association of Independent Mass Media (NANSMIT) held a seminar on the topic of human resource management in the media.

Elena Sattarova, trainer and expert of the consulting company Sattori Group TJ said that the training will help media managers to become more efficient in the area of human resource management.

29 November

All media, Dushanbe

The Tajik National Association of Independent Mass Media (NANSMIT) held a seminar on digital security for journalists to discuss the issues of protection of correspondence, archived files and prevention of unsanctioned access to personal computers.

The seminar was held with the support from the international NGO Reporters Without Borders. Participants learned about the methodologies of online and offline ciphering and anonymization. They also gained skills of installing and working with software ensuring confidentiality and anonymity.

“This initiative is quite important to ensure digital security in the media – since the protection of privacy and the freedom of expression are closely interrelated”, - said Nuriddin Karshiboev, chairman of NANSMIT.

30 November

All media, Dushanbe

On 30 November, the Tajik National Association of Independent Mass Media (NANSMIT) held an international conference in Dushanbe on the topic “Media and security of creative journalism in Central Asia”.

Participants of the conference discussed the issues of the freedom of information and security of creative activities in the media. They also developed a draft appeal to the governments of Central Asia.

The conference was organized as a final event within the framework of the program “Media management and security of creative journalism in Tajikistan” implemented by NANSMIT under support of the Democracy Commission under the US Embassy in Dushanbe and the Danish NGO International Media Support. The Conrad Adenauer Foundation, the OSCE Office in Tajikistan, Reporters Without Borders, the Finnish Media, Communication and Development Foundation (Vikes), the Tajik branch of the Open Society Institute, and the Institute for War and Peace Reporting (IWPR) performed the role of partners at the conference.

II. VIOLATION OF RIGHTS IN THE MEDIA

1. Access to information

5 November

Communication Service under the government, Dushanbe

The Tajik government Communication Service refuted publications in the media, which said that the head of the agency, Beg Zukhurov gave the errand to local Internet providers to block access to the web site of the Ozodagon news agency and the video hosting YouTube.

The Asia Plus news agency quoted Alibek Beknazarov, head of a unit under the national Internet provider Tajiktelecom as saying that Beg Zukhurov is presently in a business trip. “The statement about a personal order given by Zukhurov is illogical”, - the official said.

Zafar Sufi, director general of the media holding Ozodagon, referring to an anonymous source among the local Internet providers, told the media that access to www.ozodagon.com and to its Russian-language version www.catoday.org was blocked after Zukhurov’s personal errand. Sufi added that the Internet providers received a written documents signed by the head of the Communication Service.

5 November

Asomiddin Atoev, chairman of the National Association of Internet Providers, Dushanbe

“The forthcoming presidential elections in Tajikistan and the foreign interest to this political event have caused limitations in access to the Internet in the country”, Asomiddin Atoev, head of the Tajik National Association of Internet providers told the Asia Plus news agency.

Atoev added that “...by and large, there are no essential problems with access to the Internet throughout the country; but the speed of connection and transmission is low”.

13 November

Temur Varky, TV Safo

Temur Varky, chief editor of TV Safo informed the audience through Facebook that the station resumed satellite broadcasting on Hotbird 13 E 12380 V 27500. He also noted that the TV programs were not available on the territory of Tajikistan since 20 August – the programs were jammed by the Tajik government Communication Service.

28 November

Asia Plus weekly, Dushanbe

The Tajik weekly Asia Plus has been planning to hold an interview with Mr. Zarif Alizoda, the Tajik Ombudsman.

On 28 November, Asia Plus published an article titled “Whom does the Tajik ombudsman protects?” It took quite a while for journalists to arrange an interview; they had sent their questions in written form to Mr. Alizoda. When the ombudsman learned that Asia Plus is going to ask questions about the case of Zaid Saidov (the Tajik entrepreneur who tried to found an opposition political party), Alizoda referred to “the classified character of investigation”, and refused to respond.

A week after the presentation of the UN Human Rights Committee’s recommendations regarding Tajikistan’s National Human Rights Report on the implementation of civil and political rights, Asia Plus tried to contact Mr. Alizoda once again. The answer to the correspondent was the following: “Stop harassing me! What do you think you are? Who do you think you are speaking to? Get out of here! Leave me alone!”

2. Violation of social rights

15 November

Jamoliddin Saidov, editor, Subkhidam weekly, Khujand, Sughd province

Jamoliddin Saidov, editor of the Subkhidam weekly told the NANSMIT monitoring service that the social security department in the city of Khujand refused to provide allowance to the family of a young journalist who passed away recently. The officials explained that the journalist worked for a private newspaper; regardless of the fact that the person had three children who have not reached lawful age and cannot take care of themselves, the social security service cannot provide any allowance to families whose members work for non-state enterprises.

III. CONFLICTS, VIOLATIONS OF RIGHTS IN THE MEDIA

1. Accusation of defamation

12 November

Olga Tutubalina, editor, Asia Plus weekly, Dushanbe

The Firdavsi district court in Dushanbe continued hearings on the litigation against the Asia Plus weekly and Olga Tutubalina, the editor of this newspaper.

Last summer, five Tajik creative unions and three individuals initiated a civil case against the weekly and its editor accusing her of “defamation of the Tajik intelligentsia”.

Tutubalina published an article criticizing the Tajik poet Bozor Sobir who spent a couple of decades in the United States, but returned recently to support the Tajik president Emomali Rakhmon in his presidential elections campaign. The author also noted in her publication that the Tajik creative unions (closely controlled by the government), the so-called “intelligentsia” have no their own opinion; neither do they have their own social position. As an illustration of her thoughts, Tutubalina quoted Vladimir Lenin, the founder of the Soviet State who wrote in one of his letters to the proletarian writer Maxim Gorky that “...the intelligentsia is the shit of the nation rather than its brain”.

The lawyer of Asia Plus Inoyat Inoyatov stated at the hearings that “Article 30 of the Tajik Constitution guarantees the freedom of speech and expression as well as the right to use the mass media”. “The Law “On printing and other mass media” says that personal opinion of the author expressed in a medium (or in a publication) cannot be seen as an insult or defamation”, - he added.

The court demanded to perform a linguistic expertise of the article’s text. The Asia Plus’s lawyer said that there are only two competent organizations capable of conducting such an expertise – the Committee on Language and Terminology under the government and the Institute of Language, Literature, Oriental Studies and Written Heritage under the Tajik Academy of Sciences. “Both institutions have a rather strong affiliation to the government, and thus, they cannot provide any impartial opinion”, - the lawyer said.

On 13 November, the court gave an errand to the Committee on Language and Terminology under the government to conduct the linguistic expertise of the article.

The lawyer Inoyatov told the media that the court’s decision might have a wrong impact on the defendant. The lawyer also noted that he is ready to appeal to the municipal civil collegiate court.

More details on this case: <http://www.eurasianet.org/node/67181>

14 November

Imruz News weekly, Dushanbe

The Tajik private weekly Imruz News appealed against the decision of the court obliging the newspaper to pay the amount of 50 thousand Somoni (about \$10 thousand) as a moral compensation to Rustam Khukumov, the son of the head of the Tajik railways.

Earlier this year, Imruz News published an article titled “Khukumov and Bakiev are a real headache for their fathers” describing unlawful behavior of the sons of influential public officials and entrepreneurs.

In June 2013, the Dushanbe municipal court rejected Khukumov’s claim against Imruz News, but later, the decision was reconsidered.

26 November

Sangin Gulov, Tajik National University, Dushanbe

Speaking at a conference on “International standards in journalism and professional ethics”, Sangin Gulov, professor of the Tajik National University said that “Olga Tutubalina did not violate the law”. “The issue being discussed in the media lies in the area of ethical norms. Although, she did not violate any ethical standards either – she only quoted Vladimir Lenin to support her own opinion”, - he added.

2. Accusation of fraud

26 November

Makhmadyusuf Ismoilov, freelance journalist, Asht district, Sughd province

On 27 November, the Sughd province court held a hearing on the cassation from Makhmadyusuf Ismoilov, freelance journalist who was accused of fraud and other crimes and sentenced to 11 years in prison.

Sadriddin Saidov, Ismoilov’s lawyer told the media that the verdict of the judge was based on ungrounded allegations.

Ismoilov was accused of repeated extortion and abuse of power. The court dismissed the complaint.