

Freedom of Speech in Tajikistan September 2013

In September 2013, the Monitoring Service received 20 reports. Ten of them describe the factual situation in the media in the light of social, legal and political environment; four reports describe direct violations of rights of media professionals; and six 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 *6 September*

Shermuhammad Shohiyon, chairman of the Central Commission on Elections and Referenda in Tajikistan, Dushanbe

On 6 September, at a round table session, the head of the Central Commission on Elections and Referenda Shermuhammad Shohiyon called on journalists to be responsible and serious in covering the forthcoming presidential elections.

The official warned that the intentional dissemination of materials defaming the candidates and their election programs might lead to “undesirable consequences”. He asked journalists to timely provide the public with objective and comprehensive information on the election campaign.

6 September

Akbarali Sattorov, chairman, the Union of Journalists, Dushanbe

“Journalists do not need any special body to protect themselves during the election campaign”, - said Akbarali Sattorov, chairman of the Tajik Union of Journalists and the member of the Central Commission on Elections and Referenda.

“We have heard some suggestions regarding the creation of a certain “headquarters”, which would protect journalists’ rights during the election campaign. I think there is no necessity in setting up such a unit”, - said Sattorov.

He added that the national legislation ensures the right of media professionals to get proper access to information.

6 September

Akbarali Sattorov, chairman, the Union of Journalists, Dushanbe

In the presence of the chairman of the Central Elections and Referenda Commission, the head of the Union of Journalists described the rights of journalists during the election campaign. He also added that any violation of these rights will be considered by the prosecutor’s office and the court.

Sattorov reminded the audience that journalists and the media have the right to cover the elections; they can refer to opinions of different sides; they can attend polling stations, observe the electorate: however, they cannot agitate for any candidate; neither can they give any advice to voters.

7 September

Emomali Rakhmon, President of Tajikistan, Dushanbe

In his speech at a meeting on the occasion of the National Independence Day, the President of Tajikistan Emomali Rakhmon called on all future candidates and the media to observe the principles of political correctness. The President expressed hope that the elections will be held in a transparent and democratic manner.

19 September

Oynikhol Bobonazarova, presidential candidate

Oynikhol Bobonazarova, a candidate who represents the Tajik political opposition at the forthcoming presidential elections asked the media on Facebook to restrain from presenting her as a person who has had record of conviction.

“Some media say that I was convicted and then, amnestied. I am making an official statement that I was arrested in 1993; there was an investigation, but later, I was released. There was no any trial whatsoever, and only the court cad decide whether a person is guilty or innocent”, - she said.

19 September

Saodat Amirshoeva, parliamentarian, Dushanbe

At the sessions held from 12 to 22 September, the lower chamber of the Tajik parliament met with representatives of the electorate.

According to Saodat Amirshoeva, a member of the lower chamber, some activists suggested to introduce amendments and changes in the national media law - inter alia, in the sections concerning the protection of honor and dignity of the Tajik nation.

The parliamentarian stressed that the dissemination of poorly verified information sometimes defames the Tajiks. “We observe the principles of freedom of speech and democracy, but journalists must realize that there also exists the presumption of innocence”, - she said.

2. Journalists protecting their rights

September, 25

All media, Dushanbe

On 25 September, the Tajik Media Council, the National Association of Independent Mass Media and the Tajik Media Alliance published a statement expressing concern over the violation of ethical professional principles by the state TV stations, in particular by the Bakhoriston TV (broadcasting for children).

The statement says that “certain programs have turned into a platform for promotion of violence, which defames the nation of Tajiks in the eyes of the global community”.

The media organizations urged the government of Tajikistan to present a legal feedback on certain programs of the Tajik state television.

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

4 September, 4

Embassy of Russia, Dushanbe

The embassy of Russia in Dushanbe issued a diplomatic statement accusing the Tajik media of discrediting the Russian Federation.

The statement on the embassy’s web site, says that certain articles published in the Tajik media create an impression that Tajik citizens are being hunted in Russia. “The frequency of such publications and the tone of the message are very alarming”, - the statement says.

The embassy of Russia has previously accused the Tajik media of defaming the Russian system. The Tajik authorities have also repeatedly protested against publications in the Russian media about the Tajik labor migrants who are often presented as troublemakers and criminals.

13 September

Administration, Khatlon province

A new printing facility was put into operation in the city of Kurgan-Tube, Khatlon province.

The province administration allocated funds for procurement of the modern equipment. Saivali Saifulloev, told the media that the printing facility’s capacity is sufficient to regularly publish several newspapers with proper quality. It should be noted that so far, the province newspapers were published in Dushanbe.

28 September

UNICEF country office, Dushanbe

The UNICEF country office in Tajikistan published a statement regarding a TV program “The path of hatred” broadcast by the Bakhoriston TV.

The UNICEF office urged the mass media to strictly follow professional and ethical standards while preparing TV programs containing messages, which could affect psychic, social, emotional, spiritual and moral development of children.

“Production and broadcasting of programs like the one in question contradict the requirements of the television friendly to children, oriented on the audience from 3 to 16 years of age”, - the UNICEF statement says.

II. VIOLATION OF RIGHTS IN THE MEDIA

1. Intimidations and threats

30 September

Daler Sharipov, freelance journalist, Dushanbe

On 30 September the Ozodagon news agency (<http://www.ozodagon.com>) published an article titled “We are advised to keep silent... Why?” written by Daler Sharipov.

The author says that he has been receiving letters by e-mail containing threats. “The letters come from individuals unknown to me. They advise me to shut up and restrain from touching on “delicate issues”. After every publication, the “opponents” attach a label to me – presenting me as a supporter of this or that political or ideological group”, - the author said.

2. Unlawful limitation of access to information

13 September

TV Safo, Moscow

Temur Varky, chief editor of the Safo TV informed the audience on Facebook that the TV station resumed broadcasting through the Hotbird satellite – 13 E 12380 V 27500.

Since 20 August, the Tajik authorities have jammed the TV channel on the territory of Tajikistan. According to Varky and his sources, the Tajik national broadcasting agency purchased special jamming equipment from China for that particular purpose.

3. Рассмотрение надзорной жалобы на решение судов нижестоящей инстанции

4 Septmber

Imruz News weekly, Dushanbe

The Dushanbe city court dismissed the complaint of the Imruz News weekly regarding the decision of the Ismoili Somoni district court, which ruled to fine the newspaper for defamation and insult.

III. CONFLICTS, VIOLATIONS OF RIGHTS

1. Protection of honor, dignity and business reputation

13 Septmber

Olga Tutubalina, editor, Asia Plus weekly, Dushanbe

Inoyat Inoyatov, the lawyer of the Asia Plus weekly told the media that the court dismissed the defendants' motion regarding the non-acceptance of the lawsuit.

Inoyatov said that he asked the court to dismiss the motion because the organizations and individuals who presented themselves as complainants cannot be considered as legitimate complainants. The charters of these organizations do not contain proper provisions allowing them to present their claims on behalf of the national intelligentsia; individual citizens also have no right to act on behalf of the intelligentsia. However, the court did not accept the lawyer's arguments.

Olga Tutubalina, who is battling the "libel and defamation" case after she broadly criticized Tajikistan's official, state-supported "intelligentsia" in an article last summer. Tutubalina took to task members of government-funded creative unions for sycophancy, overlooking economic troubles, and for taking no position on most problems facing the country. The unions filed a case against Tutubalina and the newspaper, one of Tajikistan's most respected, with claims she had personally insulted them. The government-funded Academy of Sciences is paying the legal fees.

20 Septmber

Khurshed Niyozov, Samak weekly, Dushanbe

The founder of the Samak weekly Khurshed Niyozov told the media that the court hearings on the case "Askar Khakim against Samak" is postponed because of failure of one of the parties to appear in court.

The chairman of the Tajik Union of Writers Askar Khakim filed a lawsuit against the Samak weekly and its editing board after the publication of an article "Non-problematic intelligentsia". The writer demanded moral compensation in the amount of 150 thousand Somoni (about \$30 thousand).

23 Septmber

State Broadcasting Committee under the government, Dushanbe

The Party of Islamir Renaissance of Tajikistan (PIRT) approached the Ismoili Somoni district court in Dushanbe with a letter of complaint against the State TV and Radio Committee under the government. (Asia Plus weekly, 23 September).

In its letter, PIRT expressed concern over frequent accusations by the state TV and radio stations defaming the opposition political party. PIRT states that such messages being broadcast through the government-controlled TV and radio stations contradict the national Constitution, as well as the media law and the law on political parties.

In its letter, apart from the State Broadcasting Committee, PIRT points to the other codefendants - TV Safina, Shabakai Avval, and Jahonnamo.

30 Septmber

Shukhrat Kudratov, lawyer, Dushanbe

Shukhrat Kudratov, the lawyer of Zaid Saidov, the Tajik entrepreneur and the founder of the opposition political party New Tajikistan who has been arrested on charges of fraud, corruption and other alleged crimes, told the Ozodagon news agency that he is going to file a lawsuit against the Tajik state television.

The lawyer stated that the state television and the Tajik law enforcement agencies have breached the principle of presumption of innocence depicting Zaid Saidov as a criminal, whereas his guilt has not been proven, and the court has not arrived to any decision.