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Kyrgyzstan

Country:

Kyrgyzstan

Year:

2016

Press Freedom Status:

Not Free

PFS Score:

67

Legal Environment:

20

Political Environment:

27

Economic Environment:

20

Overview

Despite some openings over the past decade, Kyrgyzstan's media environment remains constrained by restrictive laws, political influence, and limited diversity. Courts often levy excessive administrative punishments on articles critical of authorities, and public media appear to be increasingly used for political ends. Access to diverse sources of news and information, particularly to Uzbek-language media, continues to be a challenge.

Key Developments

- A controversial dispute over ownership of *Vecherniy Bishkek*—Kyrgyzstan's largest Russian-language newspaper and a critic of the government—ended in August, when a Bishkek court granted a 50 percent stake in the paper's parent company to a former co-owner.
- The independence of the public broadcaster came into question on several occasions, as the outlet aired one-sided reports on the *Vecherniy Bishkek* dispute and faced allegations of partisan bias in coverage of the October parliamentary elections.
- In March, authorities detained, interrogated, and deported American journalist Umar Farooq for allegedly possessing extremist materials; he was in Kyrgyzstan to

research interethnic tensions and religious extremism in the country's southern regions.

Legal Environment: 20 / 30

The constitution and the country's laws guarantee freedoms of speech and the press, but observance of these guarantees is inconsistent. Legislation covering incitement to ethnic or religious hatred is vague and can be used as a form of pressure to prevent journalists from covering sensitive issues. Kyrgyzstan became the first state in Central Asia to decriminalize libel in 2011, though insult of public officials remains a criminal offense. Additionally, a 2014 amendment to the criminal code established a penalty of up to three years in prison for falsely and publicly accusing a person of committing a crime, effectively recriminalizing libel in some situations.

In one notable case in December 2015, Dayirbek Orunbekov, chief editor of the Kyrgyz-language newspaper *Maalymat*, received a 2 million Kyrgyz som (\$26,000) fine after a regional court found him guilty of insulting the honor and dignity of President Almazbek Atambayev. The journalistic community in Kyrgyzstan and the Organization for Security and Co-operation in Europe criticized the verdict, finding the penalty excessive and the case politically motivated. Another journalist, Uran Bolotbekov, received a similar fine in July for insulting the honor and dignity of Ikramzhan Ilmiyanov, Atambayev's close advisor and former driver. In December, two leading nongovernmental organizations (NGOs) noted these cases as evidence of unprecedented government pressure on journalists.

A number of bills that would restrict freedom of expression and the operation of media rights organizations remain on the political agenda. One bill that would require domestic NGOs that receive foreign funding and engage in "political activities" to register as "foreign agents" passed its first of three parliamentary readings with a strong majority in June. Also in June, a bill banning speech that promotes "nontraditional sexual relations" passed its second reading. The offense would carry a maximum penalty of one year in jail, and could be applied to journalists who report on LGBT (lesbian, gay, bisexual, and transgender) people in a "positive" way.

Generally, representatives of the media cannot rely on courts to act impartially. A legal dispute concerning ownership of *Vecherniy Bishkek*—Kyrgyzstan's largest Russian-language newspaper and a consistent critic of the government since the 2010 revolution—reached a controversial conclusion in 2015. In August, a Bishkek court ruled to award former co-owner Aleksandr Ryabushkin a 50 percent stake in the parent company that controls *Vecherniy Bishkek* and a number of other media properties, following other rulings favoring Ryabushkin. Although the newspaper's ownership was historically complicated, Ryabushkin's unexpected claim raised suspicions of government involvement. Under new management, *Vecherniy Bishkek* toned down its critical reporting on the government in the run-up to the October parliamentary elections, and reduced coverage of political stories in general.

Access to public information is guaranteed by law. Access Info Europe and the Center for Law and Democracy consider Kyrgyzstan's access to information law to be relatively

strong; however, implementation remains weak. Local journalists widely complain of excessive response times for information requests.

All media outlets must register with the Ministry of Justice to operate. The approval process entails background checks on outlets' owners and funding sources, including whether outlets receive funding from international donors. NGOs devoted to freedom of expression operated in a generally more hostile environment in 2015. Analysts cited the "foreign agents" bill, the anti-LGBT bill, and related political rhetoric as signs of growing state hostility toward civil society as well as the increasing influence of Russia, where such legislation is in force.

Political Environment: 27 / 40

Media in Kyrgyzstan are subject to editorial pressure from private owners or the authorities, as well as a lack of diversity with respect to language and viewpoints. A 2010 law converted state media into a public-service broadcaster, the National Television and Radio Broadcasting Corporation (KTRK). Its 15-member supervisory board is composed of media experts, journalists, cultural figures, and civil society representatives; the president, the parliament, and civil society each nominate five members. The parliament has the power to approve the five members nominated by civil society and to dissolve the board if its performance is unsatisfactory. Although KTRK content has been relatively diverse compared with state content before 2010, its independence came into question in 2015. On several occasions, the channel aired a segment offering a one-sided interpretation of the *Vecherniy Bishkek* case that critics likened to crude propaganda. KTRK also faced allegations of bias against opponents of Atambayev's Social Democratic Party of Kyrgyzstan in the run-up to parliamentary elections in October.

Officials have been accused of limiting press access for journalists who provide critical coverage of the government. Legislators barred Darya Podolskaya and Yuliya Kostenko of 24.kg and their former colleague Mahinur Niyazova, a reporter for K-News, from accessing parliamentary proceedings in 2015. The ban went into effect in March after legislators complained of 24.kg publishing "untrue information," and the journalists were not readmitted to proceedings after the October elections.

There are reports that the government occasionally interferes in the editorial decisions of private outlets, though media outlets anxious to avoid political disfavor will often issue internal directives. Some journalists express concerns about investigating sensitive topics such as government corruption, unrest surrounding the controversial Kumtor gold mine, religious extremism, and interethnic tensions. The government seeks to restrict content related to such sensitive topics, particularly content deemed to incite terrorism or ethnic or religious hatred. Although the law requires a court order to block websites on such grounds, the authorities have occasionally attempted to circumvent this rule. In 2014, acting upon an order from the prosecutor general's office, regulators instructed internet service providers (ISPs) to block the news website Kloop.kg, which had covered the Islamic State (IS) militant group's recruitment efforts in Kazakhstan. Regulators acted without the requisite court order and withdrew the blocking request within days. Some 19 websites were blocked as of late 2014; updated figures are not made systematically available.

Access to a diversity of news sources, particularly to minority-language media, remains a challenge. Many Uzbek-language outlets closed after the ethnic violence of 2010, though some new multilingual enterprises have recently emerged with the help of international funding—among them the television and radio broadcaster Yntymak (Harmony). A bilingual Kyrgyz-Uzbek newspaper, *Biz*, reportedly started publishing in Osh and Bishkek in 2014 with a circulation of 1,300 in each language. International human rights bodies have repeatedly called on Kyrgyzstani officials to foster more privately owned media in minority languages. The government's restraint is reportedly linked to concerns about a potential backlash from ethnic Kyrgyz nationalists and renewed political interest in promoting a unified national identity.

Russian television stations are widely accessible in Kyrgyzstan. A 2014 poll sponsored by the U.S. Agency for International Development found that a Russian state-owned station was second only to KTRK in popularity and had gained viewers at the latter's expense in recent years. Sputnik, the Kremlin's international multimedia news service, launched a hub in Kyrgyzstan in 2014, offering content in both Kyrgyz and Russian. During a visit to Kyrgyzstan in September 2015, Dmitriy Kiselyov, who heads Sputnik as well as the Rossiya Segodnya state media agency, proposed deeper cooperation between the two countries' media spaces in line with Kyrgyzstan's membership in the Eurasian Economic Union, which went into effect in August.

Media workers sometimes face interference from state actors during the course of reporting. In March, authorities detained, interrogated, and deported American journalist Umar Farooq on suspicion of possessing extremist materials; he was in Kyrgyzstan to research interethnic tensions and religious extremism in the country's south. The government justified the deportation by claiming that Farooq was working without accreditation. Security services also raided Farooq's contacts at the human rights group Bir Duino shortly after his arrest.

Journalists are occasionally subject to reprisals for their reporting. Azimjon Askarov, an ethnic Uzbek independent journalist and human rights defender, remained in prison in 2015, serving a life sentence on charges of inciting ethnic hatred and complicity in the murder of an ethnic Kyrgyz police officer during a period of broader ethnic unrest in 2010. Askarov's investigative reports had overturned convictions and cost several officials their jobs, and he was widely believed to have been prosecuted in retribution for his reporting. In July, Kyrgyzstan annulled a long-running cooperation accord with the United States after the U.S. State Department granted Askarov its prestigious Human Rights Defender Award.

No journalists have been killed in Kyrgyzstan in recent years, and physical attacks are relatively rare. In an exceptional case, Podolskaya of 24.kg reported that she was attacked in December by an unknown assailant who attempted to strangle her. While the journalist did not rule out a connection to her professional activities, Interior Minister Melis Turganbayev deemed such a connection unlikely. Several grave crimes against journalists remain unsolved, including a brutal 2011 assault on Shohruh Saipov and the 2007 murder of his brother and fellow journalist, Alisher Saipov.

Economic Environment: 20 / 30

According to the latest available figures, there are more than 200 traditional media outlets operating in Kyrgyzstan—including 159 newspapers, 25 television channels, and 26 radio stations—and 22 popular online news services. The public broadcaster operates two television and two radio networks with national reach. Russian-language television channels are widely available and garner a significant share of the audience. However, conditions differ by region, and access to media outlets remains limited in rural areas.

An independent printing press run by the Media Support Center, a local NGO, surpassed the state-run printing house, Uchkun, as the country's leading newspaper publisher several years ago. State-owned media outlets benefit from government subsidies. However, the ability of authorities to use advertising to influence media content has receded as more private sources of advertising revenue have become available. International donor funding also plays an important role, particularly for public, regional, and minority-language media.

In 2012, Kyrgyzstan initiated its transition to digital broadcasting and ceased issuing licenses for analog television stations. The process continued in 2015, with a full switchover scheduled for the summer of 2016. Critics have expressed concern that the government has not allocated adequate funding to the transition, leaving both public and private stations without sufficient security. It is not clear whether foreign channels will be included in the final digital packet.

While the majority of residents continue to get their news primarily from television, internet penetration has been on the rise, exceeding 30 percent of the population in 2015. According to the Public Association of Journalists, new online media outlets are steadily gaining audiences and traditional outlets are building an online presence, though low salaries and a lack of funding for training and equipment continue to hamper progress in this area. Internet news sites such as Barakelde.org, Akipress.org, 24.kg, and Kloop.kg; platforms such as LiveJournal and Twitter; and forums such as Diesel.kg provide lively alternative news sources for those with internet access. In 2014, a group of young female activists began blogging about challenges facing women and girls in Kyrgyzstan, a topic that mainstream media tend to neglect.

Lacking infrastructure outside of urban centers curtails further expansion of online media. Moreover, most users access the internet through the state-controlled provider, KyrgyzTelekom. A law enacted in 2014 required the registration of SIM cards, eliminating anonymity for the growing number of individuals who access online media through mobile phones.

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