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**Freedom of expression situation in Tajikistan**

Non-governmental human rights organisations “Reporters without Borders” in its annual report on freedom of expression violations in the world (2019 World Press Freedom Index) ranked Tajikistan 161. In the new rating the organization had moved down three steps, since last year Tajikistan was ranked 149 out of 180 countries assessed.

The organization had critisized Tajikistan since a lot of independent mass media had to close down their activities for the reasons of pressure and censorship, a number of journalists had left the country and those who had stayed are working in horrible conditions. Human rights defenders note that constant blocks of news pages in Tajikistan as well as “blackmail and persecution by the authorities are leading to extreme cautiousness and self-censorship”.[[1]](#footnote-2)

Currently there are 371 newspapers functioning in Tajikistan, of which 109 are state owned, there are 243 magazines (113 state owned), 11 news agencies (10 non-state and 1 state owned).

According to the survey, around 20 mass media sources closed down in the country over the last 10 years, these include a lot of independent editorials such as “Sogd”, “Facts and Comments”, “Nuri Zindagi”, “Jomea”, “Millat”, “Nigoh”. Media market of the country was abandoned by the information agencies such as “Tojnews” and “Ozodagon”.

The specialist outline three key challenges that journalism faces in the country. These are financial and economic problems, self-censorship and lack of competition amongst independent mass media. Another problem is total lack of independent printing houses, since editors know that just one phone call from the state official can stop the printing of the newspaper.

Apart from the Constitution of RT, support to mass media in ensured free access to information is prescribed by the Concept of Informational Security of Tajikistan which considers mass media as one of the key objects of informational freedom. As a mean to achieve it the concept sets forth guarantees for the freedom of mass media and prohibition of censorship. Nonetheless, the practice shows that the reality is often far away from declarations.

According to some experts the perspectives for the upcoming 10 years are devastating as there will be practically no independent journalism in the country. Other experts consider existing challenges as temporary which shall be resolved in the due course.[[2]](#footnote-3)

**Access to information**

**“**Vechyorka” newspaper had conducted a survey amongst the journalists from independent mass media of Tajikistan in January 2019 in order to compile a ranking amongst ministries and agencies identifying those with the worst status of access to information, since the journalists are often sending requests for information to various ministries and agencies.

34 journalist took part in the survey. MoI of RT, Ministry of Education and Science, Ministry of Emergency Situations of RT were taking the first three places as the most open entities. When asked whether they receive the information in all cases, most of the surveyed journalists responding that they receive responses rarely (20 journalists).

The three closest agencies by the journalists were considered State Security Committee, Ministry of Foreign Affairs and General Prosecution of RT.

The most professional press services were considered those in the following state entities: MoI of RT, Ministry of Education and Science, Ministry of Emergency Situations of RT, Ministry of Culture, Border Troops, Ministry of Defence, Committee on Religion.[[3]](#footnote-4)

**Meeting of the Head of State with state mass media representatives**

The President of the country Emomali Rakhmon had conducted a meeting with the representatives of state mass media on 20 February. Heads of TV and Radio broadcasting services, editors in chief for various newspapers and magazines, representatives of press services from various ministries and agencies along with journalists took part in the event.

The President had emphasised during the meeting that mass media of Tajikistan shall react proactively to the events in the world and inform the population in a timely manner as well as providing the population with analytical articles. He noted that state mass media shall protect the interest of Tajikistan and use all possible means to promote the culture of Tajikistan along with the material and moral values prone to the country.

The head of state had also informed that in the foreseeable future the Programme for Digital Broadcasting in Tajikistan shall be adopted for the period till 2024.[[4]](#footnote-5)

**Violation of the Law of RT on State Language**

Committee on Language and Terminology under the Government of RT had accused the “CCCP” weekly in violating the norms of the state language. The Committee had analysed over 40 issues of the editorial and upon identifying numerous violations had addressed the General Prosecution of Tajikistan to impose a fine on the editorial. There is a special commission that regularly monitors all issues of both printed and digital media, along with TV shows and Radio shows specifically to ensure the implementation of Tajik language norms.

Sayofi Mizrob, the founder and editor in chief of the “CCCP” weekly confirmed that in April last year they had received the letter from the Committee on Language requiring them to quit using Russian words and expressions as well as dialects. Nonetheless, according to Mizrob the staff of the Committee are the ones to commit gross violations of the state language norms.

Committee on Language and Terminology under the Government of RT had accused other mass media in violating the norms of state language including the following: “Farajh” weekly, “Tojikiston”, “Duniyo” as well as national TV “Tojikiston”, “Dushanbe”, “Safina” and “Bahoriston”.

Chairman of the Mass Media Council of Tajikistan, Shahlo Akobirova considers that the criticism of the Committee on Language and Terminology nothing but the pressure on local editorials.[[5]](#footnote-6)

**Преследование за высказывания в Сети Интернет**

During the press conference Deputy Director of the Islamic Studies Center Islamic under the President of Tajikistan Rustam Azizi reported that in many publications submitted for examination to their center extremist messages or promotion of the ideas were not identified. “Over 400 submissions were made by judicial and investigating authorities concerning scientific and religious examination of 1500 publications to identify extremist messages. Only third of the submissions were considered as containing extremist messages".

Rustam Azizi considers that "like", "class" or "share" in social networks cannot become the main proof for criminal cases related to extremism. Since quite often some users visit other users of social networks pages and on their behalf leave comments or "likes". Judicial practice of Tajikistan has several cases when social networks users were imprisoned for a "like" or "class" under posts considered to have terrorist or extremist sense, or for reposts of posts by the organizations and movements which are banned in the republic. Some users make offensive comments. For example, on August 1 last year the 30-year-old resident of Muminabad district Umar Murodov was sentenced to 5.5 years of imprisonment for insult of the Head of State in the Internet. He was in labor migration in Russia, and had posted on his account in Odnoklassniki the video appealing to overthrow the political system in Tajikistan, along with offensive comments to the President of Tajikistan.

Certain laws were amended, which directly or indirectly relate to terrorism, promotion of extremism and insult of the Head of State in the Internet:

* *Article 137. Public insult of the President of the Republic of Tajikistan or slander in the Internet. Punishment: from 2 to 5 years of imprisonment.*
* *Article 137 (1) Public insult or slander of the Founder of Peace and National Unity – Leader of Nation. Punishment: from 2 to 5 years of imprisonment*
* *Article 179 (1). Involvement in crimes of terrorist character or support to such crimes in the Internet. Punishment: from 10 to 15 years of imprisonment.*
* *Article 307. Public calls for violent change of the constitutional system of RT with use of the Internet. Punishment from 8 to 15 years of imprisonment.*
* *Article 307 (3) Organization or participation in activities of extremist organizations in the Internet. Punishment: from 5 to 8 years of imprisonment.*
* *Article 330. Insult of the authorities in the Internet. Punishment: from 50 to 75 thousand somoni or two years of imprisonment.*
* *Article 395. Preparing or planning the war or aggressive activities in the Internet. Punishment: from 5 to 10 years of imprisonment.*

Many of these amendments were introduced in the criminal legislation since 2010. Since then, for "like", "class" or a repost of the material having terrorist character it is possible to end up behind the bars.

The Tajik human rights activists note that there is a risk of the wrong interpretation of the provisions of the law from law enforcement agencies, and risk that under this article dissidents or objectionable to the authorities citizens will be brought to trial.

According to the Tajik authorities, many of the tadzhikistanets who went to the Middle East and adjoined ranks of extremists, including Islamic State group, were enlisted through social networks.[[6]](#footnote-7)

**Criminal cases against journalists**

The Khujand city court pronounced a new sentence to the Tajik journalist and the director of local league KVN Hayrullo Mirsaidovu and sentenced him to 8 months of imprisonment – for departure from Tajikistan to Georgia on treatment after a year in the pre-trial detention center. Now the journalist is put on the wanted list.

The new sentence is connected with the fact that by the previous judgment the journalist as the convict, had no right to leave even borders of Khujand: for any departures he had to get permission of Head department of execution of criminal penalties of Ministry of Justice of Tajikistan.

According to the lawyer, in October, 2018 Mirsaidov reported to the authorities that he needs to complete a rehabilitation course and to restore health which sharply worsened during stay in the pre-trial detention center. And for this purpose it will temporarily leave to Georgia. However the court decided that Mirsaidov's departure out of borders of Tajikistan in itself is the basis for new business and new criminal penalty.

Hayrullo Mirsaidov considers the new court verdict unilateral and unfair, and the decision on his search is "custom". "I was put on the wanted list in absentia and illegally. "Customer" has one task – to send me to prison", - Hayrullo Mirsaidov reported.

Hayrullo Mirsaidov's lawyers submitted the application to the Supreme Court of RT on reconsideration of the case and full justification of the clien.**[[7]](#footnote-8)**

**TV**

From now on the public TV channels of Tajikistan will carefully look through all movies before display and to cut out shots with frank scenes. The management of TV considers such scenes immoral and discrediting national values.

Makhmadsharif Bobozoda, the vice-chairman of Committee on television and broadcasting of Tajikistan, told Radio Ozodi that he will lock on demonstration of frank scenes in movies which broadcast on state TV channels, is connected with prevention of promotion of foreign culture and respect of national values.

Special point on protection of morality in movies is introduced in the new Charter Tadzhikfilm approved by the government of Tajikistan. According to the Charter, from now on a film studio Tadzhikfilm not only will release movies, but also to watch strictly that all frank scenes were cut out from domestic and foreign movies. Any physical touches and even harmless "bed scenes" will not be admissible.

**Internet and Mobile connection**

Tax committee of Tajikistan is concerned by the fact that the population prefers to use Viber, WhatsApp and IMO messengers for their calls along with the applications developed by mobile companies. According to tax specialists, this is the reason behind the decrease in the amount of landline costs.

Tax Committee demanded mobile operators to count every minute their subscribers talk via Viber, Whatsapp, IMO and other messengers and pay taxes on the basis of the calculation to the budget. However, the mobile companies and Communication Agency under the government of Tajikistan indicated that it is impossible to count every minute. In this regard, the authorities decided to increase the cost of international Internet traffic to increase revenues for the budget.

At present Internet in Tajikistan is one of the most expensive in the world. World Bank experts consider that only small number of organizations and companies use possibilities provided by the internet to advance their work. Experts claim that high cost of Internet services is a result of excessive control by the state and introduction of trade fees for Internet providers.

Cost of mobile and wireless internet in Tajikistan were not researched. According to the companies, monthly cost of Internet services for physical entities varies from 250 to 1500 somoni, for legal entities – from 500-600 to 20 thousand somoni. Price range depends on the speed of the Internet.[[8]](#footnote-9)

Despite high prices for the Internet in Tajikistan, Antimonopoly Agency of Tajikistan has issued an order as of April 18, 2019 to increase the rates for mobile Internet. Megafon Tajikistan, Tcell and Babilon warned their subscribers about upcoming changes in the tariffs on their official web pages. According to the order the cost of 1 MB of the Internet shall not be less than 5 diram. In other words, if previously one gigabyte of Internet with Tajik operators cost about 30-35 somoni, after the order it increased to 63 somoni including VAT and trade fee (6.7 dollars). Also, according to this order, the cost of NGN is increased 10 times – from 10-12 diram to 1.2 somoni per minute. The order of Antimonopoly Agency had to be enacted sine 27 March, however due to negotiations between mobile operators and state structures introduction of new rates was postponed.[[9]](#footnote-10)

The main argument of the government was that increase in rates will help increasing the revenues of the state budget and positively affect the health of the population.

In 2017-2018 tax revenues gained from mobile companies decreased by 12%. Tajik citizens use land lines less that affects negatively the revenues of Tojiktelekom - subsidiary of the Communication Agency, and monopolist in the field of telecommunications in the country. According to the Tojiktelecom plan, increase in rates will balance the payment for the Internet and land lines and as a result, the population will use land line more often again. Which in turn, will raise income and will bring money to the state budget.

Journalist Zafar Abdullaev considers that increase in prices for Internet is "blow to economy and the interests of all people".

Mobile companies, public organizations and civic activists demanded canceling the order. However, Antimonopoly Agency was supported by tax authorities who consider that out increase in rates for the Internet is inevitable.

Asian Development Bank (ADB) in the report published on April 3 recommended to reduce the cost of Internet in Tajikistan. Among the main recommendations was related to the development of the Internet and information technologies. The report refers to Speedtest data (the software developed to check data transmission) it is said that Tajikistan is recognized as the country with the lowest Internet speed. In this regard permanent representative of ADR in Tajikistan Pradeep Srivastava noted: "Tajikistan will receive huge economic dividends by strengthening infrastructure related to information technologies, ensuring that Internet access is cheaper and better, encouraging private investments into data services, and increasing level of training for youth".

"Radio Ozodi" during the interview with the representatives of the Communication Agency of Tajikistan noted that there is a mass dissatisfaction related to the increase in prices for the Internet in social networks. "Many users of social networks consider the rise as "robbery of a century", someone even published a memorial gravestone for the Internet in Tajikistan. Some citizens started posing questions related to the fact that authorities does not hear them”. The answer by the Deputy Head of Antimonopoly Agency under the Government of RT Nazar Odinazoda answered that "Responsible persons in relevant state structures, explained the logic and reason behind this solution essence during TV show. I know that there are a lot of people dissatisfied with this decision. But in all countries a part of the population does not approve this or that decision of the authorities …".

On April 23 the President of Tajikistan Emomalii Rahmon cancelled the order of Antimonopoly Agency of Tajikistan about increase in rates for mobile Internet and also pledged to punish those dealing with the increase in prices for Internet and internal network calls. The head of Antimonopoly Agency Saadi Kodirzoda was dismissed, however, straight afterwards he was appointed deputy head of Executive Office of the President. By another Resolution of the Government Vice Chairman of Tax Committee was dismissed Hurshed Ismoilzoda who was also transferred toPresidential Administration as a Head of the Department on Strategic Planning and Reforms.[[10]](#footnote-11) Comments the news article elaborating on these decisions readers expressed their dissatisfaction with professional promotions of two officials - heads of Antimonopoly Agency and the Vice Chairman of Tax Committee, they are convinced the two should have been punished or certain disciplinary measures should have been taken.

As of summer of 2018 the level of Internet penetration in Tajikistan was 33.1 percent, which is one of the worst indicators in the region, as per the data of Internet World Stats. Average speed of access to network according to Speedtest service in the country is ranked 137th.[[11]](#footnote-12)

The expert in the field of ICT Parvina Ibodova notes positive aspects, such as development of new technologies, world trends in social networks, applications, devices which reach Tajikistan. At the same time, number of Internet service providers decreases, mobile companies, content providers, hence the decrease in competition, as a result monopolists dictate the terms. It leads to the fact that small businesses do not withhold pressure and are closed. Another negative aspect is related to quality and cost of Internet instead of going down over time, in line with the rules of economy, along with improved quality, the contrary situation is observed in the conditions of aggravated quality there is an increase in prices.

Another negative aspect according to the expert is volume of national content which remained on the level of 20-30% in comparison with foreign, it is considered that this is an impact of Internet in prices in Tajikistan.

Brain drain is another negative point. There were many young people who created the companies, 10 years ago in Tajikistan who are leaving the country and there are no foreign investments into this sphere. People take out the capital and do something abroad.

There are lots of burdens for our providers and operators from the regulatory perspective. They use quite expensive equipment, furthermore there is also an infinite number of additional payments, fees, taxes, licenses.

The Internet in the country is insanely expensive though the speed is extremely weak. It has become especially poor over the last two years since the Unified Switching Center was established. Currently there is just one gateway through which hosts all communication in Tajikistan, both mobile communication, and Internet. The most unpleasant and unacceptable, according to the expert, is that it is still unknown what is USC as is unknown the basis for its operation along with its status, in other words who receive the information from the center, what are the rights and duties for such center. All these details are regarded as restricted information. The only thing available in open access is the Resolution of the Government of Tajikistan “on setting up USC" …

… "Communication is of strategic importance for the country. If criminal organization and or experienced hacker, wishes to make something, they do not need to take weapon, they can "attack" only this network, and all of us will be left without communication. It is impossible to come up with anything worse than it" …

According to the expert every raise in price for operators (imposed by state structures), ends up paid by the users. Any provider, any operator will not pay cover at his own expense money related to increase in fees, taxes, etc.

The expert noted that freedom of Internet Tajikistan is extremely low across various ratings. "We are not taken seriously as we practically do not have skilled staff, our ministers participate in the international events, but they have nothing to tell about what is happening in the country specifically in parts related to the development through introduction of technologies".

Another concern raised by the expert is a Strategy for Creating Electronic Government. According to the expert, “on one hand it’s there, on the other it is not. Abundant decrees, resolutions, strategies, etc. were adopted since 2001. De jure there is electronic government. But only de jure. There are no leverages, the coordinating body does not work. Since the establishment of the ICT Council by the President (2006) only two meetings, were held under the chairmanship of the President that were very important for us. We thought that it is the good sign. At two of these meetings we actually raised our voices on different subjects such as on regulations, problems of providers, how we can present the country in the international information community. There were no barriers, but since that time everything stopped”.[[12]](#footnote-13)

**Re-registration of the sim cards**

According to sim-cards re-registration, there is a decree signed by the Head of State as of 9 February indicating the changes into the order and requirements for subscribing to electric communication networks and related services.

The Head of State had obliged the Communication Agency to take measures to make sure that one citizen has just two sim cards of mobile companies and that the citizens that had registered the sim cards to the old format of passport shall re-register with the new passports (plastic ID cards). The Decree orders to deactivate all sim cards that were not used for the period of up to 6 months.

The Government of RT had obliged all mobile companies of Tajikistan to install CCTV cameras in all service centres dealing with sim cards in order to make sure that more than 2 sim cards are not registered to one person.[[13]](#footnote-14)

1. Source: <https://rus.ozodi.org/a/29889466.html> [↑](#footnote-ref-2)
2. Source: <https://rus.ozodi.org/a/29762943.html> [↑](#footnote-ref-3)
3. Source: <http://vecherka.tj/?p=37619> [↑](#footnote-ref-4)
4. Source: <https://tj.sputniknews.ru/country/20190220/1028337544/tajikistan-rahmon-smi-nadezhniy-shchit-zashchita-interesy.html> [↑](#footnote-ref-5)
5. Source: <https://rus.ozodi.org/a/29768073.html> [↑](#footnote-ref-6)
6. Source: <http://vecherka.tj/?p=36651> [↑](#footnote-ref-7)
7. Source: <https://rus.ozodi.org/a/29870969.html> [↑](#footnote-ref-8)
8. Source: <https://rus.ozodi.org/a/29713960.html> [↑](#footnote-ref-9)
9. Source: <http://tajikistantimes.com/news_rus/v-tadzhikistane-silno-podorozhal-internet/> [↑](#footnote-ref-10)
10. Source: <https://rus.ozodi.org/a/29898113.html> [↑](#footnote-ref-11)
11. Source: <https://rus.ozodi.org/a/29882049.html> [↑](#footnote-ref-12)
12. Source: <http://www.nm.tj/economy/52835-parvina-ibodova-za-vse-povysheniya-stoimosti-uslug-v-tadzhikistane-platim-tolko-my-s-vami.html> [↑](#footnote-ref-13)
13. <https://rus.ozodi.org/a/29778317.html> [↑](#footnote-ref-14)