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**Public organisation Bureau of Human Rights and Rule of Law**

**MASS MEDIA REVIW**

**FOR MAY, JUNE, JULY 2020**

**Freedom of expression and Mass Media in Tajikistan**

Human rights organisations, namely International Partnership for Human Rights (IPHR) and ARTICLE 19 published a report on the restrictions and obstacles faced by independent journalists and mass media in Tajikistan.

The joint report outlines that "the continued pressure on the media over the past several years has become more acutely during the current COVID-19 pandemic."

“The authorities refused to ensure transparency of their actions, and also did not respond to journalists' questions. Instead of reacting to media reports of early suspected COVID-19 cases in a timely manner and using the media as a tool to raise awareness and slow down the spread of the virus, authorities warned that those spreading negative news would be "held accountable," is stated in the report.

It is noted that even after the official confirmation of the first cases of coronavirus infection, the authorities continued to accuse mass media of "spreading panic" moreover in May, a website containing information on deaths allegedly caused by COVID-19 was blocked in the country.

“Another alarming development was the vote on June 26 by the upper house of parliament to adopt amendments to the Administrative Code (note: on July 4, the President of Tajikistan signed the amendments), which set forth the fines against journalists and others who allegedly disseminate “inaccurate and unreliable” information about the COVID-19 pandemic through the media or social media. Journalists and civil society activists in Tajikistan express concern that in practice, and without an expert commission, the only information that would be considered accurate and truthful would be information and statistics provided by government sources,” indicates the report.

The authors of the report note that in recent years, dozens of editors and journalists who, according to the authorities, are too critical and cover topics considered politically sensitive, have been forced to leave the country to avoid reprisals based on their professional activities or forced to choose between harassment, intimidation and threats, repression of family members, on the one hand, and professional ethics, on the other.

“The ‘tools' used by the authorities to keep journalists and media on a short leash include threats or de facto revocation of media licenses; refusal to issue or renew the accreditation of journalists employed by foreign media; excessive tax audits; fabricated criminal charges against journalists, as well as harassment and intimidation of their family members, ”the report says.

It is emphasised that journalists in the country face serious difficulties in gaining access to information on issues of public interest and significance, as the authorities often refuse to provide this kind of information.

The organisations urge Tajik authorities to ensure that journalists and mass media can carry out their activities without the interference of the government and to take immediate steps to ensure their effective protection from intimidation and other forms of pressure.[[1]](#footnote-2)

Tajikistan and Azerbaijan opposed the reappointment of Harlem Desir as the OSCE Representative on Freedom of the Press, Voice of America reports. According to the source, both countries opposed his reassignment, sending a letter to the OSCE office. And since the structure of OSCE is based on the principle of consensus, even one vote against can derail the appointment.

On July 14, the Ministry of Foreign Affairs of Tajikistan informed Asia-Plus that they would not comment on this issue.

Meanwhile, Radio Ozodi at the OSCE headquarters in Vienna said that the process of blocking the nomination of candidates to the OSCE “started with a letter from Tajikistan." “On June 25, Tajikistan has sent a letter to the OSCE Chairman, which indicated that Dushanbe can not agree with o Harlem Desir as a candidate for the position of OSCE Representative on Freedom of the Press. The letter from Tajikistan stated that during the previous period when Desir held the office, the organization had allegedly started protecting mass media, which had became a platform for terrorists and extremists. Another point in the letter was that Tajikistan wants "geographical diversity in the selection and appointment of candidates for such positions." The country opposed the appointment of European nationals only to this position”.[[2]](#footnote-3)

**Influence of COVID-19 pandemics on Mass Media in Tajikistan**

Mass media organisation found themselves in an extremely difficult situation during the COVID-19 epidemic, and it is impossible to overcome the challenges. Advertisers leave, newspapers are closed, it is almost impossible to obtain the information, topped up with an extremely poor quality of the Internet during remote work and pressure from the authorities. This is a rough description of the current conditions faced by the journalists in Tajikistan, according to New Reporter and Asia Plus.

In mid-May, the official death rate of patients due to coronavirus was the highest in the region, hospitals were full, but there were almost no restrictions. Journalists did not require special passes to get to the hospitals, the only requirement was to have masks and gloves.

I spend about 15% of my salary on personal protective equipment and taxi, ”says Abdullo Gurbati, journalist working in Asia-Plus media group, who continues to work and even runs a special project called “City Duty”. The management of its editorial office allowed all employees to switch to a remote mode of work in early April; by mid April almost all journalists decided to take shift to this mode of work ...

There is no one to go out to sites to prepare the reports in the editorial office of the Diyor TV and Radio Company, which operates in the north of the country, in Khujand. After Tajikistan had officially announced the of COVID-19 cases (to note, this was done only on April 30), all the journalists of this company shifted to remote work ...

Most journalists cannot afford personal protective equipment. Firuza (Firuza Mirjumaeva - the head of the Diyor TV and Radio Company) says that such a set (goggles, respirator, anti-plague suit) costs almost 400 somoni ($ 40) in Khujand, the average monthly salary of a TV journalist here is one thousand somoni ($ 100).

The management of the State TV channel Jahonnamo provides employed journalists with gloves and masks, and other PPE.

Advertising revenues had dropped.

Other independent mass media organisation are in the same position and even worse. They indicated the reduction in income about a month and a half ago.

Due to the fact that salaries in the local media are low, the journalists tried to make both ends meet by the financial support (in addition to salaries) provided by their management leadership or by participating in other projects - for example, from international organisations or other mass media in Central Asia (primarily from Kazakhstan). Currently these two sources of income for Tajik journalists are almost inaccessible.

Journalist Abdullo Gurbati explains that any topic related to the pandemic causes dissatisfaction of the authorities, and collecting information for the reports is extremely difficult. People are afraid to speak, everyone around is afraid of everything: ordinary people, doctors, experts.

Firuza Mirjumaeva from the Diyor TV and Radio Company is also aware of the problems related to obtaining the information. She found a list of doctors who are ready to help with consultations to Tajiks on the Internet, and decided to take comments from them for her stories, but almost everyone refused to speak. Only one doctor from St. Petersburg agreed ...

Problems with the internet are another problem that plagues journalists every day. Due to the low speed of the Internet, Tajik journalists cannot establish communication even with each other in the conditions of remote work. As a rule, media workers at home are content with inexpensive and low-quality communications; only bigger editorial could establish good Internet connection in their offices.[[3]](#footnote-4)

**Printed mass media**

As of July 1, 2020 the weekly newspaper "Vechorka" stopped publishing the printed version of the publication in Dushanbe. “We are going entirely digital,” said the editor-in-chief of the newspaper Gulnora Amirshoeva. “No one can resist the current trends in the press market, our site has shown good performance lately.”

The Russian-language newspaper Vechorka has been published since 2011 and covered the events in the capital.

At the same time, Gulnora Amirshoeva believes that “existing social networks make the future of periodicals on paper somewhat uncertain in Tajikistan”.

“Modern technologies leave no other options for newspapers. Printed editions have long been "sagging" under the pressure of the Internet, "she said..[[4]](#footnote-5)

**Persecution of the journalist**

The journalist of "Asia-Plus" Abdullo Gurbati was attacked on May 11, at about 21:20. Two masked men beat him outside of his house. Abdullo Gurabati says that in recent years he has been repeatedly threatened by phone and on social networks by the people who called him "a traitor of the homeland."

... One of the “answer factory” activists wrote to the journalist on Facebook and “recommended not to raise problematic topics, not to write critical posts and “to behave correctly”. He threatened that they can remove anyone if this person interfered with them. ”About a week later, there was a second threat.

“On April 20, a stranger called me and started threatening m:“ We will find you and deal with you, you are crossing the border! ”. When I asked how had I “crossed the border”, he replied that I had given an interview to Radio Ozodi and “opposed the celebration of the Capital Day”. He also remembered my video clips about raids on conscripts ...

Abdullo believes that this is how they want to scare him so that he stops his professional activities, but he is not going to give up.[[5]](#footnote-6)

The public organisation "Independent Center for the Protection of Human Rights" provided the journalist with the services of a lawyer.

On May 15, the website of the Ministry of Internal Affairs posted information about the initiation of a criminal case against the beating of a journalist under the article “Hooliganism”. However, the lawyer suggested that the actions of the attackers can be categorised as a crime under Article 162 of the Criminal Code of the Republic of Tajikistan (Preventing the journalist from implementing legitimate professional activities).

The perpetrators of this attack were not found yet.

On May 29, Asia-Plus journalist Abdulloh Gurbati was attacked for the second time and was beaten by unknown persons in the Khuroson district of the Khatlon province, where he went to report on the people affected by the disaster. As stated by the journalist, when he approached the tents where the victims from Uyali were placed, an Opel car drove up to him, several guys got out and immediately attacked him, accusing him of incitement.

The perpetrators of the attack on Asia-Plus journalist Abdullo Gurbati in the Khuroson district were found. They were residents of the Aini jamoat of the Khuroson district Sukhrob Boboev, Abdulmadzhid Davlatov and Kurbonali Gulomov.

On June 2, the court of the Khuroson district of the Khatlon province ruled against these residents, all three attackers were charged under Article 460 of the Code of Administrative Offences of the Republic of Tajikistan (petty hooliganism) and prescribed to pay a fine in the amount of 10 indicators for the calculation (580 somoni) each. According to the lawyer Abdurakhmon Sharipov, the court explained its decision by the fact that the actions of the attackers did not pose danger to others, and the attackers broke the law for the first time. In addition, at the time of the conflict, the journalist did not provide them with the journalist ID and had not started carrying out professional activities. It is worth noting that all three have nothing to do with the victims of the disaster and the tent camp furthermore they are residents of a neighbouring village.

The next day, a message appeared on the website of the Ministry of Internal Affairs, which gave an unexpected interpretation of the incident. The message said that “despite the reluctance of the residents of the Khuroson district to enter the tent where they temporarily live after the natural disaster, Abdulloh Gurbati tried to get inside and film the family members of the victims, especially minors for the “dramatic material”. “He also wanted to trigger the residents and instigate discontent with the state and government. Residents did not like this behaviour of the journalist, so they drove Abdulloh Gurbati out and did not allow him to violate the inviolability of their homes and interfere with their private life,” was indicated in the statement.

On May 29, the journalistic community of Tajikistan (Asia-Plus media group, NGO Homa, NANSMIT, the Coalition of Women Journalists and a group of Tajik journalists) issued a statement expressing concern about the repeated violence against Abdullo Gurbati, while he was implementing his professional duties.[[6]](#footnote-7)

On June 3, fifteen public organisations of Tajikistan also sent a letter to the authorities, where they expressed their concern over the attacks on the journalist A. Gurbati and urged Tajik authorities to comply with national and international norms recognised by Tajikistan, and to abandon the practice of persecuting journalists and instigate pressure for their professional activities.

On July 10, the Civil Society Coalition against Torture and Impunity in Tajikistan reported that the Ministry of Internal Affairs had rejected a request from the journalist's lawyer Abdullo Gurbati to grant him state protection.

The letter, signed by the senior investigator of the Investigation Department of the Ministry of Internal Affairs of Tajikistan, says that the request of a state protection was denied due to the lack of compelling reasons "for the implementation of security measures in relation to the victim A. Gurbatov."

The lawyer Abdurakhmon Sharipov, after the first attack on the journalist of the Asia-Plus news agency, officially appealed to the Ministry of Internal Affairs and said that unknown persons continue to call and threaten Abdullo Gurbati. He demanded to establish the identity of these people. On May 17 in an interview to the Radio Ozodi, Abdullo Gurbati said that while these people remain free, his life is in danger..[[7]](#footnote-8)

**Amendments to the legislation**

Amendments to the Code of Administrative Offences of the Republic of Tajikistan were suggested to stipulate the fines for disseminating inaccurate and false information about the pandemic through mass media.

The international organisation “Reporters without Borders” (Reporters sans Frontieres) condemned Tajikistan for imposing fines for disseminating inaccurate and false information about the coronavirus pandemic through the media and social networks. On June 11, Jeanne Cavelier, Head of the Bureau for Eastern Europe and Central Asia of Reporters Without Borders, told Radio Ozodi that the imposition of fines undermines the principles of freedom of speech, and that ambiguity in the legal definitions will cause deliberate violations of the rights of journalists ... Jeanne Cavelier said that on the basis of international law, state bodies do not have the right to decide which information is false and which is true. Reporters Without Borders demanded Tajik authorities to remove this clause from the Code of Administrative Offences, as it could cause abuse and censorship.

During the parliamentary meeting, the reason for the introduction of fines for disseminating inaccurate and false information about the pandemic was not explained, however an informed source told Radio Ozodi that the authorities want to control information about people infected and dead due to coronavirus infection.[[8]](#footnote-9)

On June 23, 17 civil society organisations and mass media of Tajikistan issued a joint statement addressed to the President of the Republic of Tajikistan and the Chairman of the Majlisi Milli of the Republic of Tajikistan, in the statement they expressed concern about the imposition of fines for disseminating false information and urged the members of the Upper Chamber of the Parliament of the Republic of Tajikistan to reject the amendments, and the President of Tajikistan to refrain from signing the amendments to the Code of Administrative Offences of the Republic of Tajikistan, according to which fines and administrative arrest are provided for spreading false information about the dangerous infections, including coronavirus pandemic. Civil society representatives addressed the President Emomali Rahmon stating that the amendments would become a pretext for the persecution of activists and independent journalists.

“The adoption and entry into force of these amendments will seriously aggravate the difficult situation with freedom of speech in the country, increase censorship and self-censorship among media editors, journalists and human rights defenders, and also restrict public access to information about the spread of dangerous diseases, while the citizens have the right to receive the information on the level of mortality and ob other issues that might affect their health ”- noted civil society representatives in their appeal.

The appeal was signed by the Bureau of Human Rights and Rule of Law, NANSMIT, Notabene, Independent Center for the Protection of Human Rights, Asia-Plus, Homa and others.[[9]](#footnote-10)

Nonetheless, on June 26, despite the appeals of national and international organisations the Upper Chamber of the Parliament approved amendments to the Code of Administrative Offences. On July 4, the President Emomali Rahmon signed the amendments.

According to the amendments, a new Article 374 (1) was included in the Code of Administrative Offences of the Republic of Tajikistan, which stipulates liability for the dissemination of false information using mass media, Internet or other telecommunication networks related to emergence and spread of dangerous diseases, or about the periods of restrictive quarantine measures, or for providing irrelevant information about the methods and tools for protection and other measures taken to ensure the safety of the population. Violation of this article leads to a fine for individuals in the amount of 580 to 1160 somoni or administrative arrest for a period of 10 to 15 days and a fine for legal entities - 8,700 to 11,600 somoni.

**Internet**

The Committee on Communication under the Tajik Government said the slow internet in the country was due to its geographical location, mountainous terrain, and expensive infrastructure.

According to experts, Tajikistan was a mountainous country before, but until 2013 the speed and quality of the Internet met all standards.

Asomiddin Atoev, expert on IT technologies, believes that the country's geographical position should be a catalyst, not an excuse. According to him, until 2013 the total profit in the telecommunications market in Tajikistan was about $ 550 million, but now it does not exceed $ 200 million. “Profits are reduced to $ 45 million annually. Specialists need to study the reason for this decline in the market,” he says.

In the global index of internet speed Speed-test Global Index for 2020, Tajikistan dropped from 132nd to 133rd place. In total, 140 countries are represented in the ranking. The speed is worse only in Iraq, Afghanistan, Venezuela. Mobile Internet in Tajikistan is one of the slowest in the world, though it is almost the highest in terms of prices, almost five dollars per gigabyte.

According to international organisations, development of the Internet in Tajikistan is impeded by the government interference in the activities of mobile companies, as well as lack of competition, since all companies buy traffic from a government provider at a fixed cost.[[10]](#footnote-11)

**Mass Media Ombudsman**

Media ombudsmen was established in Tajikistan with the assistance of the international organisation Internews Network. Media Ombudsmen are called upon to monitor objective and impartial media coverage of events, as well as to ensure compliance with journalistic ethics. There is already a similar structure in Tajikistan, i.e. the Media Council. The head of NANSMIT in Tajikistan, Nuriddin Karshiboev, said that NANSMIT is the founder of the Mass Media Council, however, they are not very satisfied with its work, so it was decided to create media ombudsmen. “This is not in opposition to the Mass Media Council, these two structures can interact and work for the benefit of high-quality journalism,” Karshiboev explained.

The difference between of the newly created institute is that it will proceed from preventive practice, the ombudsmen will prevent violation of ethical norms. The creation of the structure will be completed by the end of 2020. "The ombudsmen will have much broader authority. First of all, this is the connection with the audience. The conclusions to be made by the ombudsmen should be taken into account when developing editorial policies to improve the quality of content," Karshiboev said.

He added that this initiative has both supporters and opponents.

Currently, media ombudsmen work in 6 local media outlets - TV Asia, TV SM-1 (Sughd region), weekly Farazh and Samak, the Center for Investigative Journalism and the SogdNews agency. The first Tajik media ombudsmen were Shamsullo Fozilov, Gulnora Amirshoeva and Azamkhon Akbarov.

Media ombudsmen have no right to interfere in the choice of a topic for an article or to obstruct its publication, Karshiboev stressed.

Nuriddin Karshiboev believes that objective and impartial coverage of events, as well as adherence to journalistic ethics, will prevent local media from litigation with government agencies, individuals and legal entities.[[11]](#footnote-12)

Timur Shafirov, Secretary of the Union of Journalists of Russia, also commented the launch of the media ombudsmen in Tajikistan. According to him, media ombudsmen exist in a number of countries. In states where there is no such structure, certain organisations perform its role. "These organisations are necessary to protect the rights of journalists, like trade unions. The functions of media ombudsmen can be related to the performance of different tasks. For example, in European countries it is a certain supervision of media rights, so that they are not violated from the perspective of the European Commission," - Timur Shafirov, Secretary of the Union of Journalists of Russia, told Sputnik Tajikistan.[[12]](#footnote-13)

1. Source: <https://asiaplustj.info/news/tajikistan/society/20200702/vlasti-tadzhikistana-prizvali-obespechit-polnoe-soblyudenie-svobodi-virazheniya-mnenii-i-svobodi-smi> [↑](#footnote-ref-2)
2. Source: <https://asiaplustj.info/ru/news/tajikistan/politics/20200715/tadzhikistan-hochet-geograficheskogo-raznoobraziya-pri-otbore-dolzhnostnih-lits-v-obse> [↑](#footnote-ref-3)
3. The full article can be found at: <https://newreporter.org/2020/05/21/deneg-net-no-vy-pishite-kak-zhurnalisty-v-tadzhikistane-vyzhivayut-vo-vremya-pandemii/?fbclid=IwAR3_NobTl3DWQObTy8UVwVOUIzR9GMCQYn3bHdkA9ZhXfG-07ZqF9hsAdSA>, <https://asiaplustj.info/ru/news/tajikistan/society/20200521/oni-razrushayut-vsyo-chem-yazhivu-idishu-kak-zhurnalisti-v-tadzhikistane-vizhivayut-vo-vremya-pandemii> [↑](#footnote-ref-4)
4. Source: <https://asiaplustj.info/ru/news/tajikistan/society/20200706/gazeta-vechyorka-teper-budet-tolko-onlain> [↑](#footnote-ref-5)
5. Source: <https://asiaplustj.info/ru/news/tajikistan/incidents/20200512/kto-napal-na-zhurnalista-aziya-plyus> [↑](#footnote-ref-6)
6. Source: <https://asiaplustj.info/ru/news/tajikistan/society/20200529/zhurnalistskoe-soobtshestvo-tadzhikistana-prizivaet-pravoohranitelnie-organi-predotvratit-izbieniya-zhurnalistov>, <https://rus.ozodi.org/a/30641072.html> [↑](#footnote-ref-7)
7. Source: <https://rus.ozodi.org/a/30717860.html> [↑](#footnote-ref-8)
8. Source: <https://rus.ozodi.org/a/30666708.html> [↑](#footnote-ref-9)
9. Source: <https://rus.ozodi.org/a/30685884.html> [↑](#footnote-ref-10)
10. Source: <https://rus.ozodi.org/a/30724283.html> [↑](#footnote-ref-11)
11. Source: <https://tj.sputniknews.ru/radio/20200605/1031362002/Karshiboev-mediaombudsmen-narushenie-etiki-SMI-tajikistan.html>, <https://asiaplustj.info/ru/news/tajikistan/society/20200604/v-tadzhikistane-zarabotal-institut-media-ombudsmenov> [↑](#footnote-ref-12)
12. Source: <https://tj.sputniknews.ru/radio/20200604/1031360910/shafir-media-ombudsmen-tajikistan-organizacii-neobhodimy.html>   
     [↑](#footnote-ref-13)