

"Tajik authorities have gone further with the majority of the country's Internet providers having blocked a number of VPN proxies and other programs meant to circumvent web filtering." - expert Nuriddin Karshiboev, writing specially for cabar.asia, assesses the latest developments in Tajikistan's media sphere.



November 2016 can be called a 'black month' for Tajikistan's independent media. On November 2nd, the founder of the weekly publication *Nigoh*, Saimuddin Dustov, issued a statement in which he announced the suspension of his publication's operation. He attributed this decision to a "lack of necessary conditions" without any further elaboration. For ten years the *Nigoh* sought to provide an alternative news source for active readers and with its demise comes a further narrowing of pluralism in Tajik society.

Two weeks later, the news agency *Tojnews*, which is owned by the public association "Indem" and was founded by Dustov as well, was also closed. The farewell edition was published on the agency's website on November 14th. The statement reads,

"This decision for us is not a surprise to the informed public of Tajikistan. We already knew that after the closure of *Nigoh* our turn would come. This will affect the fate of a few independent newspapers in Tajikistan. The motive is clear. In Tajikistan, the requisite conditions for the work of independent media and free journalism are nonexistent."

There is another explanation for this decision in that the editorial policy of the newspaper, whose independence is supposedly guaranteed by national law, did not suit some officials and government agencies. Over the past few months, national and international media organizations have registered several cases of threats, harassment, and intimidation, including threats of prosecution towards staff members.

Over the course of the year the country has closed four independent media outlets, *Evening Dushanbe*, *Dam*, *Nigoh*, and *Tojnews*, while several others are on the verge of ceasing publication. More than ten professional and courageous journalists have left Tajikistan so far. This situation demonstrates the lack of pluralistic conditions in the country and is a serious concern for the media and human rights organizations in the country.

Total control over independent media

The Tajik authorities have never abandoned their attempts at controlling independent media outlets. On November 14, 2016, the President of Tajikistan, Emomali Rahmon, signed a law on amendments to the Criminal Code, which will provide for the initiation of criminal proceedings against any person who “insults or slanders the Founder of Peace and National Accord and the Leader of the Nation.” Both are titles newly given to President Rahmon. This “new” crime is punishable by imprisonment for up to five years. A typo in the word president was the catalyst for *Nigoh*'s closure, indicating the extremes to which the authorities are prepared to go in implementing this new law.

In the past year at least five legislative acts related to the media have been passed. In the beginning of 2016, the Ministry of Culture initiated a draft law on amendments and additions to the law “On the periodical press and other mass media”, which caused protests from the journalistic community. The amendment to Article 12-1, Paragraph 3 reads, “if at a certain time there are not resolved violations of the law, the cause of which renders a written order, the Attorney General or the prosecutors subordinate to him may apply to the bodies authorized for media registration a statement of suspension of media activity for up to three months.”

In our view, these amendments are adopted explicitly to restrict freedom of speech in Tajikistan because the registration authorities and prosecutors have the right to suspend the operation of any media outlet that in practice appears to implement the extrajudicial order prohibiting the media's work. Therefore, in our opinion, this project is the desire to legitimize censorship, which contradicts the constitution.

In July 2016, new restrictions on freedom of information included the government resolution “On the guidelines for the preparation of television and radio programs in the years 2017-2021”, which provides for the strengthening of control by the authorized body “over the entire area of news items appearing on television and radio.” The document was adopted with the aim of “improving Tajikistan's media image in the world arena” and to defend the country against “media attacks.” The resolution defines television and radio broadcasting as “ideological propaganda tools” that are used to conduct “information warfare”, “verbal battles”, and “the application of psychological shock.”

The official version of the decree “On the main directions of preparing television and radio programs in the years 2017- 2021” is aimed particularly to prevent the spread of extremist ideas among youth but can also be seen as an attempt to introduce media censorship. Despite the fact that the decree's preamble states that this document will be extended to cover state media, there are fears that it will also affect editorial independence. The case of the newspaper *Nigoh*, in particular, is the logical end of efforts by the Ministry of Culture.

In addition, the Parliament of Tajikistan ratified the protocol on exchanging information between law enforcement authorities of CSTO members in the field of cyber security. This document can also be used against freedom of speech and expression and is likely to appear in the area of digital security.

EKTs - "Dreamboat" communication services

On November 11th, Tajik authorities announced the launch of the Unified Electronic Communications Switching Center, abbreviated as EKTs in Russian, which centralized all telephone and Internet streams in order to "monitor threats in the fight against terrorism and extremism." This will allow the government to exercise total control over local communications without any restrictions. A ten-year struggle between Internet service providers and the government's Communications Service ended in favor of the latter.

At the beginning of 2016, President Rahmon signed a decree establishing the EKTs. According to the document, all telecom operators and Internet service providers in the country must provide international telecommunication and Internet services solely through the new structure by the end of the year. The officially stated purpose of the EKTs is to "ensure national and information security" by providing the ability to track "gray traffic" and telephone calls. But, first of all, it will allow government entities to selectively disable telephone and Internet connections if desired.

At the same time, Internet resources continue to be blocked in Tajikistan. The authorized state body in this area, the Communications Service, has always denied any involvement in restricting Internet access, but, in November 2015, the European company TeliaSonera published a statement on its website concerning such matters. In particular, it pointed out that they are required to block access to certain sites. Currently, the country has blocked access to such media sites as Asia-Plus, Radio Ozodi and Ozodagon, Youtube, Facebook, and VKontakte. There is also a Supreme Court list naming recognized and banned terrorist organizations and their sites. Tajik authorities have gone further with the majority of the country's Internet providers having blocked a number of VPN proxies and other programs meant to circumvent web filtering.

The attempt at censorship by the "well-intentioned"

This year there have been several recorded attempts by government officials to restrict access to information and press freedom in the country.

On May 14th, *Asia-Plus* published a letter received from the Ministry of Culture. In the letter,

one of the news agency's articles was deemed "terrorist propaganda" though the article never supported terrorist activities. The agency only used a link from *Financial Times* concerning remuneration of Islamic state militants.

On July 14th, the head of the Ministry of Internal Affairs in Sughd Province, Nazarzoda Sharif, said at a press conference that police leadership should refrain from making public some facts and figures regarding heinous crimes on the basis of the "care of mothers and activists." He believes that such information could "terrify young people." Media experts have regarded the initiative by Nazarzoda as restricting the right of citizens' access to information, which is akin to censorship and is illegal.

The Management Committee for the Language and Terminology of Tajikistan announced on August 1st that it "will continue to bring to justice to those members of the media who pollute the Tajik language."

On August 3rd, Mahmad Rahimzoda, director of the National Center for Legislation, called on journalists to exercise caution when covering sensitive issues concerning Tajik-Uzbek relations.

Accreditation as an intimidation tool

Another instrument putting pressure on the media is the accreditation process for journalists of foreign mass media outlets in Tajikistan. Some wait years for accreditation and still do not receive it. For example, "Russia Today" was denied accreditation by Tajik authorities and was not able to officially work in Dushanbe.

On November 25, 2016, the Ministry of Foreign Affairs revoked the accreditation of six journalists working for Radio Free Europe/Radio Liberty's Tajik Service (Radio Ozodi). The ministry did not publicly explain the reasons for its decision. However, in a telephone conversation with RFE/RL employees, they said that the decision followed the organization's failure to remove a story from its web site covering the appointment of Rukhshona Rakhmonova, the president's daughter, to a senior position in the Ministry of Foreign Affairs.

The move provoked a strong reaction by the international community, as the actions taken by the ministry were not in line with international standards. The Foreign Ministry eventually renewed the accreditations for Mirzonabii Kholikzoda, Mardon Muhammad, Abdullo Ashurov, Muhammadvafo Rakhmatova, Amriddin Olimova, and Shodmonov Yatim.

We strongly believe that the institution of accreditation by the state bodies should be an instrument of civilized interaction between the media and authorities and not a means to pressure journalists. However, this is not the first time that the accreditation process has been used as an intimidation tool in Tajikistan. In our opinion, it is necessary for the country's power structures to carry out the accreditation process under more liberal guidelines in order to ensure freedom of speech in Tajikistan on the basis of their international obligations outlined in the framework of the International Covenant on Civil and Political Rights (ICCPR).

Media in the “snare” of the economic crisis

In addition to all of the above, the global economic crisis is having a devastating impact on the economic viability of independent media in Tajikistan. The conclusions of the expert community are disappointing as there was a question about the threat to the fourth estate's existence. Experts believe that 63% of print media are subject to the threat of forced closure due to the economic crisis.

According to a study conducted by the OSCE Office in Dushanbe from May-July 2016, the last 2-3 years have been marked by an unprecedented decline in the activity of the journalism community. The study's author, Nabi Yusupov, director of the public organization “Mediaconsulting”, identified a number of reasons for the economic crisis in the mass media sphere in Tajikistan. They include:

- A lack of equal competitive conditions between public and private media,
- A lack of effective distribution systems for periodicals,
- The emergence of the Internet and social networks as a new tool of information dissemination but at the same time consume traditional media revenues,
- A sharp decline in remittances from the Russian Federation.

Revenues of independent print media in Tajikistan have decreased by about 50% over the past two years, and circulation has decreased over the same period by approximately 30-40%. At the same time, increased production costs for print have increased by about 35%. The economic situation is much more stable for government publications because they receive subsidies from the state budget. However, the economic crisis has affected all media. In the same survey that collected the above-mentioned figures, 95% of the respondents confidently said that the crisis has affected their media sources.

The economic crisis has cast doubt on the independence of the media's editorial policy. Would a strong editorial policy, principled position, or special preference when covering a

particular topic be sacrificed when faced with serious financial difficulties? The study showed that 78% of respondents are willing to sacrifice journalistic principles to gladly escape the snare of the economic crisis. The conclusion is not comforting but if the situation continues to deteriorate then many media outlets may eventually be controlled by state or commercial structures.

In their farewell letter, staff from *Tojnews* hoped that this situation would not last forever. In fact, fundamental changes in the area of press freedom are required in Tajikistan. We also hope that 'the darkest hour is just before the dawn.'

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