

UZBEKISTAN

VIOLATIONS OF MEDIA FREEDOM Journalism and Censorship in Uzbekistan

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INTRODUCTION

Despite the government of Uzbekistan's professed commitment to freedom of the press—made both explicitly and publicly over the past two years—state censorship of the media remains pervasive and intimidation of journalists is rampant. The tone and subject matter of articles published in Uzbekistan is strictly controlled by the government. Moreover, many journalists do not dare to challenge the parameters of the state's media policy, fearful of the possible professional repercussions should they guess incorrectly about the limits of the state's tolerance for critical expression. The Uzbek government's public calls for greater press freedom lie in stark contrast to its complete failure to give force to laws that guarantee freedom of expression, as well as to the impunity granted to those who beat and harass journalists.

During the period of *perestroika* (restructuring), from approximately 1985-91, and democratization in the Soviet Union the media came to realize its own potential and became a true venue for political debate. The media was at the same time the catalyst and the yardstick of political reform. Except for a slight liberalization of the media in the late 1980s and early 1990s, during which some opposition newspapers and Islamic periodicals were published independently, media in the successor state of the Republic of Uzbekistan have largely remained the moribund organs they were during the times of heaviest Soviet control and continue to be employed primarily as a tool of the government, in violation of international and, in some cases, domestic human rights law. Today there exists a tension between official government policy toward free speech, which allows the *principle* of free media, and the stark reality for journalists and media consumers who cannot enjoy the *practice* of free media because of government harassment. The independent media will continue to suffer until the Uzbek government of President Islam Karimov musters the political will to observe laws protecting free speech.

Every news story currently released to the public by the local media has been scrutinized and approved by an apparatus of strict state censorship. Journalists who deviate or attempt to deviate from the unwritten but universally understood limits of "acceptable" topics and tone (a positive, uplifting ideology) have been expelled from the country, fired from their jobs or threatened with dismissal, and on occasion beaten or threatened with violence to them or their families by the security services. Opposition newspapers are banned without legal justification (as are all but the four government-financed, "pocket opposition" parties), and individuals implicated in their possession or distribution within the country are detained and arrested. Careful daily monitoring of the major media in Uzbekistan, in Uzbek and Russian languages, from June 1996 to March 1997, revealed little substantive critical analysis of domestic affairs and no criticism of government policy, common indicators of free speech. The only criticism that is allowed is of low- or mid-level officials, such as of the managers of a factory which is not working efficiently, or of mismanagement in the urban transport system. There is no domestic expression of political views that differ from the government's. As a result, the tone is reminiscent of the latter days of the Soviet media, according to which the country seemed to enjoy only prosperity, although some mild criticism of low-level corruption or inefficiency was nevertheless encouraged.

Over the last two years, the government has adopted an explicitly pro-free speech attitude. Since 1995, leading foreign news radio stations such as Radio Liberty, Voice of America and the BBC (British Broadcasting Company) have not suffered the relentless vilification in the press and jamming of their broadcasts that characterized earlier periods; since approximately 1995, they have been granted significant privileges, such as government accreditation, and their correspondents no longer suffer regular interrogation and harassment from security forces.¹ However, print and broadcast media emanating from the Russian Federation or filed for the Russian media have been particularly hard hit during this same period, with reductions in rebroadcasting of Russian programs and in the accessibility of Russian newspapers.

¹ Critics and human rights activists charge that the radio stations have diminished their criticism of the government to ensure the continuation of their accreditation and decreased harassment of their Uzbekistan-based correspondents. Human Rights Watch/Helsinki is unable to take a position on these allegations because it does not consistently monitor the pertinent Radio Liberty, Voice of America and BBC broadcasts.

Messages of government support for a free media are often ambiguous at best, and at worst hypocritical. Exhortations for reform emanate from the pages of the leading dailies and from the president himself, but journalists so far have failed to respond to the call because of skepticism about their newly “given” rights and fear of retribution. In one typically mixed recent statement in the government daily newspaper *Narodnoye Slovo* (Word of the People), a journalist noted that “Given that the media represent a powerful means of influencing the masses, and taking into account the peculiarities of the transitional period, it was deemed advisable to maintain state control over the work of the media in Uzbekistan.”² In a December 1996 issue of another government daily, *Pravda Vostoka* (Truth of the East), an authority on journalism called for the rejection of censorship and the strengthening of legal protections for journalists and media; at the same time, he urged that “laws governing the media should take into account... the gradual nature of reform and Uzbekistan’s history and culture”—a restriction fundamentally at odds with free expression principles.³

President Islam Karimov, who has personally led the new government campaign, continues to send mixed messages regarding journalists’ ability to work freely. On the one hand, he calls for a more critical local press corps and urges the adoption of legislation that protects free speech, including draft laws “On access to information” and “On the free press,” and adopting revisions to the law “On the media.” (See “Legal Obligations”) Furthermore, in December 1995, President Karimov complained that local journalists were “toothless.”⁴ In perhaps his strongest remarks to date, he told parliament on August 30, 1996:

the press and television carry no profound analysis or serious political, economic or international reviews; there is no debate.... Many journalists are still bound up in the old ways of thinking... We must fundamentally alter our attitude to criticism in the press... The reaction should not take the form of administrative pressure on a journalist or editorial boards, as sometimes happens. On the contrary, we must do everything to encourage those who help us rid ourselves of our shortcomings... You should know that if there is criticism in the press and you [officials] come down on it the next day, then you won't keep your job for long.⁵

On the other hand, the president and, correspondingly, the rest of the government, continue to deny the very existence of state censors. The government provides work space and pays salaries to the censors, who play arguably the most devastating role in repressing free speech in the mass media in Uzbekistan. Also, despite new verbal instructions

² *Narodnoye Slovo*, October 8, 1996. Cited in Foreign Broadcast Information Service, hereinafter FBIS.

³ Feliks Nesterenko, professor of the Department of Journalism, Tashkent State University, “How to Use Freedom of Speech in a Civilized Manner,” *Pravda Vostoka*, December 25, 1996, p. 3. FBIS, FBIS-SOV-97-003, December 25, 1996.

⁴ *Izvestia* (News) Moscow, February 28, 1996.

⁵ Uzbekistan Television, August 30, 1996.

to journalists, the government has not yet taken significant action to create conditions for a free press, such as enforcing extant free speech legislation, or arresting and prosecuting individuals who beat and harass local journalists. Thus, the persistent violations of freedom of free speech and the media by the Uzbekistan government, that are in part documented in this report, including by President Karimov himself, belie the otherwise heartening government appeals for a free media.⁶

While free speech obligations are woefully unenforced in Uzbekistan, prior censorship and intimidation of the media do not fully account for the low quality of media reporting. One explanation cited by local observers for the generally poor professional quality—the limited use of sources and weak analysis, for example—is that journalistic standards have declined as experienced writers and broadcasters are forced to leave their poorly-paid jobs for economic reasons and are not replaced by people of the same caliber. Training for journalists has also suffered as many teachers have left the country. Some journalists now have access to foreign training programs, but this is still relatively uncommon. Almost all of the journalists who spoke to Human Rights Watch/Helsinki agreed that even within the limits of what was allowed by state censors, few broadcasters or writers were currently producing stimulating material. One hopeful sign in this regard is the appearance on Uzbek television of a number of light-entertainment youth programmes fronted by young presenters in a lively, popular format and *Biznes-Vestnik Vostoka* (Business Herald of the East), a weekly newspaper that makes a serious effort to write in an informative, interesting and sensible way about economic developments in Uzbekistan, albeit within the same political limits as the rest of the press.

⁶ One indication is that the last sentence of the president's statement, above, was one of several cut from the official version of this speech published in the press.

But the government of the Republic of Uzbekistan bears most of the responsibility. It is directly responsible for the perpetuation of censorship, firings, harassment and intimidation of journalists, and for creating an atmosphere that is so repressive that journalists often censor themselves before their work ever reaches a formal censor. Another insidious side effect of state censorship, albeit not a human rights violation, is that many journalists feel they have no power over their final product and thus no real responsibility to the general public (as opposed to their editors and censors)—“We're not answerable for what we write,” as one editor put it.⁷

The international community has taken increased interest in the development of the media in Uzbekistan. On October 4-5, 1996, the Organization for Security and Cooperation in Europe (OSCE) conducted a seminar entitled "Mass Media under Conditions of Democracy," sponsored by the OSCE's Office of Democratic Institutions and Human Rights. While striving to provide a venue for dialogue on the importance of free speech principles, the seminar agenda inexplicably skirted the most glaring and obvious impediment to free speech in Uzbekistan: state censorship. Indeed, the OSCE failed to place the central issue of censorship on the agenda, thus helping the Uzbekistan government maintain its clearly false assertions that censorship has been abolished. On November 22-23, 1996, the U.S. Information Agency held a conference on "Mass Media and National Identity in Central Asia," organized by the American Council of Teachers of Russian/American Council for Collaboration in Education and Language Study (ACTR/ACCELS). Because this seminar was held primarily for ACTR/ACCELS alumni, it was by its very nature limited in its audience and thus its effect on journalists in general. As of this report's initial writing, there was no indication that organizers of either seminar have since raised concerns about censorship and government harassment of the independent media with the Uzbekistan authorities, diminishing the long-term value of their initial efforts.

In this period of conflicting government statements and actions with regard to free expression, Human Rights Watch/Helsinki hopes that this report on the current state of the media in Uzbekistan will help identify ongoing violations of the right to free speech and will spur the government to fulfill its pledges to protect the independence of the media and comply with its obligations to guarantee free speech.

RECOMMENDATIONS

Human Rights Watch/Helsinki respectfully calls on the government of Uzbekistan to take the following steps to ensure the freedom and independence of the media:

- Comply immediately with the free speech obligations enshrined in the International Covenant on Civil and Political Rights and bring domestic legislation into conformity with its article 19 provisions as a matter of priority;
- Immediately abolish the State Control Inspectorate and publicly condemn its past censorship functions;
- Ensure that censorship does not continue as official or unofficial practice; for example, by introducing legislation that sets out clear punishments for those who violate already existing laws prohibiting censorship and enforcing such laws rigorously;
- Cease immediately the practice of questioning, surveying, harassing and otherwise intimidating journalists, and ensure that they are not officially penalized or harassed for the peaceful expression of their opinions;
- Punish those responsible for such harassment in a rigorous and timely fashion;

⁷ Human Rights Watch/Helsinki interview, Toshkent, September 27, 1996.

- Allow the public in Uzbekistan free access to all media sources, including Russian print and broadcast media; and
- Immediately lift the ban on those newspapers prohibited solely for exercising their protected right to freedom of expression, as defined in the ICCPR, and end persecution of individuals for possession and dissemination of such newspapers.

Human Rights Watch/Helsinki respectfully urges Uzbekistan's international donors:

- In administering or considering programs of assistance to journalists and the free media, to make public concerns about state control at the outset, and set and keep strict deadlines for compliance with benchmarks for state improvement. In the event of non-compliance, be prepared to withdraw support for the program; and
- In bilateral and multilateral meetings with Uzbekistan government officials, express serious concern about the continued use of censorship in Uzbekistan, remind them of Uzbekistan's legal obligations to protect freedom of expression, and convey donor support for a process of media regulation that is consistent with international human rights standards governing freedom of expression.

LEGAL OBLIGATIONS

The Republic of Uzbekistan is obliged to comply with domestic as well as international law to protect freedom of expression and freedom of the media. As a state party to the International Covenant on Civil and Political Rights (ICCPR), Uzbekistan is obliged to uphold article 19, which stipulates the right to hold and express opinions and to have access to information, and the conditions under which these rights may be restricted.

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - a. For respect of the rights or reputations of others;
 - b. For the protection of national security or of public order (*ordre public*), or of public health or morals.

Uzbekistan's constitution guarantees freedom of expression. Article 67, which deals specifically with the media, states unequivocally: "Censorship is not permitted," words that are repeated in all related legislation. A law on the protection of journalists' rights passed by the Uzbekistan parliament in April 1997 goes further: "Censorship is not permitted in the Republic of Uzbekistan. No one has the right to demand of a journalist that he agree with reports or material in advance or to demand that material or reports be removed from the press (or airwaves)."⁸

In managing media affairs, the Uzbekistan authorities are bound by the country's constitution (passed in 1992 under President Karimov's administration) and laws on the media and publishing (passed in June 1991 and August 1996, respectively). These contain some welcome provisions, such as the explicit banning of censorship and the affirmation of free speech, but also leave room for prosecuting any journalist who breaches vaguely-defined

⁸ Article 4 of the draft Law on the Professional Activity of the Journalist, published in *Narodnoye Slovo*, February 13, 1997, p. 2 (translation by Human Rights Watch).

prohibitions on the dissemination of “secrets” and “information that does not correspond to reality.”⁹ The effect of these latter clauses is to bolster censorship and stifle free expression in the stages before publication, rather than after information has entered the public domain.

The constitution and domestic legislation also set limits on free speech for the media. Article 67 of the constitution states: “The mass media are free, and operate in accordance with the law. They shall be accountable for the reliability of information according to established procedures.” The stipulation of media “accountability” leaves open the possibility of arbitrary suspension of general free speech rights, in an environment in which coverage of even basic economic indicators has led to intimidation of journalists by state officials. The Law on the Mass Media expands on the issue of accountability in article 28: “The bases for accountability [for breaching media legislation] are abuse of freedom of speech and *the dissemination of information which does not correspond to reality* or which defames the honor and dignity of a citizen or organization” (emphasis added) The law does not expand on how such “untrue” information is identified, or who has the right to designate it as such (except to say that reports based on official sources, verbatim statements in parliament, and live broadcasts are exempt). Violation of this provision can be either a criminal or civil offence, according to circumstance.

Article 29 of the constitution imposes further limitations on freedom of expression that it fails to define: “Everyone shall have the right to seek, obtain and disseminate any information except that which is directed against the existing constitutional system and in some other instances specified by law.” (This is reiterated in a new draft law entitled “Guarantees and freedom of access to information” published in *Narodnoye Slovo* on February 12, 1997.) Article 29 continues: “Freedom of opinion and its expression may be restricted by law if any state or other secret is involved.” The area covered by “state or other secrets” is problematic; Human Rights Watch/Helsinki is not aware of any published document stating what information (other than that relating to military and national security matters) it encompasses. The Law on the Mass Media goes only part of the way toward defining what may or may not be published legally. Article 4 of the law says: “It is not permitted to use the mass media to disseminate a state secret or any other secret specifically protected by law; to call for the violent overthrow or change of the existing state and social system, [to engage in] propaganda for war, violence, cruelty, or racial, ethnic or religious exclusivity, to disseminate pornography, or with the aim of committing any criminal action.”

The problem of free speech and free media in Uzbekistan is, however, less one of law than of enforcement. Many of the cases detailed in this report reveal how little the existing legislation is implemented. For example, the constitution and laws explicitly forbid censorship, yet it continues to be practised in a blatant manner. This discrepancy between law and reality seems to be accepted by all participants in the editorial process as a fact of life; in any case, there is no precedent for a journalist seeking redress in the courts or by other means when faced with restrictions on free speech.

MEDIA OVERVIEW

⁹ Articles 4 and 28 of the Law on the Mass Media, passed June 14, 1991 and amended May 6, 1995 (translation by Human Rights Watch).

Uzbekistan has a broad selection of print and broadcast media outlets. According to the government, in October 1996, there were 515 publications in Uzbekistan: sixty-seven national newspapers, eighty-eight magazines, and, the remainder, regional, town, and district periodicals. Of these, forty-six were the publications of state agencies and twenty-one were “founded by various nongovernmental organizations,” such as political parties, foundations, and joint-stock companies; in most cases, funding for these “independent” publications was still provided by government coffers, however. Of the eighty-eight magazines identified by the government, seventy were “controlled by” the government; others were vaguely identified as belonging to “voluntary organizations” and to “other organizations.”¹⁰

Despite the numbers, in reality Uzbekistan’s print media are dominated by three national daily newspapers: the Uzbek- and Russian-language sister publications *Khalq Sozi* (People’s Word) and *Narodnoye Slovo* (People’s Word), respectively,¹¹ and the Russian-language *Pravda Vostoka* (Truth of the East). The weeklies, in particular, represent a diversity of interests ranging from the views of the various official political parties to economics, the privatization process and the stock exchange.

Television and radio generally remain more influential than the press. The national newspapers are not always available outside main towns and are in any case expensive purchases for many people on low incomes (despite their very low cost by western standards). The Television and Radio Company of Uzbekistan has four national television stations. The majority of programs are in Uzbek, although there are television news bulletins in Russian. National television carries some programs from Russian State Television and Russian Public Television, including their main evening news broadcasts. In addition, there are a number of state-run regional television stations.

The Television and Radio Company of Uzbekistan also broadcasts on four radio channels. According to government statistics, as of October 1996 the cumulative duration of radio broadcasting was sixty-three hours per day.

Separate from the state television network, many financially independent local television stations are now operating. Perhaps the best-known (to foreigners) is STV in Samarqand, but in fact as of March 1997 there were twenty-nine such stations, spread across most of the main towns in Uzbekistan and broadcasting to a restricted area (usually the town and surrounding districts). The stations vary considerably in the amount of airtime to which they have access (or indeed which they can fill)—from a few hours a week to regular daily programming, depending largely on their financial means. They offer a mix of imported films and entertainment shows, plus in most cases a greater or lesser amount of locally-made news bulletins, depending on their resources, which come from private funding and advertisements. There are plans to link up these local commercial stations in a network which would import programs and sell advertising space centrally.

The broadcast and print media have increased steadily in number in recent years, with more newspapers appearing on the newsstands and an increase in the number of commercial television channels. However, their growing number belies the homogeneity of their content, particularly their news and current affairs coverage. Even a cursory glance at a few front pages of the major dailies and weeklies on any newsstand in Uzbekistan reveals that, with slight variation, they carry the same news reports (from the official Uzbek news agency), the same official announcements, use the same sources, and often carry the same photographs. This is not the same as the coincidentally similar editorial choices which a number of dailies might make on a given day—instead, it reflects the uniformity of style and content once familiar to readers of the Soviet press.

¹⁰ *Narodnoye Slovo*, October 8, 1996.

¹¹ *Khalq Sozi* and *Narodnoye Slovo* share the same photographs and editor-in-chief, but present different features and maintain separate editorial staffs.

Ownership

Almost all media in Uzbekistan are owned by the state. The current Law on the Mass Media makes it difficult to set up a private, independent newspaper. Article 5 of the law states: "the right to found mass media belongs to Councils of People's Deputies and other state bodies, to registered political parties, public associations, mass movements, creative unions, and cooperative, religious and other civic associations set up in accordance with the law, and to labor collectives." The effect of this clause has been to limit ownership to organizations directly or indirectly controlled by the government.

Until August 1996 there were no privately-owned publishing houses. Then, however, the Uzbek parliament passed a new Law on Publishing allowing individuals and companies to set up publishing houses, print shops and distribution networks. Those starting such businesses are required to provide the authorities with detailed information about their identity, affiliation and aims before being licensed to operate. Moreover, independent financing can be expected to be limited for the foreseeable future. More important, as some foreign journalists have found out, independent financing is no protection against government harassment and intimidation of journalists, editors, interpreters, and others involved in journalism.

Since the demise of the USSR and concomitant economic austerity, even the State Committee for the Press has found it difficult to obtain affordable print paper. The state's role as main distributor of the paper needed to print newspapers, books, and periodicals clearly provided a further lever of control in a monopoly industry; it is to be hoped that the appearance of new private publishers making a sufficient income to obtain paper independently will help break this monopoly.

Some publications have already sought to attain at least a measure of financial independence from the state by revenue from sales and, more importantly, from advertising. Local television stations across Uzbekistan have taken the same route (see above). A number of foreign aid programs are directed, among other things, toward helping media groups develop greater economic independence. The Eurasia Foundation, for instance, has awarded grants to several local newspapers in Uzbekistan. The Internews organization is particularly noteworthy for the extensive and practical nature of the consultancy services that it provides to local, non-state television broadcasters. Internews organizes hands-on journalist training seminars and helps produce a regular half-hour program which all participating stations can show, consisting of short television features made by the stations themselves, and holds ongoing consultations on developing a local television network. (Both Eurasia and Internews are part of the aid programs run by the United States Agency for International Development, or USAID.)

Greater economic strength will undoubtedly allow editors to improve the technical quality of their publications or programming, and perhaps in the future attract better journalists who will be willing to push the boundaries of censorship. However, for the moment there is no sign that these more enterprising media organizations have been able to wrest from the censor ultimate control over their output. As one journalist put it, "even though we make enough money to cover our costs and are thus not financially dependent on the state, it makes no difference whatsoever—the state can close us down at any moment."¹² The government's closure of *Vestnik Kul'tury* lends credence to this fear (see "The Russian Media").

Censorship

The concluding provision of article 67 of the constitution is unambiguous: "Censorship is not permitted." Article 3 of the 1996 Law on Publishing enforces this provision: "censorship of manuscripts and material prepared for publishing is not permitted." This absolute ban on censorship would seem to be a model were it not that all published

¹² Human Rights Watch/Helsinki interview, Toshkent, September 27, 1996. The names of the journalists interviewed were withheld for fear of possible negative repercussions.

material continues to be subject to prior censorship. Radio and television programs are subject to similarly stringent controls, although these are generally exercised by a more senior editor rather than an official censor.

All of the principal daily and weekly newspapers in the capital have their offices in one building on Matbuotchilar Kuchasi ("Press Street") in Toshkent. The censorship office, known officially as the State Control Inspectorate, is such an integral part of the writing and editing process that it has its office in the same building. Editors must submit all materials—from headline news to feature articles—in final form for scrutiny by a censor before they can be approved to go to press. The head of the inspectorate, Erkin Komilov, declined to discuss his work with Human Rights Watch/Helsinki. Journalists report that his office works from a set of instructions issued in 1992 listing what may or may not be published. These instructions—which have not been made available to journalists, still less the general public—essentially take up where the published laws leave off in detailing those aspects of life in Uzbekistan, such as certain economic statistics, that must not be reported. "The result is that whole swathes are cut out of news reports after we've written them, rendering them useless... And because the instructions date from the early days of independence, the effect is actually counter to Uzbekistan's economic interests," said one journalist, adding that, absurdly, much of the censored information was already in the public domain abroad.¹³

The inspectorate is subordinate to the State Committee for the Press (commonly known by its Russian acronym GosKomPechat'), a government body that dates from the Soviet period. Although formally responsible for the technical side of press publishing, such as funding and the provision of paper, it also ensures that newspapers conform to the unwritten rules dictating what is acceptable for publication.

According to journalists interviewed by Human Rights Watch/Helsinki, tight editorial control means that a potentially sensitive subject is unlikely to be selected as a program or print topic in the first place. In state-run television and radio, once the preliminary script is ready, the program editor will weed out anything politically incorrect. If need be, the final film footage or soundtrack can be edited. Although essentially the same editorial mechanisms are reportedly employed as in freer broadcasting organizations, this kind of censorship and self-censorship is harder to document. Nevertheless, some journalists reported that the electronic media are in fact more heavily controlled than the newspapers. The new commercial television stations that have sprung up are not all in a position to produce news programs, but those that do so steer well clear of sensitive topics. This often has to do with in-house political controls, given the owners' awareness that their existence is vulnerable and that they depend on the tolerance of their local hokimiat, or regional government, which is the immediate registering authority.

Media as a Propaganda Tool

¹³ Human Rights Watch/Helsinki interview, Toshkent, March 1997.

The media in Uzbekistan is not merely controlled by the government; it is actively used to propagate ideas and information favorable to the administration. Domestic news is uniformly optimistic in tone, and neither the bulletins nor the documentary and entertainment output is remotely critical of the government. Censorship plays a crucial role in molding new reporting and excising from it anything that does not conform to the official viewpoint. With one exception, discussed below, opposition figures are never allowed to speak through the domestic media, and the only time their ideas or very existence is mentioned is in the occasional specifically commissioned article in which they are viciously attacked. Coupled with the near absence of information from outside Uzbekistan (except for what is broadcast by the BBC and Radio Liberty), this creates an atmosphere of isolation, and deprives readers, listeners and viewers of their right to unfettered access to information. The head of State Television and Radio, Shahnoza Ghanieva, who is responsible for editing all broadcast reports, told Human Rights Watch/Helsinki representatives that there is no censorship in Uzbekistan. Rather, she said, she broadcasts pieces that are "patriotic." She sees it as her role to "give people hope for tomorrow. The perestroika period [in the USSR] shattered people's hopes."¹⁴ One former television journalist stated bluntly that he and his colleagues would never deviate from government policy because they knew that if they did, "the consequences will be immediate and unpleasant... In any case, who pays the piper here? Television, radio and the press are all funded by the state. The salaries in television and radio may be extremely low, but nevertheless it's the state that pays them."¹⁵

The broadcast media are on occasion used for the grossest forms of propaganda. In one case, in November 1995, television executive Shahnoza Ghanieva misrepresented the serious human rights concerns of Human Rights Watch/Helsinki representatives by stating that the organization had found all reports of abuse to be unfounded. She did not respond to the letter sent by Human Rights Watch/Helsinki protesting the misrepresentation and asking for a public correction.¹⁶

Media coverage of an OSCE human rights seminar in September 1996 was fairly neutral, at first, with Uzbekistan national radio carrying interviews with dissident and human rights activist Abdumannob Polat, who was visiting Uzbekistan for the first time since fleeing political oppression in 1993, and with other human rights activists. However, once the seminar was over and many of the visiting foreign participants had departed, both Uzbekistan television and the press carried aggressive feature items in which participating local opposition and human rights figures came under attack, without offering any right of reply.¹⁷

Restrictions on what may or may not be said sometimes reach absurd levels. For example, local journalists report that certain loaded words such as "totalitarianism" may not be used in any context. The distribution of the entire print run of one issue of the Russian-language literary journal *Zvezda Vostoka* (Star of the East) was reportedly halted and a number of pages were torn out, when it was discovered that a reference to the 19th century Bukharan Emirate as a "dictatorship" had not been removed. Journalists also say that historical material dealing with the medieval ruler Timur—a crucial figure in the new ideology of Uzbekistan nation-building—has to undergo additional high-level

¹⁴ Human Rights Watch/Helsinki interview, Tashkent, November 22, 1995.

¹⁵ Human Rights Watch/Helsinki interview, Tashkent, September 23, 1996.

¹⁶ See Appendix A, letter from Human Rights Watch/Helsinki, January 30, 1996.

¹⁷ For example, *Pravda Vostoka*, September 19, 1996, p.1.

scrutiny before being deemed fit for public consumption. As a result, the wealth of articles published on Timur (the 660th anniversary of his birth was celebrated in 1996) paint a rosy, one-sided picture that deprives residents of access to a variety of perspectives and sources of information.

Even the weather on occasion comes under close scrutiny. When one newspaper, in its regular weather forecast column, commented that in the summer heat people might look back with some longing at the chilly period earlier in the season, the report allegedly was queried by censor officials as a possible positive reference to the Soviet period.¹⁸

VIOLATIONS OF MEDIA FREEDOM

Intimidation and Dismissal of Journalists and Editors

Ahmadjon Meliboev, chief editor of the Uzbek-language literary weekly *Adabiat va San'at* (Literature and Art) and co-chairman of the new Foundation for Support and Democratization of the Media, which is nominally independent but government financed, issued a resounding call for freedom of the press when he addressed an OSCE seminar on human rights on September 13, 1996. "No one in Uzbekistan is satisfied with the state of the press," he said. "Officials react adversely to any criticism." It should be said that this was a rare outburst by a figure who enjoys a measure of immunity because of his authority as a literary figure; it also came during a forum whose content was not greatly publicized inside Uzbekistan.

Constraints on press freedom can take different forms, from verbal reprimands from state officials to closure of a publication. On August 15, 1996, the weekly Uzbek-language newspaper *Vatan* (Fatherland, a publication of *Vatan Taraqqioli*, one of the official pro-government political parties) published an editorial criticizing the state of the press in Uzbekistan, while citing President Karimov's stated desire for improvements in this realm. The editorial stated that Uzbekistan's newspapers were still lacking in diversity and continued to publish old news. Although the editorial had been approved by the censor prior to publication, shortly after it appeared in print, *Vatan's* acting editor-in-chief, Tursunali Akbarov, was reportedly called into the presidential administration and criticized.¹⁹ The newspaper then began appearing irregularly, reportedly due to a shortage of newsprint paper (which is distributed by Goskompechat'). A few weeks later Mr. Akbarov was replaced as chief editor. He later resigned from *Vatan*, which has now begun to appear again regularly.

Sobit Madaliev, editor of the literary journal *Zvezda Vostoka*, suffered a similar fate. *Zvezda Vostoka* published a mix of new fiction by local authors, essays on Central Asian and other themes, and translations of foreign poetry and prose. The content of this Russian-language periodical was intellectual and apolitical, a tone apparently set by Madaliev. Madaliev was dismissed in the spring of 1996, reportedly after speaking out against censorship at a government-sponsored media seminar.²⁰ His departure roughly coincided with a vicious, xenophobic attack against the journal and its foreign "avantgardism" in the government newspaper *Narodnoye Slovo*.²¹

¹⁸ Human Rights Watch/Helsinki interview, Tashkent, September 27, 1996.

¹⁹ Human Rights Watch/Helsinki interview, Tashkent, August 16, 1996.

²⁰ His comments were not made public. Information given to Human Rights Watch/Helsinki, Tashkent, August 16, 1996.

²¹ March 1, 1996.

In early January 1997, a new Uzbek-language weekly appeared, *Hurriyat* (Freedom), which was set up with the help of the recently-formed Foundation for Support and Democratization of the Media, and which described itself as an “independent newspaper.” *Hurriyat* did show signs of independence. Because the venture was understood to have the support of President Karimov himself, the newspaper’s editors were uniquely able to get away with not being censored by the State Control Inspectorate (located in the same press building only a few doors from their own offices), and it omitted to carry the official reports from the Uzbekistan Information Agency that most other daily and weekly papers cannot avoid publishing. Most importantly, *Hurriyat* carried openly critical material, in the first instance taking the state television company to task for what it described as its unimaginative news coverage and overall poor quality.²² Other controversial pieces included an open attack on censorship and its effects on journalism. “As long as capriciousness and censorship continue to dog journalists, they will never be able to freely express themselves on any subject,” journalist Malik Mansur wrote in this piece. (He nevertheless avoided direct reference to the State Control Inspectorate.)²³

The decision to take such liberties rested with *Hurriyat*’s editor-in-chief, Karim Bahriev. Apparently offended by the criticism, the state television company’s managers hit back immediately after the first issue came out by using contacts both in the government and Foundation for Support and Democratization of the Media to pressure Mr. Bahriev to recant. *Hurriyat* readers were kept abreast of the conflict with the publication of an aggressive letter from the acting head of state television, and Mr. Bahriev’s unrepentant response. Mr. Bahriev had a number of conversations with senior government officials, including a deputy prime minister, during which he was encouraged to back down. After he was criticized at a high-level meeting attended by ministers and senior media officials, which he himself did not attend, he was finally given to understand that from its next, sixth issue, *Hurriyat* must pass through the censor’s hands. He refused to accept this and in consequence had no option but to resign. Issue 6 of the newspaper appeared on February 12 without Mr. Bahriev’s imprimatur; it had been censored. *Hurriyat* continues in print, but no longer carries the same kind of hard-hitting material.²⁴

Bans and Illegal Closure of the Press

The Uzbek authorities ban newspapers that give space to opinions they do not wish publicized, even when formally registered by the government. The following newspapers were closed in 1992-93, some by parliamentary decree: *Erk* (Strength/Will), the newspaper of the opposition Erk party; the Uzbek-language *Mustaqil Haftalik* and its Russian version *Nezavisimyi Ezhenedel’nik* (Independent Weekly), published by the opposition Birlik movement; *Dostlik Toi* (Flag of Friendship), a Kazak-language daily newspaper published in the name of Uzbekistan’s Kazak minority; *Istiqlol* (Independence), whose focus is unknown; *Tarjima* (Translation), a news digest; weekly newspapers *Tadbirkor* and its Russian version *Predprinimatel’* (Entrepreneur); *Rokodrom* (Rockodrome), a weekly Russian-language entertainment publication; and *Muloqot* and *Dialog*, differing Uzbek- and Russian-language versions of a monthly magazine devoted to political debate. Although *Tadbirkor* and *Muloqot* are again available, the rest never reopened.

²² *Hurriyat*, January 8, 1997.

²³ *Hurriyat*, January 29, 1997, p.4.

²⁴ Human Rights Watch/Helsinki interviews, Toshkent, February-March 1997.

No reasons were given for most of these closures. In the case of the Kazak-language *Dostlik Toi*, for example, the Uzbekistan parliament simply ordered it to stop publication on February 14, 1992. The newspaper had reportedly incurred official displeasure after publishing material that unfavorably compared elections in Uzbekistan with those in the United States. It was replaced by the weekly *Nurly Zhol (Path of Light)*, which consists mainly of translations into Kazak of reports that have already appeared in all the Uzbek- and Russian-language dailies (most Kazaks understand at least one of these languages), plus some cultural items.

After *Erk* and *Mustaqil Haftalik* were banned in 1992, as part of broader government moves against the opposition Erk party and Birlik movement, respectively, they resumed publication—only now in Moscow. The occasional copy still reaches readers in Uzbekistan via clandestine routes. Since 1992, individuals have been harassed and even imprisoned for possessing or disseminating such publications. The most recent reported arrests took place on February 13, 1996. Three scholars—Kholiknazar Ghaniev, Bakhtiar Nabii-oghli, and Nosim Bobev—were arrested in Samarqand on charges of violating article 158, part 3, of the criminal code “in connection with distributes (sic) of press-literature containing slander (sic) information.” Under strong international pressure, the three men were released on April 13 and the case against them reportedly was closed.²⁵

When Erkin Ashurov, a member of the outlawed opposition Erk party, went on trial in 1995 in a case involving an alleged plot to train saboteurs for attacks on the Uzbekistan government, one of the criminal accusations leveled against him was that he illegally helped distribute four stacks of the banned newspaper *Erk*; court documents claim the issue contained incitement to “violent seizure of power.” Mr. Ashurov was convicted in March 1995 on five criminal charges²⁶ and sentenced to ten years in prison, a term reduced by 25 percent under a presidential amnesty of August 1996. Human Rights Watch/Helsinki considers Mr. Ashurov to be a possible prisoner of conscience, as there is reason to believe he was in fact detained solely for his non-violent political activity in the exercise of his rights.

On April 5, 1997, police questioned the Human Rights Watch/Helsinki representative in Tashkent while he was visiting a friend’s private home, and demanded he hand over a copy of *Tsentrlnaya Azia*, a Russian-language journal about the Central Asian republics published in Sweden. Approximately ten policemen, several of them senior officers, took turns in scrutinizing the journal and refused to return it for over two hours. Only after the Human Rights Watch/Helsinki demanded they return the document immediately or else formally confiscate it did the head of the Sobir Rahim district police, Bakhtiyor Homidov, telephone a deputy minister of internal affairs for instructions. He then took the journal away to photocopy it. The head of Tashkent City Police Department, Major Davron Tursunnov, finally returned the publication without offering any explanation as to their interest in it, or as to why they had questioned the Human Rights Watch/Helsinki representative.

Government Tolerance of Foreign Media

Since approximately 1995, there has been a marked increase in the availability of alternative viewpoints on the airwaves in Uzbekistan thanks overwhelmingly to the increased presence of foreign broadcasters in Uzbekistan. As a rule, foreign correspondents enjoy greater freedom to investigate and publish or broadcast than Uzbeks. The notable exception is the Russian media, which has faced growing restrictions.

²⁵ Letter from the Ministry of Internal Affairs of the Republic of Uzbekistan to Human Rights Watch/Helsinki, May 17, 1996.

²⁶ Articles 55-1, 60 (2), 62, 149 (2) and 172, respectively, of the then Criminal Code of the Republic of Uzbekistan, punish “plot[s] with the goal of seizing power,” “public incitement to treason or to commission of a terrorist act or sabotage,” “organized activity directed at preparing or committing particularly dangerous crimes against the state, at establishing an organization which aims to commit such crimes, and participation in an anticonstitutional organization,” “abuse of power or professional position... causing serious consequences,” and “manufacture of poor-quality, non-standard or incomplete products”. It is unclear which of these charges was based on the possession of banned newspapers.

The Russian Media

The Uzbek authorities' policies toward the Russian-language media have been inconsistent in recent years, with a liberalization in the treatment of Moscow-based broadcasters, but a significant curtailing of media access for Russian-language media produced within Uzbekistan. The restriction on access to the Russian-language media coincides with the Uzbekistan government's growing wariness of Russia's influence in the region, and with the emigration of significant numbers of Russian-speakers from Uzbekistan since independence.

Russia's political role in Uzbekistan may be waning, but its intellectual and cultural legacies remain strong. At the most basic level, the Mayak news and music station, broadcast from Russia, still appears to enjoy great popularity among the Uzbekistan population. One Moscow-based specialist on Central Asia, Arkadii Dubnov, formerly a pariah in some circles in Uzbekistan for his critical reporting of events there, has been granted personal interviews with President Karimov and returns frequently and without impediment. Likewise, in February 1996, the Uzbekistan government brought a team of leading Russian journalists to Uzbekistan, including Mr. Dubnov, allowing them carefully tailored interviews and escorted trips within the country in the hope that this would generate more favorable publicity for Uzbekistan in Russia. The results were mixed.

Nevertheless, independent reporting by Russian journalists from Uzbekistan has been curtailed. In October 1996, the Moscow newspaper *Nezavisimaya Gazeta* (Independent Newspaper) reported that four Russian correspondents working in Uzbekistan had been refused renewal of their accreditation.²⁷ (It is virtually impossible for a journalist to work in Uzbekistan without being officially accredited by the Foreign Ministry.) As of March 1997, the authorities still showed no signs of renewing the accreditation of two of the correspondents concerned, who worked for *Pravda* (Truth) and the Itar-Tass news agency. The obstacles to accreditation reported by *Nezavisimaya Gazeta* followed a concerted campaign in the Uzbek media against allegedly biased coverage of the republic by the Moscow press. Even President Karimov joined in this criticism in an interview published in the main daily, *Narodnoye Slovo* (People's Word).²⁸

In January 1996, Goskompechat' froze publication of the Russian Cultural Center's newspaper *Vestnik Kul'tury* (Cultural Herald), just after the first issue had appeared. Since early 1995, the Uzbekistan authorities have allowed only about five hours per day of Russian-language broadcasts to be rebroadcast from the Russian national television company ORT. In Tashkent, a selection of ORT programming is now transmitted on Uzbek TV Channel 3 for a few hours each day. A cable company in the capital offers a package including several Russian Television stations, but the cost is beyond the means of most ordinary people. As one foreign journalist in Tashkent commented, "these cuts are important because they restrict people's access to unbiased information."²⁹

Vestnik Kul'tury existed for just one month, between December 1995 and January 1996, before being closed by the government. Following the release of the first issue, the State Committee for the Press decreed that the editors had violated a parliamentary resolution by using funds provided by Russia.³⁰ The resolution bans "political parties and mass

²⁷ *Nezavisimaya Gazeta*, October 9, 1996, p.3.

²⁸ *Narodnoye Slovo*, October 17, 1996, p.1.

²⁹ Human Rights Watch/Helsinki interview, Tashkent, November 2, 1996.

³⁰ Measures to Prevent the Illegal Funding of Public Associations in the Republic of Uzbekistan, April 3, 1992.

movements which pursue political goals" from funding publications with foreign money. Yet *Vestnik Kul'tury* was founded by Uzbekistan's Russian Cultural Center, an organization with a cultural agenda. Local observers allege that *Vestnik Kul'tury* fell from grace because its first issue displayed insufficient overt loyalty to the Uzbekistan regime. Others say its basic aim—to provide a cultural information service for Russian speakers—was viewed as inherently suspect and a threat to the government.

Only two Russian Federation newspapers are now regularly available on the newsstands: *Trud* (Labor) and *Argumenty I Fakty* (Arguments and Facts) are reprinted and sold in Uzbekistan. The government, which controls the reprinting and sale of these papers, has explained the cutbacks in reprinting other major Russian Federation newspapers by citing the expense of foreign newspapers for most citizens, but the limited coverage of Uzbekistan provided by these two newspapers surely also plays a role. *Izvestia* (News), which does report on Central Asia, is no longer printed in Tashkent. There is no legislation banning Russian Federation newspapers in general or in particular, but they are sometimes confiscated from arriving travelers by Uzbekistan border officials, and have also been confiscated during police searches of people's homes. The absence of Russian newspapers and the reduced broadcasts of Russian television is felt particularly by the local Russian population, many of whom complain that their access not just to Moscow but to the outside world in general is gradually being closed off. Even President Karimov's Institute of Strategic Studies reports that fully 40 percent of the Russian-speaking population that emigrated from Uzbekistan in the first seven months of 1996 did so because of what it called "an information blockade" in the country.³¹

Perhaps most sinister are the threats of dismissal, threats of violence to family members, death threats, and beatings reportedly suffered by some leading Russian-language journalists in Uzbekistan in recent years. (They requested that their names be withheld for fear of retribution.) Their fears were fueled by the February 1996 death of a colleague, correspondent Sergei Grebeniuk in Tashkent. Mr. Grebeniuk had worked for Interfax, perhaps the most outspoken of the Russian Federation news agencies reporting out of Uzbekistan. The circumstances of his death—by drowning, officials said—were unclear, and the details of a police investigation raised some concern that it could have been homicide. Uzbekistan's deputy interior minister, Kutbutdin Burkhanov, insisted that Mr. Grebeniuk's death was in no way connected with his journalistic concerns.³² Nevertheless, the fact that the police investigation did not answer the questions posed about the circumstances of the death sent a chilling message to journalists, particularly Russians, in Uzbekistan. Several Russian-media journalists who reportedly had been harassed or threatened in the past emigrated from Uzbekistan recently, citing government pressure, inability to work freely as journalists, and fear for their safety and that of their families. Their departure further erodes the base of experienced journalistic professionals reporting and writing on Uzbekistan for the Russian Federation media, boding poorly for the future of the medium.

Western Media

The most notable loosening of government control in Uzbekistan since the early 1990s has been for the benefit of listeners to foreign, particularly western, broadcasters. However, access to western print media remains highly limited, for economic reasons as well as due to government control of borders and distribution.

Until about 1995 the government of Uzbekistan jammed the British government's radio broadcasts of BBC programming and that of U.S. government-funded radio stations Voice of America and Radio Liberty and lambasted their contents as the products of "enemy voices" and hostile foreign propaganda.

³¹ *Nezavisimaia Gazeta* Moscow, August 22, 1996, p.3.

³² *Nezavisimaia Gazeta* Moscow, February 20, 1996, p.3.

The government tried not only to discredit foreign programming but to curb overseas scrutiny of Uzbekistan's own domestic media. For example, on January 22, 1994, American scholar William Fierman arrived in Tashkent for a scheduled one-week stay to assess conditions for the development of independent mass media in Uzbekistan, a project he was pursuing for the Internews organization, sponsored by the USAID. Of the other U.S. citizens arriving on his flight to work on USAID projects, only Professor Fierman was denied a visa.³³ He was unable to secure a written explanation for the denial; indeed, he was given patently absurd explanations for his inability to enter the country or leave the airport, including that Tashkent had been closed for quarantine. After spending two days confined to the airport, he was forced to leave Uzbekistan on the verbal promise that if he went to Frankfurt he would then be able to enter Uzbekistan, a promise which was not kept. He was therefore forced to abandon the planned media investigation and leave the country.³⁴ In 1994, American journalist Steve LeVine was stripped of his journalist's accreditation, expelled, and denied reentry from the country after publishing a number of articles critical of Uzbekistan in the U.S. press. At the time he was also placed on a Commonwealth of Independent States blacklist, which prevented him temporarily from obtaining visas in other republics, including Russia. Since that time he has been granted access to Uzbekistan.

Such treatment of foreign journalists has largely ceased in recent years, however. On the contrary, the Uzbekistan government has assisted the BBC and Radio Liberty in registering as official foreign agencies. The BBC World Service has supplemented its English-language correspondent with a local correspondent working for the Uzbek Service, and Radio Liberty has opened an office where local correspondents similarly file stories back to its Uzbek-language service in Prague. The BBC's Uzbek Service has gained morning and evening slots on the local re-broadcasts of the popular Moscow-based radio station, Mayak. At the same time, some foreign journalists continue to report suffering limitations on their freedom of movement, routine surveillance of their homes and offices, being followed when they travel within the country, wiretapping of their phones, and other forms of government harassment.

Foreign newspapers also continue to be sold only in a small number of elite hotels, where most Uzbekistan residents do not go; a broader range has become available since 1996 but they are extremely expensive. Even then, newspapers containing information critical of repression in Uzbekistan have been known to disappear soon after arrival in hotel lobbies.

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³³ Although it is standard procedure to obtain a visa for Uzbekistan prior to travel, at the time of Professor Fierman's trip it was possible, in practice, to obtain a visa at the airport.

³⁴ Professor Fierman believes that neither the project nor his background alone was the single cause of his thwarted investigation, but has no clear explanation for being singled out for expulsion from Uzbekistan. Bill Fierman, "Quarantine on the Silk Road," *Central Asia Monitor*, No. 1, 1994, pp. 12-15.

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