

KYRGYZSTAN

INTRODUCTION

There has been some development of the independent media sector in Kyrgyzstan since its independence. Despite the fact that economic reforms lag behind the rate of democratic development and business management still bears traces of planned economics and Soviet bureaucratism, authorities are forced to take into consideration the issues raised by the media. Many private publications provide alternative viewpoints, and opposition media carry on, despite their vulnerability to state interference. The governing authorities' tolerance of opposition and media actions is weakening, however.

The political situation in Kyrgyzstan has been growing less stable since 1999, and politicized attacks against the press have increased. Persecution of journalists takes place, generally in the form of legal actions against individual journalists and media outlets. Journalists have also been physically harassed.

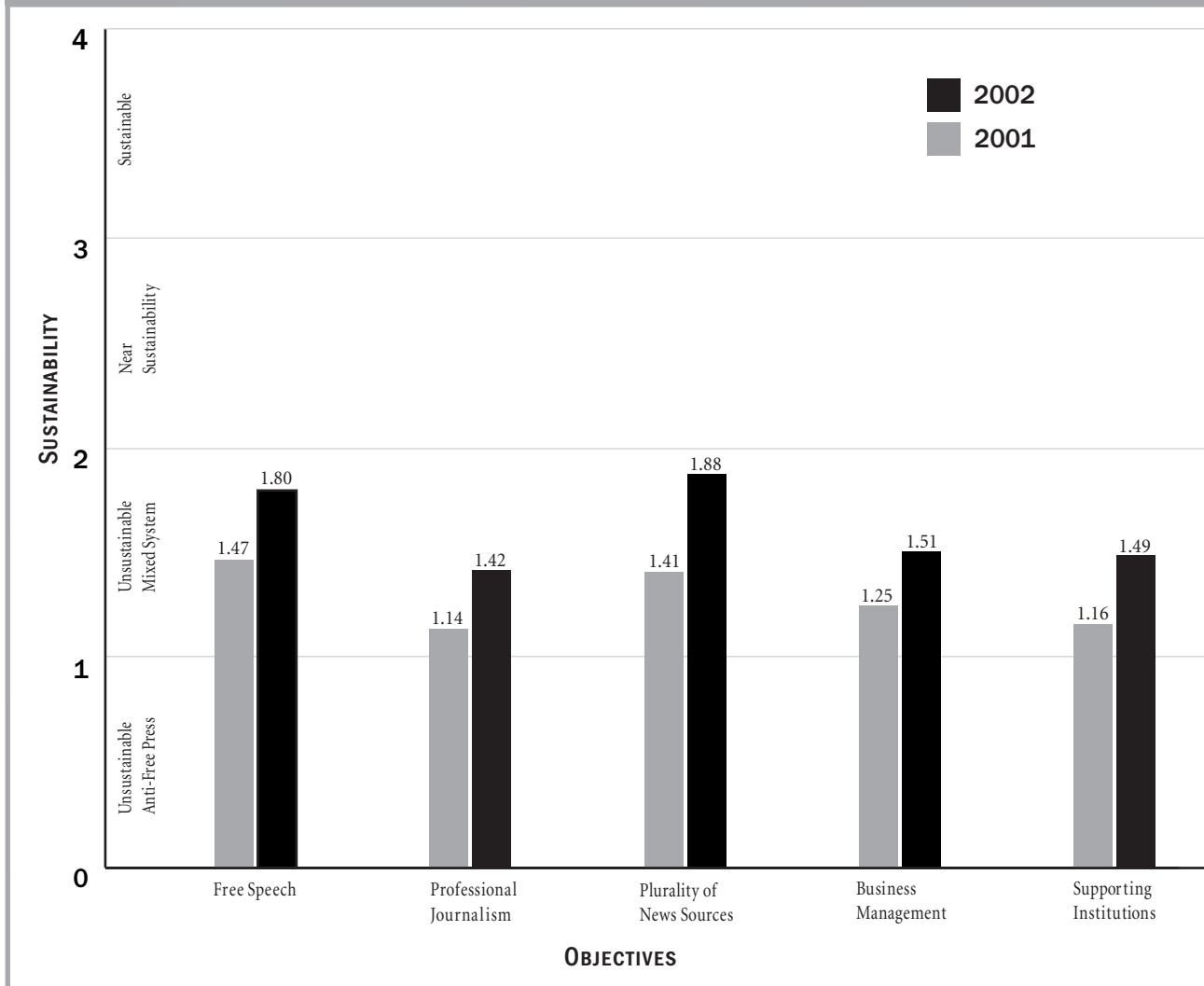
The authorities have realized the omnipresent role of the media in the political life of Kyrgyzstan. Nevertheless, attempts to seize media businesses in order to control political processes do occur in Kyrgyzstan. The president and his immediate family control several media outlets. Some of the media businesses in Kyrgyzstan are profitable, and media conglomerates are already being formed.

The power structures (except the parliament) have many options in refusing to provide information to the media.

OBJECTIVE 1: FREE SPEECH

Kyrgyzstan Objective Score: 1.80/4.0—The Kyrgyz Constitution guarantees the freedom of speech in the country. In addition to the Constitution, three basic laws regulate the work of the media. These are the Law on the Mass Media, the Law on the Guarantees and the Freedom of Access to Information, and, lastly, the Law on the Protection of Professional Activity of Journalists. In reading the laws, one can say that a legislative framework for the functioning of the media has been created. This framework approaches international standards at face value. However, the bulk of the laws was adopted long ago and is often not adequate for the present-day situation. Furthermore, these laws contain many

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OBJECTIVE SCORING

The averages of all the indicators are averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

3 and above: Sustainable and free independent media

2-3: Independent media approaching sustainability

1-2: Significant progress remains to be made; society or government is not fully supportive

0-1: Country meets few indicators; government and society actively oppose change

Note: The 2001 scores for the four Central Asian countries in this MSI have been modified from last year's report to more accurately reflect benchmark data compiled by IREX and USAID in 2001.

INDICATOR SCORING

Each indicator is scored using the following system:

0 = Country does not meet indicator; government or social forces may actively oppose its implementation

1 = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change

2 = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces

3 = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability

4 = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions

loopholes that enable violations both by the media themselves and by the rest of society. These violations are directed against the independent or, as the authorities call them, opposition media. In reality, not all the laws are observed, and they often strike against the steadfast resistance of the authorities and the bureaucratic state system.

Examples abound when the authorities try to restrict the publication of certain print media. For instance, in early 2002, the Uchkun Company, a state-owned printing operation, refused to print the paper *Moya Stolitsa* after pressure from President Akayev. Observers agree that this restriction was due to content that the president found offensive. Having passed through the court system, *Moya Stolitsa* resumed its printing in late May 2002. There are many other “auxiliary” instruments for oppressing media freedoms, but violations of the freedom of speech do not provoke any particular indignation within the Kyrgyzstani community.

The Media Sustainability Index (MSI) panel indicated that although the Constitution and other laws do offer free-speech protections, dissidence is suppressed. The media’s access to information is also limited. The power structures (except the parliament) have many options in refusing to provide information to the media. The authorities do provide information in limited amounts, but such dissemination is primarily to serve their own interests. State-run media are given information, but in a limited form and only for creating biased materials. Public information is theoretically accessible by practically all journalists, but authorities impose their own limitations. In this respect, journalists are largely ignorant of their rights and responsibilities. Access to international news and the Internet is also limited, primarily by high costs. The middle class and the wealthy have such access without any limitations.

The State Agency for Communications (SAC) issues licenses for television and radio on the basis of the resolution of the State Commission on Radio Frequencies (SCRF). The Law on the Postal and Electrical Communications guarantees equal conditions for obtaining licenses for uniform categories of licensees. However, the licenses are not issued on an equitable basis, as the priority is still given to the state-run media. Also, the structure of the state commission and its operations so far do not indicate it is a transparent and objective body. Licenses are often granted and then taken away for no apparent reason. According to observers, licenses

are awarded based solely on loyalty to the authorities. The selection process itself is strictly classified, and the results of competitions are not commented on in any way. No objective criteria are applied.

According to the tax system, media are an equal participant in the goods and services market. However, the rate of the value-added tax (VAT) for the media (20 percent) is extremely high. By comparison, the VAT amounts to 10 percent in Russia. For quite some time it has been necessary to exempt the media from the VAT, as was the case in Russia. In addition, the authorities use tax penalties as additional tools of pressure on the media. There are other tax policies that indicate media are being discriminated against. Taxes such as the retail sales tax and the advertisement tax apply only to the media. Furthermore, the management of the State Antimonopoly Committee complicates the work of the media to a great extent.

Journalists are persecuted for reporting that criticizes the government. They are persecuted especially severely for criticizing the head of state. Courts follow the directives of the state, and legislation encourages the courts to exert economic pressure on the media, to the point of bankruptcy. The “libel” issue also remains very dangerous for the media. The number of claims against

Legal and social norms protect and promote free speech and access to public information.	
Free Speech Indicators	Legal/social protections of free speech exist and are enforced.
	Licensing of broadcast media is fair, competitive, and apolitical.
	Market entry and tax structure for media are fair and comparable to other industries.
	Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
	State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
	Libel is a civil law issue; public officials are held to higher standards, and the offended party must prove falsity and malice.
	Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
	Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
	Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

the media is so high that media outlets can be ruined through exorbitant fines. Libel convictions based on the law are not infrequent. Most often government authorities file an action based on this article. This prosecution is the main instrument of pressure upon journalists. It is a favorite weapon in the state's struggle against outspoken journalists and publications.

Although physical harassment of journalists is increasingly uncommon, journalists do not feel protected. Libel is used as an effective means of pressure and is a principal reason why so little investigative journalism is practiced. Additionally, the public does not support the journalists' cause.

Journalism as an occupation is accessible. Once basic registration is obtained, the media market can be entered freely.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kyrgyzstan Objective Score: 1.42/4.0—Many panelists felt there was regression in the quality of journalism caused by self-censorship, the lack of adequate training, and a lack of technical and material resources. Objectivity and reliability are evident in only a few outlets. This is due to the lack of training in basic journalism, the controlling influence of political interests, and

the fact that many media are intimidated by the threat of libel. On the whole, more professional journalists are working at the Bishkek newspapers, while regional outlets lag behind.

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There are no institutes of higher education in the country that provide high-quality journalism education. For the most part, journalists have to be retrained by their outlet when they receive a job. International donors provide much of this training. Upon graduation, journalists' knowledge of acceptable work conditions, the media legal framework, proper equipment, and the rules of conduct and ethics is primitive, fragmentary, and unreliable.

There is no accepted and practiced journalism code of ethics in Kyrgyzstan. The Ethical Conduct of Journalists code was completed by the Union of Journalists and an association named Journalists. However, the overriding issue is the confrontation between the state-run and independent media; therefore, there is no basis for common journalistic ethics.

Journalists' salaries are very low, as is the case with the neighboring Central Asian republics. Low wages lead to opportunities for corruption among journalists and contribute to the low prestige of the profession. Articles are paid for, and turnover is high among journalists. Poor salaries have also led many journalists to seek jobs in foreign agencies, where, if nothing else, they have an opportunity to use the Internet or foreign publications. This process drains talented journalists away from the domestic media. State-run media offer lower salaries, leading to a lack of talented journalists. This trend does not bode well for improvements in the state media system.

The political leanings of publications and broadcasters and their dependence on the will of media owners lead to self-censorship. The courts, which can

Journalism meets professional standards of quality.	
Professional Journalism Indicators	Reporting is fair, objective, and well sourced.
	Journalists follow recognized and accepted ethical standards.
	Journalists and editors do not practice self-censorship.
	Journalists cover key events and issues.
	Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
	Entertainment programming does not eclipse news and information programming.
	Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
	Quality niche reporting and programming exists (investigative, economics/business, local, political).

strip the journalist of everything, contribute to the dominance of the state authority.

Browsing through the television programs of local companies, one can surmise that entertainment programs do not overshadow news programs. However, this does not reflect on the quality of the news programs.

The lack of proper technical facilities exhibits another instance of how the country’s poor economic state negatively affects media. Under such conditions, the primary source for buying proper technical equipment is international donors. The overall dearth of resources deprives journalists and media outlets the opportunity to develop professionally and economically, especially in the regional media.

The Kyrgyzstani media does not pursue specialized reporting such as investigative, economics and business, cultural, and health reporting. Several factors contribute to this: the lack of effective journalism training in basic journalism; self-censorship and low pay, which discourage niche reporting; the lack of financial resources for certain in-depth reporting; and the lack of an effective means for the public to demonstrate its interests in such reporting (focus groups and market research).

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Kyrgyzstan Objective Score: 1.88/4.0—Kyrgyzstan has a relative diversity of information sources, although media are more limited outside of Bishkek. This diversity does not always mean that the sources available are high-quality or reliable. Access to local and foreign media is determined by the financial status and the location of the public. Independent agencies collect an adequate amount of information about local and foreign events. Although independent television and radio broadcasters are non-state outlets, they can still be divided into two groups: presidential (belonging to the president’s family) and private. The position of the presidential media parallels the policies of the state. Private media are attempting to pursue their independence despite pressure from the government authorities.

The state-run media (especially government media) solely serve the interests of the president and the government. State media also participate in the harassment of the independent media. The state-run media rarely use information from independent agencies and usually present pro-government information, which

Multiple news sources provide citizens with reliable and objective news.	
Plurality of News Sources Indicators	A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
	Citizens’ access to domestic or international media is not restricted.
	State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
	Independent news agencies gather and distribute news for print and broadcast media.
	Independent broadcast media produce their own news programs.
	Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
	A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

is far from being objective. Glaring examples of the intervention of a large-scale family (i.e., presidential) business in the management and editorial activities of a media outlet are evident with the *Vecherniy Bishkek* (The Evening Bishkek), television/radio company KOORT, NBT, Ala TV, and others that belong to President Akayev’s son-in-law, Mr. Toygonbayev.

The law of the Kyrgyz Republic allows media to report in the languages of national minorities. There are no known cases of persecution of journalists who write on the subjects of national minorities, but such information sources are scarce. A limited number of sources, such as Azattyk Radio and the newspapers *Achym*, *Moya Stolitsa*, and *Respublika*, provide reliable information on these issues. State-run media are subjective and tendentious.

All together, the state-run and independent media do reflect the whole political spectrum of the nation. National issues are covered most often by the capital city’s media. Regional media specialize in local events. However, approximately 10 to 15 percent of the population can afford print publications. The residents in the outlying districts resort to television or radio. In most of the rural territories, there are no information sources except for the KTR channel.

With the emergence of the independent media, reliable information has been provided on various

events. For example, when the Aksy events¹ took place in 2002, the majority of the population received the information from the independent media. In all fairness, it should be noted that sometimes these media exaggerated the facts. The state-run media also attempted to cover the Aksy events. However, since they wrote only about one side of the events, most people did not trust them. Nevertheless, independent media, such as they are, increasingly provide the public with reliable and objective news.

There are two competing information agencies: the state-run Kabar agency and the private agency, AKIpress. However, the media cannot afford to buy information from them due to financial hardship. Information agencies do not set any limitations on distributing information. Regional media use only the publicly available information from these agencies.

In southern Kyrgyzstan, local media prefer to produce their own local news. In this region there are two independent radio stations, four independent television channels, and one weekly newspaper that regularly issue news.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kyrgyzstan Objective Score: 1.51/4.0—As a whole, media in Kyrgyzstan have a long way to go in developing their business skills. Supporting institutions

do not operate professionally, nor do they abide by standard business principles. Independent media are not profitable businesses; they are profitless or even money-losing organizations. This financial struggle is due to a weak economy, poor business-management skills, politically controlled or influenced printing and distribution systems, and politically influenced advertising.

There are instances of well-managed media in Kyrgyzstan.

There are instances of printing houses preventing the publishing of certain non-state newspapers. For example, Uchkun restricted the printing of newspapers *Moya Stolitsa*, *Tribuna*, *Respublika*, *Agym*, and others when the state demanded it. Other printing plants and publishers are working in accordance with the existing legislation. For the most part, they are professional and self-dependent. Most printing plants operate without subsidies. However, some, such as Uchkun, are clearly state-controlled and operate to support their political agendas.

Although data are scarce and unreliable, the panel believes that advertising constitutes up to 70 percent of total revenue for media. The independent, private press does not receive any state subsidies. Nevertheless, the independent media are largely dependent on current politics for their business success. The more criticism an outlet directs at the state, the more problems it will face. For example, large-scale businesses will not advertise with these media in order to maintain good relations with the authorities. The authorities purposefully work with the advertisers to maintain this pressure. Therefore, truly successful independent media are hard to find, but pro-government private media can and do make a profit.

Such publications as *Slovo Kyrgyzstana*, *Kyrgyz Tuusu*, *Erkin Too*, *KP in Kyrgyzstan*, and *Rossiyskaya Gazeta* receive state subsidies.

¹ Editor's note: In January 2002, parliamentary deputy Azimbek Beknazarov was arrested and imprisoned on charges that most believed were trumped up. In response, there were mass protests in Boz-Piek, Kerben, and Aksy. Protestors even blocked the main Bishkek-Osh highway. The Akayev administration and the local militia responded with real brutality, and five protestors were killed and several more injured.

Independent media are well-managed businesses, allowing editorial independence.	
Business Management Indicators	Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
	Media receive revenue from a multitude of sources.
	Advertising agencies and related industries support an advertising market.
	Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
	Independent media do not receive government subsidies.
	Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
	Broadcast ratings and circulation figures are reliably and independently produced.

Distribution is limited. Only organizations like the Kyrgyz Basmasoz and the Bishkek Post Office have a system of distribution throughout the entire country. Such monopolization is a substantial instrument of influencing the print media. In the regions, private regional distributors disseminate approximately 80 percent of the publications.

Circulation figures and audience measurement data are not reliably produced. Some publications knowingly overstate their circulation numbers. Observers believe that *Vecherniy Bishkek*, whose circulation is declining rapidly, has misrepresented its circulation statistics.

Due to the small volume of advertising, there are few large-scale advertising agencies and ratings agencies in the country. It is impossible to call the advertising market independent, but it functions to a certain degree. Advertising agencies do business with selected media. The volume of advertising in general is shrinking, so media’s ability to earn ad revenue is shrinking accordingly. Overall, advertising agencies poorly support the country’s advertising market.

Marketing research is barely conducted. The media are unable to sponsor serious marketing research on their own. Marketing research on media does not encourage the improvement of the quality of information or engender public confidence. Since only one or two services conduct such research in the country, the results are not considered very reliable. Publications are rarely informed of the ratings results or provided with the skills and tools to use the research that is conducted. As a result, the ratings of television and radio programs are not always objective and reliable.

The lack of good managers, advertising professionals, and marketing experts is apparent in Kyrgyzstan. Therefore, media, including larger media outlets that traditionally benefit from the presence of agencies, have relied on their own abilities to secure advertising. Additionally, the lack of reliable ratings and circulation figures has meant that the market has not been pushed to develop. Media are deprived of a basic asset in selling their product—the knowledge of their audience.

There are instances of well-managed media in Kyrgyzstan. For example, the broadcasting company Piramida, as well as independent newspapers *Aalay*, *Agim*, and others are cited as pursuing commercial opportunities professionally. Special emphasis is placed on advertising, since it can bring enormous profits. While Piramida gives up to 30 to 40 percent of its broadcasting time to advertising, some of the independent

newspapers, such as *Vecherniy Bishkek*, allot almost 50 percent of their pages to advertisements and classifieds. These outlets have made a big push to be profit-generating businesses, which allows them to be independent. Since advertising often becomes the main source of the media’s income, media managers are pressured to increase advertising at any cost.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kyrgyzstan Objective Score: 1.49/4.0—The supporting institutions for media are limited in Kyrgyzstan. Frequent attempts have been made to found a journalism trade union. However, because of the division of the media industry into state-run, presidential, and private outlets, a union has not been formed. Although professional associations poorly support the protection of journalists’ rights, initial steps have been taken to improve in this area.

A number of professional associations are working in the interests of journalists in Kyrgyzstan. The public association, Journalists, monitors freedom-of-speech violations, asserts the rights of journalists, and publishes data on the website of Olga Panfilova’s Center of Extreme Journalism (Moscow). The Bureau for Human Rights and Law Compliance in the Kyrgyz Republic and the Foundation for Journalists in Distress are also active. The Association of Publishers and

Supporting institutions function in the professional interests of independent media.	
Supporting Institutions Indicators	Trade associations represent the interests of private media owners and provide member services.
	Professional associations work to protect journalists’ rights.
	NGOs support free speech and independent media.
	Quality journalism degree programs that provide substantial practical experience exist.
	Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
	Sources of newsprint and printing facilities are private, apolitical, and unrestricted.
	Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Booksellers of the Kyrgyz Republic has been founded and is gaining ground. Human-rights organizations are present and protect the rights of the media and journalists. However, these organizations are hindered by the weakness of the courts in prosecuting violations. Among these organizations is the Organization for the Security and Cooperation in Europe's (OSCE) Bureau for Human Rights, the Human Rights Committee, the Foundation for Journalists in Distress, and the newly founded Trade Union of Journalists of Kyrgyzstan. Several organizations specialize in supporting freedom of speech and independent press, but their activities are in the development stages.

Internews and the Olisky Resource Center conduct short-term and practical training for electronic media. However, such training is dependent on international donors and cannot rely on the poor institutional infrastructure of Kyrgyzstan for support. Additionally, the knowledge gained from such training is rarely applied in practice, as journalists face opposition from editors and owners. Journalists engage in self-censorship and fear persecution if they are too provocative.

In Kyrgyzstan, journalism is taught at nearly every liberal-arts college or university. Whether the quality of training of future reporters is good enough is another matter. The panelists believe that the training is conducted professionally only at the Kyrgyz-Russian

Slavic University, the American University of Kyrgyzstan, National University, and a few other institutions. The rest simply do not compete.

Journalism training in the regions leaves much to be desired; the facilities are outdated, and there is a shortage of media specialists. For example, the Kyrgyz National University has always educated print journalists, but it pays little attention to the training of television and radio journalists. Therefore, most of the graduates prefer to work for newspapers and magazines.

Newspaper printing is largely state-controlled, led by the near monopoly, Uchkun. An overwhelming majority of newspapers are forced to use state-controlled printing plants. Since the political situation has a considerable influence on a printing plant's operations, the media cannot be sure of reliable printing. As detailed in previous sections, Uchkun has ceased to print independent papers for political reasons.

State-owned Kyrgyzbasmasso and the Bishkek Post Office, as well as private distributors, conduct media delivery. A large share (up to 80 percent) is distributed by private individuals like pensioners and young people. Large-scale distributors disseminate only 20 to 30 percent of print media. However, the larger companies have national reach. Therefore, the state maintains control over national distribution.

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