

JOURNALISTS FACE DIFFICULT ACCESS TO INFORMATION

Nadezhda Stepanova, reporter, Uzbekistan

Although Uzbekistani journalists have comprehensive laws regulating their professional activities, they cannot take full advantage of them. This is true of their basic right: free access to information. Not only is this right restricted at official levels but it is also subject to control by other information sources.

Journalists' entitlement to free access to information is stipulated by three laws now in force in Uzbekistan. The Law on Mass Media (Article 2) says that the mass media has the right to search for, receive and disseminate information. The body of rights and responsibilities journalists exercise as mass media servants of Uzbekistan or any other country is specified by another instrument – the Law on the Protection of Journalists' Professional Activity. This guarantees that media people are free to collect, analyze and impart information. In doing so, they may “contact government authorities, municipalities and non-governmental organizations, and obtain access to documents, materials and information - except those comprising a state or any other law-protected secret.” At the same time, the government guarantees that any journalist will be free to receive and broadcast information and be protected while exercising his/her professional activity (Article 10 of the above-mentioned law).

Also, the republican legislation specifies procedures whereby all the Uzbekistani citizens, including journalists, may obtain information. These are set forth in the Law on Guarantees and Freedom of Ac-

cess to Information. Article 5 of this law states that “anyone is entitled to submit a request for information, directly or through one's legal agents”. The request may be submitted verbally or in writing.

A written request must carry the initials and address of the applicant, as well as a brief description of the nature of the information requested. Any authority that receives such a paper is supposed to respond as soon as possible but not later than within 30 days from the date of delivery. As for verbal requests, they must be, wherever possible, responded to immediately. The Law on Guarantees and Freedom of Access to Information provides for an opportunity to bring suits against actions or failure to act by government authorities, public associations and other structures as well as against officials infringing upon citizens' rights to obtaining information. Under Article 13 of the same law, any person found guilty of restricting an entitlement to information will be brought to account.

NO OFFICIAL STATEMENT

As is obvious from the aforesaid, a solid legal framework has been created in Uzbekistan to facilitate journalists' professional activities as regards obtaining the

information they need. But what's the real picture? How much can the media people get from what is provided for them by law?

Basically, journalists can draw information at press conferences and presentation ceremonies arranged by the ministries and institutions of Uzbekistan, at various international organizations and funds, at foreign embassies and from national and overseas business people. All parties involved in similar events, including journalists, are normally issued with official reports that may contain a mass of data, in most cases thoroughly selected by experts in a given field. Reporters may also ask questions. But they do not always receive thorough answers.

Mostly, this is the case when issuing concrete figures may show a ministry's performance to disadvantage. Any official can easily explain a refusal to provide information by claiming a lack of current appropriate data. That's where a journalist's insistence and perseverance steps in. At a press conference arranged by the Uzbekneftegas (Uzbek Oil&Gas) joint-stock company to mark the opening of the Sixth International Exhibition “Oil and Gas” in Tashkent, a Russian Interfax news agency correspondent asked one top executive how the company viewed the outlook for the production of liquid hydrocarbons in Uzbekistan this year. She had to ask the official to get to the point three times before she could get

the information she needed. The journalist had artfully schemed her blitz-interview, which lasted only two or three minutes. Although forced to interrupt the speaker, she left him no chance to get carried away with general statements, as was the case later on when the company's leader answered other questions.

Sadly, occasions offering journalists a chance of seeing top-ranking officials are so rare, and organizations actively maintaining contacts with reporters are so few, one could count them on the fingers of one hand. Over the past two years or so, regular press conferences were held only by the national committee on privatizations, that supplied data about coming privatization programs; the Post&Telecoms Agency and car-makers. For example, journalists have never had a single chance to see officials from the Microeconomics and Statistics Ministry. Apparently, this ministry is where journalists are supposed to draw comprehensive information on the current situation in the economy, social sphere, culture, medicine, education, science, etc. Unfortunately, this structure appears to be sealed with seven seals and is inaccessible to journalists. No chance of getting a piece of information from its offices. It seems as if all the information that gathers there constitutes a state secret.

A journalist from the Uzbekistan Broadcasting Company, who asked not to be named, said the Ministry of Foreign Economic Relations, Uzbekneftegaz joint-stock company and the Uzkhimprom (Chemical Industry) association are the republic's most closed structures. But topping the list of secretive institutions is the Power Generation Ministry where

the press service head has a regulation posted on the wall of his office forbidding him to provide any information to journalists. This ministry's officials used to come to his company from time to time for televised interviews focusing solely on public arrears of electricity charges, the journalist said.

SELF-BLOCKED SOURCES

"Difficulties in getting information about the performance of one structure or another come from the fact that in the eyes of petty officers any information must come from the boss," says a representative of the state-owned National News Agency (UZA). "Even high-ranking officials like deputy ministers (to say nothing of ordinary employees), will never agree to give you an interview without the blessing of their boss first. Nor will you succeed in getting information by telephone. You have to book an appointment in good time – a procedure that takes many days and even weeks. Or they may ping-pong you from office to office, until eventually you realize that all roads lead to the Cabinet. But even there you see people who are afraid to supply information to the press without a special permit," the journalist said.

Even in a situation like this, journalists do not often resort to their law-protected rights. Says an ex-reporter of the non-governmental Turkiston-press news agency: "In an official speech, the President of Uzbekistan said it was vital to expand this republic's export potential and to improve customs and taxation procedures. Considering the topicality of the issue the President had raised, I was instructed by the editor-in-chief to ask relevant ministries for interviews about the steps they were

going to take in this direction."

According to the reporter, she realized immediately that she would not manage without a written enquiry but she had no idea that the bureaucratic procedure would consume such a great deal of time. The Law on Guarantees and Freedom of Access to Information allows officials not more than 30 days to respond to an enquiry, but gives no clue as to in what form such an enquiry must be submitted. Customs officers demanded a letterhead document under the hand and seal of the boss. The letter was duly written and, to save time, forwarded by courier. When a few days later a correspondent turned to the Customs Committee for a reply she was told the enquiry had been lost. So, she had to make it to the committee herself to hand the enquiry to an official personally. True, exactly one month later a reply arrived at the editorial board recommending that the journalists had better contact the State Taxation Committee for the information she was interested in.

WHO IS BEING LIED TO?

This is not to say, of course, that the doors to the ministries and institutions of Uzbekistan are tightly closed to all mass media outlets. There is an elite inside the news media which enjoys free access to any government agency. Among them is the Akhborot television news program. To put it in the words of its former reporter, 'the Akhborot folk' are welcome in any organization because everyone knows the program is among the favorites of President Islam Karimov. The reporter's opinion is shared by her colleague, a former employee of the national television company. "Whenever

an Akhborot journalist makes a call to any authority or business asking for an interview his request is never turned down. But the information the reporter receives will contain only data favorable to the organization," the reporter pointed out. "There is a long established procedure of supplying data in the form of ministerial monthly reports. Nonetheless, the information remains under the control of the data providers. There were cases when ministerial officers came over to review and alter the footage. There is also a category of the so-called "our journalists," said a former Akhborot reporter. "They are all good acquaintances of top-ranking officials, and may even be close friends. If any one of these journalists takes on an interview it's dead certain that the program will come out purged of any unwelcome figures and phrases," she remarked. What is it that the controlling and other government authorities are so much afraid of? Indeed, hardly

would it occur to any editor-in-chief to send his reporter to an official institution to dig up and disclose any criminal stuff.

"The answer lies in an uncertain economic situation in Uzbekistan today," says a reporter of the national radio broadcasting company. "The country is in transition, facing a lot of hardships and extremely challenging problems in various areas. They are not easy to accept for people dominated by double-standard mentality who choose keep private matters away from the light of day." Hardly will views like this be of use in efforts to artificially isolate this country from the rest of the world. High technologies in telecommunications enable foreign experts, albeit not without difficulties, to make their own assessment of the real situation in this country. It appears as if we were trying to hide the truth from ourselves. Well, this is true not only of journalism but also of Uzbekistan's other spheres of life. In late May, the author of this

article attended a meeting in the Business Club, which brought together quite a number of business people widely-known in Uzbekistan. Central to the discussion were the questions of attracting foreign investment in small and medium-sized businesses. The business people came up with comprehensive recommendations regarding the improvement of the foreign investment sector, including legal issues. To the top-priority list they added legal guarantees of foreign investors' rights to get authentic information they need to work in the local market.

Addressing the workers of the press and news media on the occasion of their professional holiday marked in Uzbekistan on June 27, 2002, President Islam Karimov pointed out that "if people receive truthful information instead of idle talk and speculation, vague rumors and insinuations, slanderous and defamatory statements, both the state and society will benefit."

NOTA BENE:

When this article was ready for print, President Islam Karimov issued a decree "On Improving Management in the Field of the Press and Information". This document forbade the Press and Information Agencies to exercise censorship in the news media. Moreover, the State Committee for the Press was transformed into an Uzbek Press and Information Agency whose main objective will be monitoring the observance of constitutional rights and legislation governing independent news media, ensuring freedom of expression and the press.