

ADVERTISING AND PR IN THE PRESS OF KYRGYZSTAN

Veronika Komarova, CIMERA, Bishkek, Kyrgyzstan

Advertising has become a wide-spread feature of the Kyrgyzstan press, although not always in compliance with current laws. This is due, in part at least, to their legal imperfections.

Advertising is a primary source of profit for the print media. In a burgeoning market, cash-strapped newspapers frequently sacrifice ethics and run counter legislation as they use latent advertisements. Such publications may mislead readers with their seeming credibility. It is not accidental that legislation stipulates that paid-for publications should be marked "advertisement", thus enabling the reader to decide whether to rely on the article or verify it one more time.

OLD ADVERTISING LAW

Advertising through the mass media in Kyrgyzstan falls within the Law on Advertising (effective 24th December, 1998), and scores of other statutory acts. On the whole, legislation prohibits disguising ads as news, editorial or individual publications and charging fees for that. Control over advertising activity is exercised by the State Commission for Anti-Monopoly Policy under the government of the Kyrgyz Republic. According to the Commission's chief expert and spokesman, Rustam Asanov, the Law on Advertising badly needs to be reworked. "It's an open secret that this law is in many respects similar to the model law effective for CIS nations. Practice shows that many of its provisions are just not viable and make it pretty difficult to regulate the ad-

vertisement market. Evidently, it's no use at all fighting hidden ads. Rather, it is necessary to bring the law in line with the times."

In March 2002, the parliamentary Committee for Public Associations and Media Policy established a commission for ad legislation improvement that started work on revising provisions of the Law on Advertising, including those dealing with ethical, false and social advertising. The commission was required to simplify controls over media advertising, consider the issue of streaming tape transmission in the electronic media, amend provisions regulating tobacco and alcohol beverage advertising, etc. According to the Commission's chairman, Kabai Karabekov, this work is not yet over and the Committee for Public Associations and Media Policy is waiting for its members to submit recommendations on finalizing law provisions dealing with political and retransmittable commercials as well as with counter-commercials and Web advertising.

INDIRECT ADVERTISING

The legitimate procedure for commercial publications in the Kyrgyzstani press is as follows. Advertisers bring material to be published to the editorial office and pay according to how much page space their ad requires. Also, they may use the services of a journalist who will prepare a story high-

lighting whatever the advertiser deems necessary. Relations between the customer and the journalist are built on the principle that he who pays the piper calls the tune. This means that the customer is free to ask the journalist to rewrite the story as many times as he finds necessary to see that the material meets his requirements. The journalists' fees in this business are as a rule stable. In newspapers like *Vecherny Bishkek* and *Slovo Kyrgyzstana* their fees account for 10% of the cost of the page space bought.

It is not infrequently that conflicts between creative and business-like journalism take the shape of battles for space. "Newspapers that have been lucky enough to obtain an ad order are clearly giving priority to ads as they prepare an issue," says Marina Sivashova, a journalist from *Argumenty I F акты Kyrgyzstana*, formerly editor-in-chief of *Absolyut-Express*. To avoid ad supremacy in mass media, a Law on Advertising was passed. Article 12 says that "advertising should not exceed 20% of the general content of a periodical's one issue."

To prevent legal problems, the newspapers mark commercial stories as PR, Ad or place them in special columns. Newspapers *Vecherny Bishkek* and *Moya Stolitsa* use for this purpose columns called Business Press. In addition, the newspapers' date-line specifies that specially marked publications have been placed on a commercial basis and the edito-

rial board bears no responsibility for their content.

There is, however, the reverse side of the coin, namely there are cases where promotional items are disguised as editorial matters. Chairman of the parliamentary Committee for Public Associations and Media Policy, Kabai Karabekov admits, "Many ads are published without a special mark (like the above-mentioned "PR" – *V.K.*), which is against the law." There may be a host of motives for doing so, including a solid gratuity, friendship ties or just a mere concession to an advertiser wishing to conceal the fact that the publication has been paid for. The newspapers are violating the law in the certainty that the transgression will go unpunished. According to Rustam Asanov, the governmental Anti-Monopoly Policy is too inexperienced to be able to reveal the violations and, besides, the criteria for indirect advertising contained in the Law on Advertising are too vague to be a serious legal instrument. While monitoring the print media, the Commission's experts reveal indirect advertising based on such signs as the eulogistic nature of the publication as well as an indication of the firm's postal address and phone numbers.

"Attempts to cover up a report's true message are not typical of the Kyrgyz press alone," says Erkinbek Jamanbayev, the executive director of the Training and Consulting Center. "It's normal and will persist forever. You can do nothing about it. It is present both in this country and worldwide. If a media outlet is controlled by those in power all will be done tip-top with no cash at all. If this is done for money, decent money, there are always going to be journalists capable of finding ways to veil the whole affair. The press

is venal worldwide." Erkinbek Jamanbayev says the crisis of Kyrgyzstan's journalism is rooted in its low-pay structure. "If a journalist were paid 1,000 or 2,000 dollars per month he would have a choice between working honestly or being black-listed, that is to say, all his or her subsequent publications being tabooed. In my opinion, that would work."

ADS BY ANY MEANS?

To attract advertisers, the newspapers make use of tricks like "this special price is only for you", "the first ad publication will be free", "every *n*th publication will be free", etc. Such offers normally come from cash-strapped or market-oriented papers. A more sophisticated method of getting advertisers to rise to the bait is, so to say, to take them by surprise, — a potential advertiser is approached by a paper's ad agent who displays an issue carrying a publicity story published without the organization's consent.

The newspaper expects the advertiser to be immediately grateful for its 'noble gesture' and straight away sign a long-term advertising contract. However, such gratuitous publications sometimes seem to strike the potential advertiser all of a heap. Yevgeni Subbotin, deputy director of KATEL's marketing department, believes that by doing so newspapers all but disservice companies. He has already more than once encountered situations like this: "The newspapers may sometimes publish logos of promotional campaigns already completed or experiment with the logos by distorting them beyond recognition."

Political advertising in Kyrgyzstan is rather seasonal, its peaks largely falling on election campaigns. The Law on Adver-

tising does not apply to political advertising whose legal framework is subject to the Election Code passed on 29 May 1999. However, a parliamentary commission set up to improve advertising-related legislation is considering the possibility of developing and incorporating into the Law on Advertising a separate provision regimenting political advertising activities, currently subject to the Central Election Commission's directions.

An expert who asked not to be named, a participant in a number of election campaigns, has imparted to us information shedding light on how political advertising really works. "Considering politics is a pretty profitable investment, a lot of liberties are permitted in the interests of victory. The media is a major resource in any election campaign. Therefore, this provides the media with a good opportunity to earn extra cash," he admits. According to the expert, during the campaigns when ad tariffs jump two- or threefold a 'haymaking time' comes for the media. Moreover, the tariffs vary with 'election cycle periods'.

When asked whether political advertisements may be published unmarked as 'publicity items', he answered in the affirmative. The expert pointed out that during the past election campaigns a promotional story "used to cost an average US \$200 to US \$300 and largely varied with publications, their rating and circulation." This is only true, though, of serious material, because "less serious might be commissioned for a glass or two of beer." A journalist's willingness to take up the job depends on "one's personal views and well-being".

PR: ANYTHING BUT ADS!

Public relations (PR) in Kyr-

gyzstan, being but a very young sphere, is very often mistaken for advertising. The PR mark — one used to indicate commercial press publications — adds to the general confusion. In journalist slang stories of this sort are called ‘PRlets’. In reality, though, the publications have nothing in common with PR. They are just ordinary ads. There is direct evidence of the substitution of notions.

Svetlana Kulikova who is in charge of the ‘journalism’ curricula program at the American University in Kyrgyzstan recalls, “When first I saw a PR mark in *Vecherny Bishkek* paper I asked the editor-in-chief what it meant. He said it had nothing to do with public relations as such. Rather, it meant that it was a publicity story. It’s just nothing for the layman but a lot of confusion for experts”. Essentially, PR differs from advertising in that the latter centers on goods sales while PR aims at shaping the public opinion in the social rather than consumer context. More often than not, advertising is designed to trigger the

consumer’s instantaneous reaction while PR fosters a long-term image.

Erkinbek Jamanbayev explains the identification of Public Relations with advertising primarily by misunderstanding the essence of PR and its specific features. Also, Svetlana Kulikova points to economic factors: “Any publication coming to newspapers from PR experts is paid for, directly or indirectly. They don’t understand here that this kind of publication may be exempt from charge, which is common practice in the West.” Erkinbek Jamanbayev describes these practices as reflecting the ‘short-sightedness of the media’. He believes that by refusing to publish companies’ press-releases for free the media is “digging a grave for itself.” Blinded by the ‘hunger for momentary profits’ that they can derive from PR publications, they are simply robbing their readers of interesting stories and useful information. As a result, Erkinbek Jamanbayev points out, it only remains for the papers to publish ‘criminal or scandalous stuff’. Some newspa-

pers are tabooing PR publications with special in-house regulations giving the journalists details concerning their publicity policies.

One of the Bishkek-based papers, for example, once showed a journalist a document warning reporters about publishing: (a) positive material regarding profit-making, self-sustained or state-run organizations (including their achievements, business progress, efficiency advance, etc.); (b) materials concerning economic disputes; and (c) negative material about private businesses that their rivals may take advantage of. The document ends with the management’s request ‘to abstain from preparing similar materials unless they are authorized by the ad department or editor’. It would be wrong to say that the Kyrgyz press is free of PR publications. Publicity experts have either to have their materials published for money or, by displaying consummate skills, lull the vigilance of the greedy publishers to allow their articles to see the light for free. It is a valid saying that good PR is always invisible.