

UZBEK MEDIA NOT PROTECTING HUMAN RIGHTS

Rustam Baltayev, journalist, Uzbekistan

Human rights are an issue that receives a cool welcome in the mass media of Uzbekistan. Work on such publications consumes too much time and energy - more often than not winding up in litigation. Few journalists feel like running the risks.

So far, Uzbekistan has ratified approximately 80 international instruments in the area of human rights, thus recognizing their importance. The Constitution of independent Uzbekistan (adopted in 1992), received a high appraisal from international experts as one meeting major democratic standards and wholly guaranteeing human rights and liberties. After adopting the Constitution, the republic started active work on other statutory acts regulating human rights protection. As far as the economy was concerned, a number of laws were passed to facilitate the transition to a market economy and determine the rights of market players. The social sphere is subject to a code of laws covering family and marriage, protection of mothers and children, social support for citizens with low incomes, provision of pensions, and indexation of the minimum wage level. In addition, this country has adopted and enforced the Civil and Labor Codes. After independence, Uzbekistan has developed quite a number of legal instruments governing various spheres of social life.

NOT YET CRITICISM

Apparently, proclaiming rights

and liberties is one thing, whereas translating them into life is a totally different matter. True, the national Constitution has outlawed censorship practices in mass media. Actually, the Inspectorate for Safeguarding State Secrets had exercised total censorship in the press until May 2002 when it was finally abolished. Paradoxically as it may seem, there are still very few publications raising issues of social concern or criticizing structures in power. Meanwhile, human rights advocacy in the press and bans – whether disguised or undisguised – imposed on publications (in reference to specific journalists), are links in the same chain.

The issue of editorial censorship (or self-censorship), is being discussed more and more by reporters as well as featuring on the agenda of various conferences and seminars. Journalists attending a conference; “From the Strong State to a Strong Civic Society”, held by the Konrad Adenauer Foundation last November in Tashkent focused on this issue once again. Addressing the journalists, one of the regional newspaper editors said: “Why are you journalists blaming editors for all the sins? If they censor your stories why don’t you go to court?”

The question provoked a burst of laughter from the audience.

DON’T SPEAK ON HR

Uzbek newspapers that from time to time turn to human rights issue are very few – one could count them on the fingers of a single hand. It gratifies us to mention that among them is *Pravda Vostoka*, a paper of the Cabinet of Ministers. “It is the republic’s oldest newspaper which even in Soviet times would not shun thorny topics. It is still allowed some critical articles, but of course that depends on who and what they attack,” said a private newspaper editor who asked not to be named. In the meantime, *Pravda Vostoka*’s editor Bakhtiyar Khasanov admitted at an informal discussion that critical publications grow in number during subscription campaigns. “There is nothing bad about it as it is common practice in the media throughout the world.”

The past two months have seen a few publications that can be termed as human-rights in the proper sense of the word. Topping the list is Sergey Yezhkov’s story, *Intimidation Factor* (30 October, 2002), focusing on the republican prosecutor’s office, which the author thinks enjoys unlimited powers. Sergey Yezhkov narrates a story of a businessperson whose rights were violated by the prosecutor’s office after he applied to a newspaper for protection. The

author concludes by asserting that the prosecutor's office – albeit designed to protect human rights – actually abuses them. The story evoked widespread responses throughout the country. A few articles by another reporter of the same newspaper, Natalya Polyan-skaya, were devoted to the rights of apartment owners and similarly attracted the public's attention. Central to the story was the fact that long-standing local housing authorities were succeeded by housing owners' societies (HOS) – elected bodies formed by apartment owners and enjoying autonomy from the government.

However, facts revealed by the *Pravda Vostoka* reporter made it absolutely clear that the majority of HOSs are nothing more than a mere formality and if, by any chance, societies emerge that seek to defend their rights and resist municipal pressures they find themselves involved in a pretty mess. Since there had been no exposure of the situation in that sphere as boldly and consistently as *Pravda Vostoka's*, the stories sparked much reaction. But... and there is a 'but' – they were all written during a subscription campaign.

Hardly can you see in Uzbek mass media investigative reports or stories centering on family violence, self-immolations by women driven to despair by their own husbands or social reports. Whenever journalists attempt to write a story on similar themes, their requests for essential statistics in regard to, for example, the cost of living or the con-

sumer goods basket are flatly rejected. For example, when the very same Sergey Yezhkov asked the Macroeconomic Statistics Ministry to provide him with data regarding the consumer goods basket in terms of an average Uzbekistan citizen, the deputy minister said he was not going to answer provocative questions.

FACING LITIGATION

This is what makes journalists so unwilling to work on labor-consuming themes – collecting information takes up a great deal of time, often with a null effect. In addition, editors frequently do not wish to deal with investigations (including trials), ensuing from critical articles. More often than not, authors of such publications do not have an adequate legal background while the heroes of their stories do not slumber and immediately initiate court actions.

Lost court cases by mass media outlets in general and individual journalists, in particular, sets other media against writing critical stories. According to *Mokhiyat* newspaper's editor Abdukayum Yuldashev, there is some point in this assertion. For example, last summer his paper published a critical story about bribery in an institute – a story based on a reader's letter.

The institute's rector sued the newspaper. It was only due to the presence of prominent attorneys that the dispute was finally settled by compromise; otherwise, the newspaper might have been fined a substantial sum because the reader withdrew his letter. The

editor now takes great caution in dealing with materials of this kind. Abdukayum Yuldashev believes journalists today lack adequate legal background to be able to write sound and well-grounded critical articles. They yield to emotions and personal judgments leading to investigations, if not to trials.

This is where the issue of journalists' corporate unity arises. There is but a handful of media outlets that dare attack authorities in a bid to safeguard human rights. Nothing could be simpler than cracking down on them through the courts as they are all alone on the battlefield. Be that as it may, though, editor-in-chief of *Vremya I Mi* newspaper Aisulu Kurbanova, claims that journalists do have a chance of changing the present situation. "Our newspaper recently carried a story featuring a mother of three children deserted by her husband. The husband was virtually terrorizing me. I received warnings by telephone from his attorney demanding a retraction. Finally, he threatened to sue the newspaper. I wasn't prepared for such a turn and the newspaper had no money to spend on litigation. Once at a conference I learned that Internews had organized a service offering free advocacy to mass media in situations like that. Indeed, the service gave me excellent legal advice. Now I am ready not only for litigations but also for handling similar problems further on. Should journalists be better informed about such services they would not hesitate to deal with thorny topics," said Aisulu Kurbanova.