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# THE SUSPENDED APPEARANCE OF NEW MASS MEDIA IN KIRGIZSTAN

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Local journalists consider the cancellation of registration of, and moratorium on, new mass media for a half-year period as a pressure on independent mass media.

On 5 April 2001, the Ministry of Justice announced the re-registration of mass media and political parties and justified this decision by the necessity to regulate the activities of existing mass media and political parties. On June 21, the same Ministry announced the cancellation of the registration of 16 new mass media based on its decree stating that no new mass media could be registered during the re-registration period. This second decree became known only on June 21, when the publishing house "Uchkun" refused to print the already made-up issues of new papers. This second decision was dated April 5 and had the same registration number as the first decision concerning the re-registration. However, it was not published in the press. Local experts were sure the second decision had been made on June 20, but backdated to April 5.

## **RE-REGISTRATION: AN INSTRUMENT OF PRESSURE**

Mr. Melis Eshimkanov, Chairman of the People's Party and former owner of the opposition newspaper *Asaba* issued in Kyrgyz, told *Radio Azattyk* he was convinced that behind the decision of the Ministry of Justice to cancel the registration of new newspapers was the Head of the President administration, Amanbek Karypkulov. *Asaba*, the most popular newspaper and published with the highest circulation in Kirgiz language, was declared bankrupt in May 2001 and closed down after several trials. According to Eshimkanov, journalists of the former *Asaba* have established two new papers: *Agym* and *Djoltigen*, and have registered them under the names of unknown young journalists. As soon as Mr. Karypkulov found out that these newspapers had been established by former *Asaba* journalists, he would have ordered cancellation of its registration by any means. Mr. Eshimkanov also informed that the new newspaper *Moya Stolitsa* was also to become a strong independent newspaper, so that, in order to destroy *Agym* and *Moya Stolitsa*, the authorities decided to sacrifice 14 other newspapers as well. *Moya Stolitsa* was founded by Alexander Kim; its first issue was scheduled for June 22 with a circulation of 80'000 copies. Mr. Kim, the former Chief Editor of the daily *Vecherny Bishkek*, was constrained to leave in 1999 after the newspaper passed into the hands of pro-governmental businessmen. The journalist Igor Grebenshikov, in an article for the Institute for War and Peace Reporting in July 2001, analyzed the situation of re-registration, and cited some opinions of local analysts and journalists who linked this action to the holding, this autumn, of a referendum on the possible prolongation of the acting President Akaev's authorities. According to this view, President Akaev would have tried to neutralise critical views in the media on this question. Despite the fact that the Constitution clearly restraints the possibilities of re-election of the President to two successive mandates, M. Akaev is presently serving his third term.

## **FEAR FOR CRITICAL VOICES?**

"A Ministry of Justice decree suspended the issue of *Moya Stolitsa* and of *Agym*, as they were the most dangerous newspapers in view of the expected information policy", considers Mrs. Rina Prizhivoit, a

*Moya Stolitsa* reporter. She also informed that the State Secretary, Osmonakun Ibraimov, had proposed himself as co-founder of the *Moya Stolitsa*, but was refused. It seems obvious that the authorities were interested to actively participate in the process of mass media re-distribution in Kyrgyzstan. At a press conference, the Member of Parliament, Zainidin Kurmanov, the Chairman of the Union of Journalists, Mr. Abdykadyr Sultanbaev, as well as the Chairman of the Association "Journalists", Mr. Kuban Mambetaliev, sharply criticized the Ministry of Justice's last actions against the mass media. Mr. Sultanbaev stated that the Ministry's decision on cancellation of the already-registered 16 new mass media was out of line with any law. Mr. Kuban Mambetaliev asserted that the Ministry had turned into a body of censorship, and demanded the resignation of its management. In his article, Igor Grebenschikov also gave other some possible politico-economical reasons for the cancellation of the new media registration. Some time ago, a large group of employees had left *Vecherny Bishkek* and later joined the staff of *Moya Stolitsa*. They disagreed with the policy of the newspaper's new owners behind which, in the opinion of the opposition politicians, was President Akaev's family. "The influence of the new daily paper, which welcomed all best *Vecherny Bishkek* reporters, could become very popular in the near future and certainly cause anxiety for the *Vecherny Bishkek* holders", said Mr. Grebenschikov, citing the Alexander Kim's words. As a result, various administrative barriers were settled, such as the cancellation of registration, so that no possible competitors could appear in the Kyrgyzstan media market. *Vecherny Bishkek's* representatives considered such statements groundless and affirm to have been prepared to face honest professional competition.

#### **THE UNCLEAR ROLE OF THE MINISTRY OF JUSTICE**

The inconsequent actions of the Ministry of Justice personifying the letter of the law give rise to a question: is the Ministry of Justice just an executor or an initiator in the conflict with mass media? Lawyers of the international organization, Internews, gave their comments - qualifying the actions of the Ministry of Justice as illegal. "The campaign launched by the Ministry of Justice against some mass media has no legislative basis", they affirmed in their statement. In July, the founders of *Moya Stolitsa* and *Agym* filed claims condemning the Ministry of Justice for law-breaking. The Bishkek Arbitration Court held several sessions and, as a result, refused to try the cases stating that these were civil cases, so they should be considered by a civil court. Viktor Shloev, *Moya Stolitsa* representative, informed that the newspaper would appeal to the Supreme Arbitration Court. According to him, civil courts do not try cases between legal persons. The Chairman of the Kyrgyz Fund for Publicity Protection, Melis Eshimkanov, said that the authorities of the country, themselves infringing various laws, did their best so that no new independent mass media would appear in Kyrgyzstan. At the congress of Kyrgyzstan journalists, Viktor Zapolsky, Chief Editor of the independent newspaper *Delo No...* said: "Speaking about the prospects of mass media, I can only state with regret and deep bitterness that, if the situation develops as it does now, then the eleventh anniversary of Kyrgyzstan's independence will be celebrated without free mass media. 'No comment', as we say."

#### **THE MINISTRY OF JUSTICE UNABLE TO COPE WITH THE WORK**

Only when a number of international organizations paid attention to the situation which had developed around the mass media did the Ministry of Justice present its interpretation. Mr. Erkinbek Mamyrov, the deputy minister of justice, held a number of briefings and substantiated the inconsequent position of the Ministry of Justice by indicating that some of the Ministry's employees, by negligence, had continued with the registration of mass media in violation of the decree; i.e. the whole problem was due to the absence of appropriate diligence on the part of the rank-and-file employees of the Ministry. Mr. Erkinbek Mamyrov also denied any political reasons in relation to the ban on mass media registration. A representative of the Ministry of Justice explained the successive postponements of deadline for re-

registration by a lack of human resources: “We have few collaborators and a lot of work. We could therefore not terminate the re-registration of all media and political parties on time, and that is the reason for the postponement of the deadline, which has nothing to do with any political events taking place in the country”. According to *Ferghana's* Chief Editor, Bakyt Orunbekov, the Ministry of Justice’s representatives would have told him that, after the term of re-registration would end on 1<sup>st</sup> of October, he may start to issue his newspaper without having to re-register it. *Ferghana* is one of the 16 mass media whose registration was cancelled.