

FINAL MEDIA REPORT - OSCE/ODIHR

Election Observation Mission - Presidential Elections in Kyrgyzstan

MEMO` 98 expert analyzed the media coverage of the 2000 Presidential Elections in Kyrgyzstan in the framework of the OSCE/ODIHR Election Observation Mission. Following is the final media report.

MEDIA REPORT

Structure of Electronic and Print Media

More than 20 electronic and around 415 print media companies are registered in Kyrgyzstan. Due to poor economic conditions, the majority of newspapers are published only few times a week. Television is thus the main information source. Only five TV channels have the capacity to broadcast in almost all parts of the country. Whilst the Russian channels OTR and RTR are the most popular, privately owned channels Piramida and KOORT as well as state funded KTR are the most influential sources of information about politics in Kyrgyzstan.

Media Legislation

The Constitution of the Kyrgyz Republic in its Article 16 guarantees the basic human rights and freedoms in conformity to generally acknowledged principles and standards of the international law. Moreover, everyone in Kyrgyzstan has the right "to free expression and dissemination of thoughts, ideas, and opinions, to freedom of literary, artistic, scientific, and technical creation, and to freedom of the press and transfer and dissemination of information". In addition, Article 36 of the Constitution states in its part that "culture, art, science, mass media are free". Censorship of mass media is forbidden.

The basic regulations for the election of president are stipulated in Chapter 3, Section 1, of the Constitution. The primary law that regulates the use of mass media during the election campaign is the Election Code (Articles 30-36). According to Article 30.7, all candidates shall be guaranteed to have equal access to mass media. Moreover, the CEC issued supplementary resolutions to regulate the conduct of pre-election agitation concerning the paid political advertisement and distribution of free time based on the results of a lot drawn by CEC at participation of all registered candidates.

The regulatory body responsible for issuance of licenses is the National Agency for Telecommunications and registration process is administered by Ministry of Justice. During elections, the election commissions shall control the observance of the established procedure of pre-election campaigning (Article 36.7 of the Code) and also shall have the right to apply to the appropriate law-enforcement body a petition to suppress illegal campaign activity (Article 36.9).

Limitations on Media Coverage

The CEC created a special working group to monitor the media behavior throughout the pre-election campaign and to issue warnings in case of violations of the Code. However, the composition of the

group raised concerns about its impartiality. Whilst the CEC received about 28 media related complaints, it took immediate action only in case of a TV spot from opposition candidate Tekebaev after an alleged complaint by the Pensioner`s Party. The CEC ordered the video changed, even going beyond the alleged complaint and insisting on the removal of images and commentary that CEC members claimed were not appropriate. Although the CEC finally approved it, the state-owned broadcaster KTR did further editing before showing the spot. In another instance, KTR refused to accept a video from candidate Atambaev. The EOM was told that immediately after private Piramida TV showed the Tekabaev,s spot, the presidential administration interfered ordering not to show the spot any more. The channel declined to show the spot refusing to allow any paid political advertisement in the final two weeks of the campaign that further limited opposition candidates` possibilities for campaigning.

Due to administrative restrictions and tax policies in Kyrgyzstan, the financial structure of the media remains extremely vulnerable. Over the period of recent years, the state administration has used tax and libel laws to silence down any media outlet that attempted to create basis for any expression of opposition. Regrettably, the intimidation against private media intensified since the parliamentary elections which resulted in a notable decrease in the number of independent media able or willing to offer an editorial line independent of or critical of presidency as well as self-censorship that is a common feature among Kyrgyz journalists who tend to adjust their comments or criticism to what is considered to be "acceptable" by authorities. Whilst private papers Delo Nomer, Asaba or Respublika dared to cross the line and offered some platform for opposition candidates, they were faced with vexatious lawsuits and tax inspections as well as State-owned distribution network at times refusing them to distribute their prints. Furthermore, the state-funded media failed to live up with their legal obligation to provide balanced and objective reporting by showing strong bias towards the incumbent President.

Article 36.5 of the Election Code states that in its part that "candidates shall not be involved in any charitable activity." The incumbent president made numerous donations to schools and hospitals during the whole pre-election period. Given the timing and widespread media coverage, these charitable acts had a bearing on the election campaign. Moreover, Election Code on its Article 30.7 prohibits foreign citizens from participation in the campaign. Again, mainly the state media provided a wide coverage for the open support given to the incumbent by presidents of other countries.

Results of Media Monitoring: Overview

The media monitoring has been carried out since 27 September using qualitative and quantitative method of analysis. Quantitative analysis measures the total amount of space and time devoted for elections related coverage on the State owned TV station, four private television and nine national newspapers. Qualitative analysis evaluated whether the information about six registered candidates was positive, negative or neutral in its content.

After four weeks of monitoring of two national TV channels (KTR and TV Piramida), nine newspapers (Slovo Kyrgystana, Kyrgyz Tuusu, Erkin Too, Utro Bishkeka, Vechernij Bishkek, Asaba, Res Publica, Delo Nomer) and two weeks of monitroing the prime time news on three local TV stations (KOORT, NBT and TV OSH), EOM has found a difference in the type of news presented by different outlets as well as in a way the six registered candidates have been portrayed. Following is the second media report.

Electronic media

The state-owned broadcaster KTR covers most of the territory of Kyrgyzstan. It openly promoted the

incumbent president and largely ignored any opposition views. The level of bias towards president Akaev was clear in the amount of time allocated on prime time news and other programs as well as in the tone of coverage. The national broadcaster failed to cover the electoral campaign of any other of the registered candidates and thus did not fulfil its obligation to provide the citizens with fair and objective coverage on prime time news. Over the period of four weeks, KTR devoted 99,2 % (4 hours 58 min) of its politically relevant coverage on prime time news just to President Akaev of only positive (87%) or neutral coverage (13%). By comparison, all other candidates together received only 2 min 19 sec on prime time news. The viewers of KTR did not see a significant difference (in terms of coverage) on other information programs either. President Akaev was again devoted the largest amount of elections related time (68,4%) of only positive or neutral coverage. By comparison, Bakir uulu obtained (7,9%), Akunov (6,8%) and Eshimkanov (9%). Regrettably, the national state broadcaster violated the Election Code (Article 30.7) on number of occasions such as: President of Uzbekistan Karimov campaigning for Akaev (October 1, 2000); or the incumbent president and his wife being involved in charitable activities donating PC equipment or ambulance cars to different schools and hospitals all over the country (October 4 and 7, 2000 – prime time news). In addition, on October 3, 2000, KTR aired a story from Tekabaev's meeting with voters (the same item had been broadcast on KOORT on Sept 30) where the news reporter expressed his negative opinion about Tekabaev and a viewer could watch only criticism of some people in the crowd against him and Kulov). Shortly before the elections, KTR broadcast a live press conference with incumbent president which lasted for two hours and gave him unique opportunity for promotion and support expressed to him by all journalist who attended the event.

Similarly as during the parliamentary elections, the State television KTR did not clearly divide free and paid time distributed to the candidates. The unclear situation resulted in unequal distribution of the free time to all six registered candidates: Eshimkanov (31 min 22 sec), Akunov (18 min 5 sec), Bakir uulu (21 min 4 sec), Atambaev (25 min 46 sec), Tekabaev (16 min 42 sec) and Akaev (16 min 23 sec).

The CEC scheduled only one TV debate on KTR originally planned at the participation of all six candidates. However, due to the fact that the debate was pre-recorded (October 10, 2000) and not aired live as originally planned on October 12, 2000, at least one candidate officially complained (Atambaev) and decided not to participate. The unclear situation resulted into a fact that only two candidates (Akunov, Bakir Uulu) and one candidate's (Eshimkanov) proxy participated in the discussion.

TV Piramida, a private TV station, devoted (99%) of its prime time news' coverage to President Akaev. The level of bias towards him was as clear as on KTR and he has been portrayed only in positive (69%) or neutral light (31%). The station largely ignored any other candidates in its news coverage allocating them only 36 seconds. On contrary, TV Piramida aired a show called "Pro et Contra" (For or against) where it gave some time to other candidate – Bakir Uulu (2 min 57 sec). However, during the show, an official representative of the Russian Embassy in Kyrgyzstan openly agitated for President Akaev which is in conflict with Article 30.7 of the Election Code. EOM was told that the channel faced harassment and intimidation from the state administration (especially after it aired a show called „Nashe Vremia“ which dealt with the controversial linguistic commission). Moreover, the CEC did not allow for any TV debates to be organized by TV Piramida and financed by foreign donors (as during the parliamentary elections) claiming that it would be in conflict with Article 30.7 of the Election Code. However, no changes to the election code were introduced since the parliamentary elections.

TV NBT, a local Bishkek TV station, gave less time to the President but the nature and tone of its coverage was still mostly supportive of the incumbent President. The channel was trying to give

more diversified reporting on the campaign by giving some platform to opposition candidates. Whilst the incumbent president was devoted 64,7% of the elections related coverage on the prime time news and 65% was positive coverage, his opponent Atambaev obtained 20,9% with 71% positive in tone. Two days before the elections, the channel offered some free time to all the candidates for their TV presentations (which was in conflict with the Election Code). The CEC issued a warning letter and the channel could not air its regular post election night at the presence of all registered candidates or their proxies.

TV KOORT, another privately owned broadcaster, openly promoted the incumbent President both in the amount of time and tone of coverage. Over the period of three weeks (October 9 - 27), the channel allocated him 89% of its elections related coverage on prime time news of 79% of the coverage being positive in tone. The rest of the candidates all received insignificant amount of time (all together less than 5 min) with only negative or neutral coverage..

OSH TV, a local TV broadcaster, showed its support to the incumbent president. In the period of two weeks (October 2 - 15), the channel devoted 100% of its election related coverage on prime time news just to cover the activities of incumbent President with 100% of this coverage being positive in tone.

Print Media

The print media (if not state funded) do not have an obligation to be neutral in their coverage. However, the reporting on all the monitored private newspapers showed bias in favor to one or another candidate to such an extent that it has been clearly impossible for a voter to rely on one source of information. Due to high prices for printing, the papers are inaccessible to most of the average citizens of Kyrgyzstan and thus also remain economically vulnerable.

Asaba (owned by presidential candidate Eshimkanov) devoted majority of its politically relevant coverage to the activities of Atambaev (35%) and Eshimkanov (22%) and they were portrayed mainly in positive or neutral manner. By comparison, president Akaev obtained only (31%) of the total space dedicated to elections related events with more positive (39%) than negative (29%) tone.

Another private paper *Respublica* (circulation only 3000) allocated (27%) of its space to Tekabaev with 78 % of this positive in tone. Incumbent President was devoted 71 % of the paper`s space of more negative (46%) than positive (38%) references. The rest of the candidates did not receive any significant space.

Similary, *Delo Nomer* (circulation 55,000) devoted (33%) of its space to incumbent president of mainly neutral or negative coverage. The paper provided considerable amount of space to Tekebaev (23%), Akunov (21%) and Atambaev (18%) of mainly neutral or positive coverage.

In sharp contrast, *Vechernij Bishkek*, *Rif*, *Erkin Too* and *Utro Bishkeka* have supported only one candidate - president Akaev. The level of bias towards incumbent was clear in the amount and tone of the coverage.

Vechernij Bishkek (the most popular paper in Kyrgyzstan) devoted (63%) of its election related space to President Akaev with mainly positive (82%) coverage. On the other hand, Akaev`s main opponent Tekabaev obtained (21%) of largely negative coverage (83%). All other candidates were heavily criticized with some articles discrediting them

Similarly, *Utro Bishkeka* showed its open support to President Akaev by devoting him (71%) of its space with only positive (80%) or neutral (20%) coverage. By comparison, candidate Atambaev obtained (20%) of the election related coverage, but 66% was negative.

Another private paper RIF showed its open support to the incumbent president both in the amount of space (93%) and the tone of coverage which was mainly positive (86%). Other candidates received insignificant amount of space.

Erkin Too was even more energetic in their support to incumbent president by allocating him 99% of its space of which 67% was positive, largely ignoring any other candidates.

In contrary, the state-owned print media do have an obligation to stay neutral. Monitoring of *Slovo Kyrgyzstana* and *Kyrgyz Tuusu*, the two publicly funded papers, revealed that they have not yet met such obligation. Regrettably, both *Slovo Kyrgyzstana* and *Kyrgyz Tuusu* violated on many occasions the Election Code by mostly promoting the charitable activities of the incumbent and his wife; or by promoting state officials campaigning for President Akaev.

Slovo Kyrgyzstana (circulation 7,000) devoted more than three quarters of its total space (86%) of politically relevant information to President Akaev of mostly positive (73%) or neutral (25%) coverage. On the other hand, the opposition candidate Tekabaev received only (10%) of the total coverage of mostly negative (76%) coverage with some articles clearly discrediting him.

Kyrgyz Tuusu (circulation 11,000) allocated (84%) of its space to the incumbent and once again he was portrayed only in positive (78%) or neutral (22%) manner. By comparison, Tekebaev and Eshimkanov both received 6% of the space with mostly negative coverage.

In conclusion, the monitoring of Kyrgyz media prior to the presidential elections showed no improvements over the campaign prior to the parliamentary elections earlier this year. They failed to live up their obligations to provide balanced and unbiased reporting on the elections related events and campaign in their news coverage and information programs.