



Round-table

“The price of freedom of speech. In memory of Alisher Saipov”

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Moderator: Gulnura Toralieva, IPP Program Director

Participants:

1. Shamara Maychiev, a Media Representative of Kyrgyzstan;
2. Ilim Karypbekov, Director of the Media Representative Institute;
3. Kumar Bekbolotov, IWPR's country director in Kyrgyzstan;
4. Cholpon Jakupova, Director of the legal clinic “Adilet”;
5. Marat Tokoev, Chariman of the Public Association “Journalists”;
6. Nazgul Turdubekova, the Youth Human Rights group;
7. Azamat Ababakirov, Center of OSCE in Bishkek;
8. Mariya Rasner, Country Director of Internews in Kyrgyzstan;
9. Aziza Abdirasulova, Director of the Public Foundation “Kylym Shamy”;
10. Elmira Toktogulova, Foundation Media Consult;
11. Shahida Tulaganova, a journalist;
12. Leila Saralaeva, “Associated Press” correspondent;
13. Natalya Lyubeznova, “Interfax” correspondent;
14. Bermet Malikova, “Vecherniy Bishkek” correspondent
15. Tolkun Namatbaeva, “France Press” correspondent;
16. Vitaliy Katargin, radio “Nemetskaya Volna”;
17. Bakyt Kulchumanov, TV 5 channel;
18. Gulmira Tugolbaeva, “Akipress” journalist;
19. Olga Dzyubenko, “Reuters” correspondent;
20. Lubov Pavlova, “Slovo Kyrgyzstan” journalist

Gulnura Toralieva: Dear participants, today’s event is dedicated to memory of the well-known Kyrgyz journalist, our colleague Alisher Saipov, who was shot recently in Osh. This cruel murder of a young and talented man has shocked not only the people of Kyrgyzstan, but the whole world. May I ask you all to stand in memory of Alisher Saipov. Thank you. I would now like to give the floor to those who knew Alisher Saipov personally.

Kumar Bekbolotov: We started to work with Alisher Saipov in 2005. He prepared a number of reports regarding the south of Kyrgyzstan, that were of a very high standard - they met all international standards of journalism. From that point onward we had been in touch, we worked with his newspaper and met up at various journalist events.

Recently a significant part of his work was with newspapers; he was original editor of the newspaper “Fergana.ru”, before that he edited the newspaper “DVD,” and worked as correspondent for a number of local press services. There was also a time when he worked regularly with “American voice” radio, he worked easily with large amounts of valuable information, and his materials were always considered an example of how one should to write.

Aziza Abdirasulova: I met Alisher Saipov for the first time in 2002 during the events in Aksy. He was in Aksy day and night. Back then Saipov worked at “Fegana.ru” and radio

"Liberty", he was informing the whole world about the real situation on the ground. Journalists from the pro-governmental mass media had problems approaching people of Aksy, but Alisher worked closely with local people. From that time onward we had close relations with Alisher Saipov.

As you know, our organization regularly visits different regions of the country, whenever we visited Osh oblast, we would meet with Alisher. It always surprised us that he could find time to participate in events, round-tables, and write about them. He was always and active participant had very interesting questions.

In 2006 when we were working with "Human Rights Watch" and the Moscow human rights group "Memorial," we were in the south with Uzbek refugees. Then I noticed that Alisher knew almost all of the refugees, he had established contact with them, and knew a great deal about their living conditions in Uzbekistan. He regularly wrote articles and reports on difficulties of life in Uzbekistan.

I feel really sorry about the death of Alisher Saipov - he was so young, so talented...And now we need to talk about him in the past tense...He was a great man. There are people who have lived for a century who have not managed to do the things that he did in his short life.

Leila Saralaeva: Dictators always remove those who are nation's conscience, who understand people more than others, who see the core of the matter and are able to articulate it. Alisher Saipov was exactly such a person. Despite his young age, he had a strong civic position, national pride, a sense of responsibility, and an awareness that if he did not speak, then no one would tell the truth to people. He had been successfully carrying this burden. He was more than a professional journalist. He was Citizen in the fullest sense, and such people make history. Those who are present here today have no doubt about who was interested in his death. There are many victims on the dictator Karimov's conscience, and each victim is a tragedy. However, the death of Alisher Saipov is a real shock, as he was killed in Kyrgyzstan. He was killed in a country which was, not that long ago, was seen as an island of democracy. Even though it is hard to come to terms with, it is unlikely that our authorities will find those who ordered his death. There are plenty of reasons, and one of them is a fear of hampering political relations with this state.

But we are here, his colleagues, who loved and respected him, who knew him as great journalist and wonderful person. It is our duty to honor memory of Alisher Saipov and cover this problem more and more. During the investigation, we need to keep together and continue struggling for freedom of speech in Kyrgyzstan at the very least. Because dictatorship like cancer spreads.

Cholpon Jakupova: I was interviewed by Alisher Saipov over the phone concerning the events in Andijan and Uzbek refugees. I met him this year in the beginning of September; I was going to the conference on security issues to be held in Damask. As far as I remember, Alisher was heading to Warsaw. There was some time between flights, and we talked for three or four hours. We talked about freedom of speech as well, and somehow we moved from the topic of freedom of speech and dependence of journalists on mass media owners to the broader format, that this is a problem of choice. This problem of choice is urgent in all times irrespective of profession. The same problem is present for state officials.

We talked a lot about Islam, reasons for Islam's dissemination, and about the false interpretation of Islam's meaning. He told me about his wife, how they met and got married.

Certainly, as his colleagues, you have right to appreciate his professional skills. But I want to say more about what touched me about Alisher. The journalist profession is only for certain personality types. However, Alisher was a delicate person, and it made him different from others.

I am really sorry, this is an extreme case. I absolutely agree with Leila that it is unlikely that those who ordered the killing will be found. I am certain of this from my experience of working with Uzbek refugees in the South: we had 17 cases when refugees from Uzbekistan disappeared and Uzbek intelligence service was involved, perhaps with the help of their Kyrgyz counterparts. I do not know anymore, who informs whom, and who supports whom. But I was shocked to know that the intelligence service of the neighboring state could operate freely within our country, it is simply humiliating! I think that humiliation of our country will continue. One of reasons is that in this modern society a concept such as solidarity is losing its meaning.

I am grateful to BPC, and to those who organized this event. I think such topics have to be covered, and there should be places to discuss, to make people understand that without solidarity we are simply talking aimlessly. I am sorry, I still remember Saipov's words about his young wife, he was speaking so gently about her...

Gulnura Toralieva: Thank you to all of you who spoke.

Today we have here journalists, human rights activists, media representatives, and representatives of international organizations. In your opinion, what is a price of freedom of speech in Kyrgyzstan, what are threats and risks for journalists? Especially at this time when political processes are developing so quickly...

And there is a special question to representatives of civil society. How can one protect journalists or is this journalists' responsibility?

Ilim Karypbekov: The price for freedom of speech for a journalist is his or her life. For others in our society, for example, for those in power, the price for freedom of speech is nothing. This is supported by the fact that within the last year 20 journalists have been beaten and some of them have been forced to leave the country. We, media organizations, have talked a lot about these matters and have said that it is necessary to raise the alarm earlier, to take measures and to unite.

As for the solidarity...I was informed about Saipov's death yesterday at the meeting of the Supervisory Board. Until the evening I had not noticed that journalists' community had made any efforts to bring any special attention to this matter.

Today's meeting has been held by media-organizations, people who are not necessarily journalists: the Institute of Media Representatives and the Public Association of Journalists. This, in fact, illustrates our solidarity, and shows how much it has developed.

But there is an important question- how to prevent these things from happening again, what has to be done?

The media representative said that Alisher Saipov seemed to understand that he was being shadowed. There is information that he even mentioned that the intelligence agents were observing him. But we are certain that he did not know who to appeal to. If he went to law enforcement bodies, they usually react after one is beaten or dead. They do not take preventive measures. Therefore, the journalist community must unite in order to take measures, to create such conditions where journalists will have an opportunity to address such organizations and to defend themselves.

For example, Birimkulov came to our organization, was after he had been beaten. The Media Representative Institute, lawyers knew why he was beaten: it was because of materials he disseminated via mass media, because of his press-conferences and analytical program. However, no matter where he went with his broken hand and head, he could not find assistance. He was able to find a legal support, but this is not protection.

So, today we have faced the reality, that we cannot provide preventive measures against such events. Just a month ago we convened a conference and tried to solve this problem. In

Ukraine only after the death of Gongadze journalists united and established the journalists association. After Gongadze was murdered they started establishing schools on safety of journalists and cooperating with law enforcement bodies. In the same way we have waited until a journalist has been murdered; before this murder we limited ourselves to everyday work. But if we speak about solidarity the we have to genuinely to support each other when we see a journalist go to jail for slander, be forced to pay a fine, or is beaten or murdered...

We cannot until second or third journalist is murdered. This is a sign to unite. If authorities cannot protect us, then we need to establish such associations for protection. We are ready for this. From you, journalists, the only thing that is needed: to move towards us. Let's do it together.

On November 10 there will be a congress - the first congress of journalists. It is to be organized together with the Media Representative Institute, Public Association of Journalists and Center of Information Rights. This will be the first congress of such kind in Kyrgyzstan, and this problem will be raised. I hope that journalist community will find a common language. When we have talked about such organizations in the past sometimes much of journalist community starts criticizing that such a union is not acceptable for various reasons.

Aziza Abdirasulova: We, human rights and youth rights group were coming together before the tragedy having observed that citizens' rights for the freedom of association is violated when the newspaper "Alkan" was stopped. We met and came to conclusion that by common efforts, we will organize a civil forum where journalists will be invited not only for coverage of the event, but as participants.

Unfortunately, whilst developing the program, the tragedy with Alisher Saipov occurred.

Today together with Media center we decided to organize the common forum, preliminary it is set for October 31. We are ready to start consolidation. Protection, and provision of safety assurances for the life of a journalist as citizens is duty of the state, and of the President. If such a protection is absent, then we must talk about it, we must make ourselves heard.

We plan to invite representative of state agencies and international organizations to this coming forum.

If there are no journalists, there is no information. All political life and our activities will become meaningless without journalists. Perhaps, the problem of absence of solidarity among journalists concerns civil society as well.

Cholpon Jakupova: We all know that journalism is a risky profession. It is not only risky in Kyrgyzstan, but everywhere. In our country this problem is getting worse, and I think it will get even worse very soon..

Concerning the solidarity among journalists... I mentioned that this concept as such has, unfortunately, gone into disuse in the current times. As for civil society, no need to have illusions on this matter. There is no civil society in our country. There is no solidarity within the non-governmental sector.

Since journalists in their activities are compelled to put themselves at risk particularly those who cover political events, it is in your interest, for your own safety to start to think about such things. It is not only for solidarity's sake, but as a means of survival.

Unfortunately, today appeals, forums, etc are not effective at all. Measures have to be adequate and concrete: you can organize 10 forums, make 20 statements and 300 appeals, but all this will enable you to achieve your goal. We need to think about the necessity to change methods and means. I think for this purpose we need to involve international organizations. When the case is too politicized, possibility that even the most experienced

lawyer will be of no help at all in the courts. However, our law enforcement bodies and courts will not be able to disregard the demands of the international organizations.

Secondly, it is important to build a very clear strategy for risk prevention. When a person feels danger, but nothing yet has happened, he cannot ask for assistance, since no crime has yet to have taken place. But there are mechanisms that can be used, and one must think about hiding places at such times. It is necessary to think thoroughly, and to put together a comprehensive program that would directly address this problem.

Yes, many of us do not like journalists. But sometimes you are our last resort. For example, yesterday we had problems with registration processes, half a day was spent at the Central Election Committee and only after I called journalists did the Committee start moving. You see, your presence alone has impact!

We are interested in proper risk protection for you. Without you journalists we will lose everything. Then we can forget about the concept of "democracy" and only talk about it as something that happened in the past.

Shahida Tulaganova: In fact, Alisher took certain measures to try and protect his own security. He always informed the Agency of Domestic Affairs of Osh oblast about his affairs. As far as I know, he had a trusted contact at the National Security Service (NSS) of Kyrgyzstan, who had discussions with him. Alisher always talked about their relationship with humor, but recently when Alisher needed to see this contact and tell what was happening, this person tried to avoid him. One day before the death, in my presence Alisher made a phone call to him and complained that he had forgotten Alisher, and there was a need to talk. That person tried to avoid a possible meeting, saying that soon there would be referendum, elections, and the emergency situation. In other words, Ministry of Domestic Affairs and Kyrgyz intelligence agency knew everything. I do not know how much the National Security Service of Kyrgyzstan is corrupt, but when I was sitting and giving my testimony, policemen told: "We will refer all this to the NSS, and we can assure you that in a half an hour, this information will be available for the Uzbek NSS."

I do know about the situation in Bishkek, but in the south, the situation is really bad.

Gulnura Toralieva: The murder of Alisher Saipov is the most bloody and cruel case of violence against journalists. Alisher Saipov has now joined the list of journalists killed for political motives whilst performing their professional activities. This list includes people like Georgiy Gongadze, Anna Politkovskaya and others. The murder, which took place few days ago, indicates the serious situation faced by the mass media in this country.

Shamaral Maychiev: This is horrible event - the murder of a journalist. But it was predictable. The most important question today is what can be done to prevent this from happening again? And, it seems to me, we need to reduce the politicization of this issue. We need a professional approach to allow for professional security of journalists. We, media representatives, media lawyers are involved into the legal cases at courts, but there are many different procedures – within the rule of law. But safety is a completely different thing.

I think fewer than hundred people knew what would happen, including Alisher Saipov. If we rely on the state to provide for our safety, then nothing will change in terms of the protection of journalists as well as citizens. The OSCE tries to take certain measures, to have certain programs, but it is not enough. Above all, safety has to be an issue for the owners of mass media companies. We need such mechanisms that will allow journalists go to certain agencies for risk prevention. We need a preventive protection. And this mechanism is absent at the moment.

Many people have already mentioned that the best way would be to invite professional experts on security. I know that there are various foundations in our country, that are

named differently, including the anti-terror foundation. These groups conduct training on safety in the workplace, and security on the way to the workplace.

In addition, there is the DPS public foundation that conducts seminars with NGOs on information security. I learnt a lot about information security at that training course. It seems to me that we have reached the point where not only journalists but the whole society needs to learn the basics of safe behavior. First of all, journalists need to do it, since as correctly noted by Cholpon, this is a risky profession, and this is an individual's choice. Once the choice to become a journalist has been made, one then has to learn to perform his or her activities safely. It seems to be appropriate to invite experts on this field to contribute to his or her training.

Of course, there are various mechanisms which protect us in the form of insurance. There are a number of mechanisms to collect finances. One person may work on behalf of all journalists. This has to be a person, who worked for the intelligence, who knows the specifics of this profession, who has sources for information among people and contacts with law enforcement bodies. The most important point – journalists have to trust this person. In case a journalist comes, for example, to the Ministry of Domestic Affairs, the situation may worsen.

Leila Saralaeva: I think that Alisher Saipov was least concerned about insurance, when he was writing the truth. Journalists are people who cannot keep silent. It is a feature of their character to speak out, because others are silent. And anyone who worked for local mass media knows that there is no employer who cares about journalist's safety. You find your own way to ensure your own survival but you have to prepare good. And the journalist will prioritise the material, without thinking about his safety, about the consequences. This is because it is his duty, because these are people of a certain character.

Somehow it has happened that screws are being put on us. For example, we are being denied internet-forums. Internet forums are the voice of the people. Without considering two or three people who are special cases, the usual forum users are simply people who speak when they cannot be silent. There are quite smart people. Why won't media representatives appeal on this matter? And the former, excellent journalist, state secretary Madumarov, now himself is promoting censorship. Such changes in people's thinking happen when they come to power.

The death of Alisher has to wake us up, otherwise we will have the same situations as our neighbors.

Aziza Abdirasulova: The murder of the journalist Aidar Tursunbaev remains unsolved; he was also a victim of his profession.

I would like to say that we should not free the state completely from providing safety of journalists. The state is charged to provide it. We have the Constitution as a guarantor. Yes, journalists have to think about their safety, develop certain programs, plans. But it has to be guaranteed at the state level.

Marat Tokoiev: Media representatives focus on illegal acts against journalists, facts of breaching the freedom of speech. But the matter is that all this work is not productive anymore. We cannot be separate as before anymore. There is a need to consolidate. There is a need to establish schools on safety and so on.

Elmira Toktogulova: To be a journalist is very dangerous, there are lots of killings, there are threats to the life of the journalist as well as to the lives of his relatives. We have many cases when children, and journalists' close ones along with the journalists were targeted and injured.

I have a question to lawyers. There are countries where journalists have a special status, and their security is provided by means of special laws. It is not only their security which is

guaranteed but also special structures are present that are in charge of journalists' security in practice. Do we have the same legal practice, why couldn't this be incorporated in Kyrgyzstan? For me, the death of Alisher is a key moment personally and professionally, in view of future relations between authorities, journalists and society. Nowadays, the same legal norms that are for citizens are applied for journalists. But we are saying that this is a special category, that performs important social tasks, and this status should be fixed legislatively.

Shamaral Maychiev: I want to draw your attention to the fact that we are in a transition period and most people's tendencies remain socialist when hopes are directed towards the state. When we talk about the state of the rule of law, it is a situation where state as such is little, and many questions are solved by self-regulation. It is important to press a state and to keep it in its place and not to allow spreading so that it regulates the life of society. Society has to control the state, society must tell the state to provide protection. Today, it is opposite, state has swallowed society and says: I want - I control, I want - I do not control.

Now there is a question of the correlation of legal and illegal. Many think that the more laws we have the better. Essentially there has to be a question on whether society needs a given law or not. In our case, suddenly a group will decide and adopt a law. Such laws come like a bolt from the blue. We have about 38 thousand normative acts, and none of us use or will use them.

To behave properly, we need to know moral and ethical norms. To realize legal norms we need state enforcement. We need to have a policeman beside each person to make law work, and if person does not follow the law, then we need state enforcement. Moral, religious, political norms become secondary.

All sides are interested in developing the Ethical code of Journalists. When there is united journalist organization, other media institutes and self-regulation units, then journalists will receive their status. Until there are no such institutes, no one will be given this status. A bill can be adopted that each journalist has to have 24 hours protection, but this law will not work in practice. To have functional laws, there have to be political, organizational, financial preconditions, we do not have these. But society is moving in this direction. It understands that security above all lies within the hands of the individual. Labor unions and other organizations must request from employers to provide for safety. There are no such requests. In other words, the absence of primary things leads to arbitrary rule. We rely too much on the state and the law, we request something that it cannot give, but to restore the state, it is necessary to establish civil society institutes in all spheres.

Elmira Toktogulova: As I remember, in this spring our parliament increased the punishment against those who attack the health and life of an employee of the military and employees of law enforcement agencies while they are at work. In my opinion, journalists may be made equal to people who perform military or police service.

Shamaral Maychiev: I understand that anyone who endangered journalist's activity has to be punished. But, the problem is that to punish we need find someone who is guilty. To find someone who is guilty, there has to be a system.

A specialist from Ukraine said that the death of Gongadze was a strong stimulus to unite, to create necessary bodies in media field that have started to function more or less properly. Therefore, our task is to learn lesson out of these events, injuries, killings... It is important to design critical organisations. There have to be effective systems of influence.

Natalya Lyubeznova: I believe that the death of Alisher is a reason to speak out for all of us. There are many problems for journalists in the country. The main problem is that society today does not respect journalists. It is accustomed to use us for solving one's personal problems – it may be a state, NGOs, political parties. They need us as a service; we serve their interests. No one thinks that we are similar to them, that unlike many others, we meet with danger everyday - because of our thoughts, our words and actions we

can be beaten or shot. I do not know how to solve such problems today but I think that solution is in integrating, uniting. Then society will perceive us differently, will not just look the other way.

What happened with Alisher Saipov demonstrates that each of us could be similarly shot. Those who work for international media organizations are somehow more protected. I do not see local journalists here and I am surprised, because no one can speak for those who work for local press, who write about real things. I believe that these are the journalists who are most at risk.

Ilim Karypbekov: Journalists in today's Kyrgyz society are instruments and no more than this. Both society and the authorities treat journalists not as people who need protection, who need status, who need security, but as an instrument for attaining certain goals.

The media representative institute participated in the process of elaborating the law on access to information that is within the authority of state agencies and local administration. When the project of Sabirov and Masaliev appeared, we went everyday to the Jogorku Kenesh and talked to deputies, assuring them not to adopt this law. We were those who conducted protests actions to protect journalists that had been beaten, since they came to us. We made jackets to protect journalists - around 200 jackets, but I did not see any journalist wearing it. Most likely, it is at home, since they are of good quality.

Now the time has come to say that our work is not effective. We are moving around the media community, but we cannot get in, because journalists do not allow us. Journalists are used to doing things by themselves. The problem is that journalists solve their problems themselves. No one wants unity, because it means certain rules to follow.

In other countries journalists unite to have a status. Each journalist by solving his problem by himself will not solve anything in the long term. It is another situation when he represents a certain organization.

To increase the status of journalists, it is necessary to unite and tell to the state: "We are not instruments; we are actors in this society." Unfortunately, such unification is not happening. Even today, there is no local journalists represented here.

We even do not have a clear definition of journalist's status in our law; it is unclear what a journalist is. The position of a journalist – do not create problems to perform my work. Then all our efforts are meaningless. The congress was supposed to be in September, but because we cannot convene, it was postponed until November. We traveled throughout the country, trying to meet with journalists with no success.

I do not blame journalists. But I ask officially all journalists to help us. Come to the national congress and share with your proposals and views.

Cholpon Jakupova: I have thought that it is hard to unite politicians, but journalists are the same. But I guess, this is because they are representatives of a creative profession, as a rule, they are individualists. The collective feeling is not developed. One thing is clear for me after today's meeting, you are not yet there. Until it remains to be emotional, when there is no purely practical stuff, nothing will change.

Natalya Lyubeznova: Why do you think we are not yet there? Maybe because each of us within recent two years live under the tremendous stress.

But unlike many, we participate as well as analyze.

Vitaliy Katargin: I absolutely agree with the point that journalists have to consolidate. Consolidation is currently absent, because we are used to rely on ourselves and we know that we cannot rely on law enforcement agencies. This terrible case of Alisher Saipov proves

it. I want to continue the point of Leila that local media journalists do not feel protected by their managers; and this is the most dangerous thing. Nowadays, what we have is that one journalist is beaten, but other media companies will not cover it, since they are competitors. This is the problem of managers of local media companies who assure journalists that they are simply hired employees.

Gulnura Toralieva: The purpose of today's event was to try to gain resonance in the public sphere. This tragedy has happened, and we need to talk about it. If we are concerned about it, then the public will be concerned as well. Thank you for participation in this round-table discussion.