



Justice for Journalists
Foundation for International
Investigations of Crime against Media



**School of Peacemaking
and Media Technology
in Central Asia**

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**Stakeholder Submission
to the UN Human Rights Committee Review of Kyrgyzstan
(136th Session, 10 October – 4 November 2022)**

Justice for Journalists Foundation and the School of Peacemaking and Media Technology in Central Asia are pleased to offer this submission to the Human Rights Committee ahead of the consideration of Kyrgyzstan's report at its 136th Session.

Justice for Journalists Foundation (JFJ) is a London-based charity whose mission is to fight impunity for attacks against media. JFJ monitors attacks against media workers¹ and funds journalistic investigations into violence and abuse against media workers worldwide. The monitoring of attacks in Kyrgyzstan has been carried out since 2017 through the content analysis of open sources in Kyrgyz, English, and Russian. All information is verified using at least three independent sources.

The School of Peacemaking and Media Technology in Central Asia is a Bishkek-based non-profit media development organisation encouraging the freedom of expression, diversity, research and training on media issues.

The focus of this submission is the **situation of media workers and media outlets since the consideration of Kyrgyzstan's second periodic report, and in particular since 2017**, and the State's compliance with its obligations enshrined in **Article 19 of the International Covenant on Civil and Political Rights (ICCPR)**.

We refer to Kyrgyzstan's third periodic report (CCPR/C/KGZ/3, Paragraphs 342-353) and the list of issues (CCPR/C/KGZ/Q/3, Paragraphs 7, 13, 21, and 26).

¹ In this submission, the term "media workers" refers to journalists, camerapersons, photojournalists, and other employees and managers of traditional and digital media, as well as bloggers and online activists.

Section I contains brief information about the environment and the main risks for media workers and media outlets. You can find additional details in our reports², Risk Map³, and investigations sponsored through JFJ’s Investigative Grants Programme⁴. Sections II-IV outline relevant Concluding Observations of the Human Rights Committee, Universal Periodic Review (UPR) recommendations, and concerns of the Special Procedures. Finally, in Section V, we propose key recommendations.

I. Situation of media workers and media outlets (Article 19)

According to the international rankings, since the consideration of Kyrgyzstan’s previous periodic report in March 2014, the environment for journalism has improved offline and deteriorated online. The country has gained 25 positions in Reporters Without Borders’ World Press Freedom Index, despite a significant deterioration in 2017-2018, and currently ranks 72 out of 180 countries (“problematic situation”).⁵ Freedom House’s Internet Freedom Score for Kyrgyzstan has decreased from 65 (“partly free”) in 2016, when it was first measured, to 53 (“partly free”) in 2021.⁶ Freedom House’s Global Freedom Score for Kyrgyzstan has also decreased from 37 (“partly free”) in 2017, when it was first measured, to 27 (“not free”) in 2022.⁷

In 2017- eight months of 2022, Justice for Journalists Foundation and the School of Peacemaking and Media Technology in Central Asia documented 318 cases of pressure on media workers and media outlets. Forty of them were physical attacks and threats, 88 – non-physical attacks and threats online and offline, and in 190 instances, legal and economic means were used to exert pressure. In a significant number of cases (about 68 %), the perpetrators were representatives of the authorities.

The graphs below illustrate the distribution of cases over the years and the most widely used types of pressure within each category:

² <https://jfi.fund/ru/report-2020-3/#kyrg>, <https://jfi.fund/ru/ataki-na-zhurnalistov-bloggerov-i-rabotnikov-smi-v-srednej-azii-i-azerbajdzhane-2017-2019/#kyrgyzstan>

³ <https://jfi.fund/risk-map/>

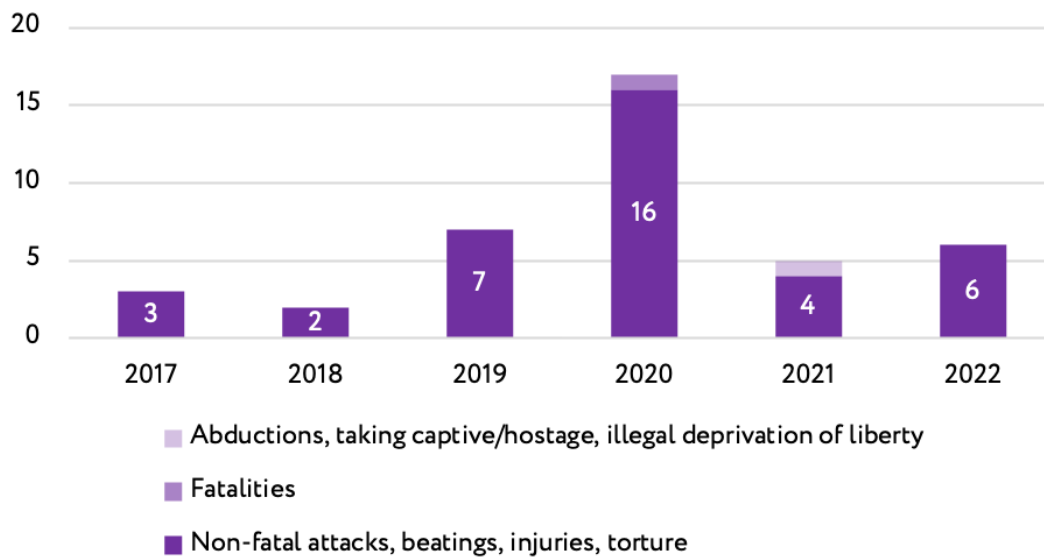
⁴ <https://jfi.fund/ru/smi-dvojnoe-davlenie/>, <https://jfi.fund/ru/zakony-i-smi-kak-sozdat-balans-mezhdu-svobodoj-slova-i-otvetstvennostyu/>

⁵ <https://rsf.org/en/country/kyrgyzstan>

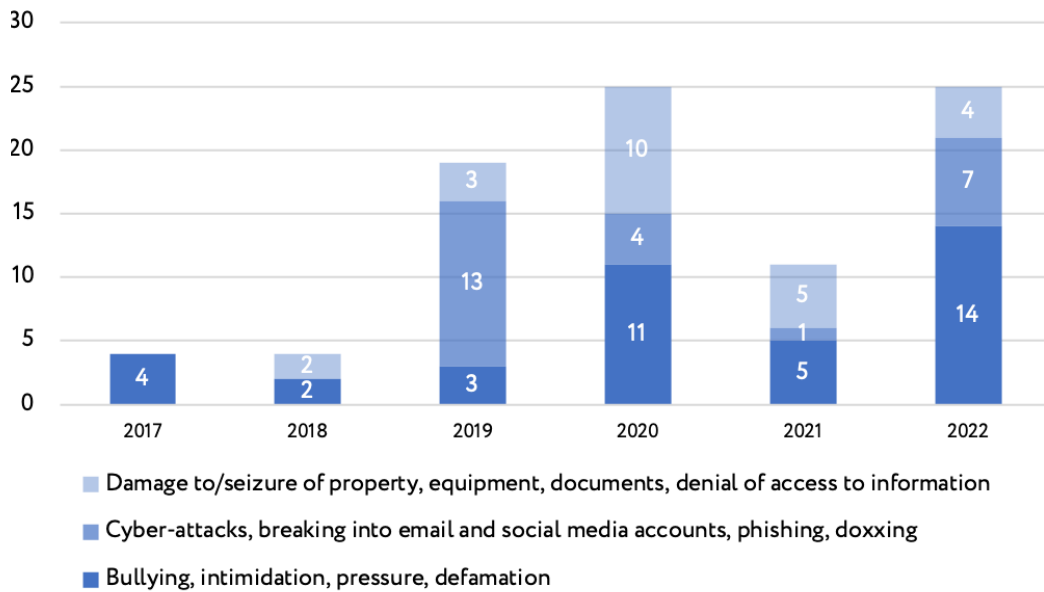
⁶ <https://freedomhouse.org/country/kyrgyzstan/freedom-net/2016>, <https://freedomhouse.org/country/kyrgyzstan/freedom-net/2021>

⁷ <https://freedomhouse.org/country/kyrgyzstan/freedom-world/2017>, <https://freedomhouse.org/country/kyrgyzstan/freedom-world/2022>

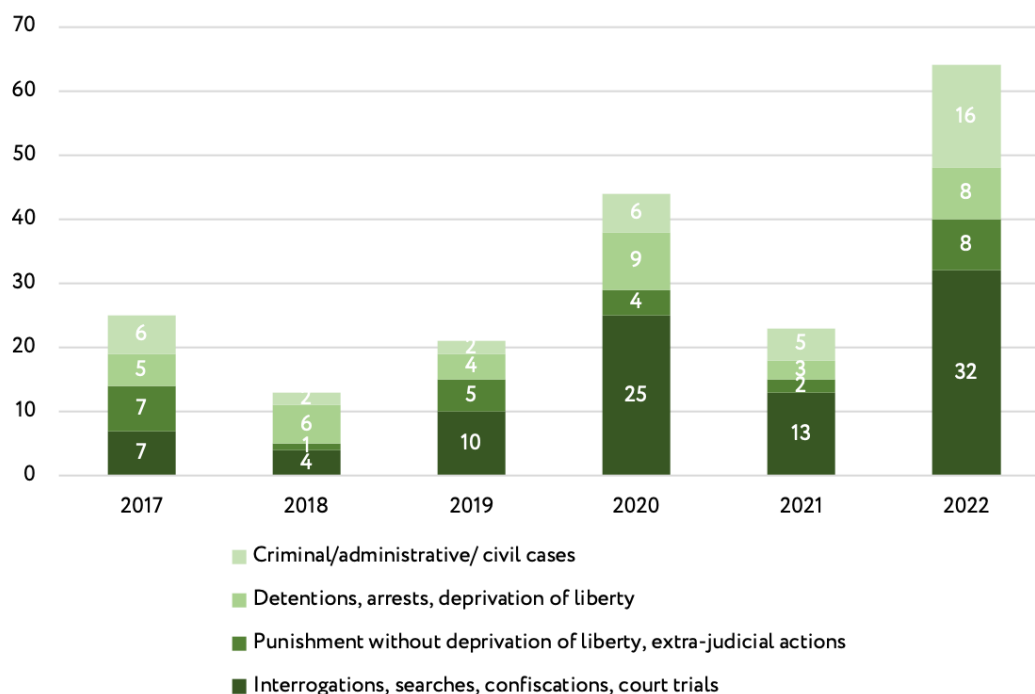
a) Physical attacks and threats



b) Non-physical attacks and threats online and offline



c) Use of legal and economic measures



The highest number of violations of the rights of media workers took place in 2020 (86 cases), with an increase in all categories that year, and 2022 (95 cases), with an increase in non-physical attacks and threats online and offline and the use of legal and economic means.

The reason for the increase in 2020 was the revolution of 5-15 October 2020⁸ and the overall volatile situation: the crisis of the political system, social tensions and a dismal economic situation further exacerbated by the implications of the COVID-19 pandemic. Thus, the notable decrease in the number of violations in 2021 and a stable number of physical attacks in 2022 indicate not the creation of a safer and more enabling environment for media workers, but rather a more stable situation in the country.

Some of the significant developments in 2017-2022 included:

1) Polarisation of society and vilification of independent media

The media in Kyrgyzstan are operating in an environment of increasingly polarised society, low level of media literacy among the majority of population, wide use of populist discourses by politicians and conservative anti-western groups, and the spread of misinformation, all of which are particularly exacerbated online.

⁸ [https://www.europarl.europa.eu/RegData/etudes/ATAG/2020/659300/EPRS_ATA\(2020\)659300_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2020/659300/EPRS_ATA(2020)659300_EN.pdf), http://aei.pitt.edu/103280/1/Commentary_359.pdf

Public officials, including the current President Sadyr Japarov and his political team, reportedly portray the independent media, as well as his opponents, as the “enemy”, “western influence”, and “threat” to Kyrgyz unity and identity⁹ and allude that “some journalists” are “deliberately twisting information to put [unspecified] us in jeopardy.”¹⁰ During a press conference in October 2020, Mr. Japarov reportedly alluded that *Radio Azattyk* (the Kyrgyz service of Radio Liberty) journalists were threatened by his supporters because they were “slightly distorting information”.¹¹ Similarly, during an interview in November 2020, he noted that *Radio Azattyk* journalists strongly criticised him due to the “orders from abroad”.¹²

This narrative fuels the increase of both online harassment and offline attacks against media workers, as pointed out by the media and civil society¹³ and evidenced in our monitoring.

Importantly, many of the online attacks on media workers are carried out by the paid-for “troll factories” that use fake social media accounts to harass media workers and other critical voices and manipulate public opinion.¹⁴

These trends are gravely concerning because online harassment, especially with the use of powerful tools like the troll factories, has a serious chilling effect on the exercise of the freedom of expression. For example, during the October 2020 protests, the online harassment was so intense that some journalists had to delete their social media accounts and create new ones. Moreover, artificially shaped negative public opinion about the independent media can be used in the future as a pretext for adopting restrictive laws and media outlet shut-downs, – such calls are already being made by conservative activists.

2) Particular targeting of media workers covering political issues and corruption

The most frequent targets of human rights violations were media workers covering corruption among state officials and business, as well as political issues such as elections, constitutional and government system referendums, protests, and the government response to the pandemic and its consequences. While objective reasons contributed to this trend (for example, media workers covering the revolution objectively faced higher physical risks), deliberate targeting of the critical voices was also widespread. Several notable examples are given in paragraphs 3-6 below.

⁹ <https://fpc.org.uk/social-media-mobilisation-and-the-rise-of-populism-in-kyrgyzstan/>

¹⁰ <https://eurasianet.org/new-kyrgyzstan-leader-vilifying-free-press>

¹¹

https://kaktus.media/doc/423232_press_konferenciia_sadyra_japarova_v_rol_i_premier_ministra:_o_smi_matraimovyh_i_prezidente.html

¹² <https://www.youtube.com/watch?v=-VbjQSB0eEc> Life at YouTube. Region TV. “Sadyr Japarov answers questions”. (Кырг. “Регион” ТВда Садыр Жапаров ТҮЗ эфирге ЧЫГЫП суроолорго ЖООП берди»

¹³ <https://eurasianet.org/new-kyrgyzstan-leader-vilifying-free-press>, <https://kloop.kg/blog/2021/04/20/ne-dadim-rasploditsya-kak-kyrgyzskaya-vlast-travit-nesoglasnyh/>, <http://media.kg/wp-content/uploads/2020/11/mediaorganizaczii-kyrgyzstana-prizyvayut-i.o.-prezidenta-publichno-priznat-i-podtverdit-rol-svobodnyh-smi-v-demokraticeskom-obshhestve.pdf>, <http://media.kg/wp-content/uploads/2020/12/onlajn-ataki.pdf>

¹⁴ <https://www.opendemocracy.net/en/odr/troll-factories-kyrgyzstan/?source=in-article-related-story>

3) Legal and economic measures

Legal and economic measures were the most widely used tool against media workers and outlets in 2017-2022. The highest number of instances took place in 2020 (44) and the eight months of 2022 (64), but the number was consistently high throughout this period.

A significant part of them (32 cases) involved **criminal prosecution of media workers**.

In many cases, the prosecution was directly related to the statements made by media workers and outlets.

Most notably, in at least 14 cases, the authorities used the charges with “incitement of racial, ethnic, national, religious, or inter-regional hatred (discord)” (Article 330 in the current version of the Criminal Code dated 28 October 2021, Article 313 of the former Criminal Code dated 2 February 2017). For example:

- On 3 March 2022, a criminal case was opened against the *Next TV* channel and its head for inciting ethnic hatred. The case was reportedly related to the quote of the former head of the National Security Committee of Kazakhstan stating that Kyrgyzstan had agreed to provide military assistance to Russia in Ukraine. Kyrgyzstan’s government denied the existence of such agreement.
- On 6 August 2021, pre-trial proceedings were initiated against **Aslanbek Sartbaev**, the editor-in-chief of *Asia News*, on suspicion of inciting inter-regional hatred. The case was reportedly related to his critical social media posts about the mayor of Bishkek.
- On 17 February 2020, a blogger **Elmir Sydymanov** was detained on suspicion of inciting inter-regional discord. The case was reportedly related to a social media video in which he had stated that the southern regions of Kyrgyzstan were undeveloped.
- On 15 February 2020, pre-trial proceedings were initiated against a blogger **Timur Bolcharov** for inciting racial, ethnic, national, religious, or inter-regional hatred. The case was reportedly related to a social media post in which he discussed the mass unrest and inter-ethnic clashes in the Korday district of Kazakhstan, located near the border with Kyrgyzstan.
- On 24 November 2019, **Aftandil Jorobekov**, an administrator of the critical Facebook page *BespredeIKG* (meaning “Lawlessness KG”), was arrested for inciting inter-regional discord. The case was reportedly related to a social media post in which he criticised the persons featured in a journalistic anti-corruption investigation. The State National Security Service later changed the charge to the “dissemination of knowingly false and provocative information that the incumbent head of state is allegedly an accomplice to a corruption offence”.

- On 9 June 2017, a criminal case was opened against **Ulugbek Babakulov**, a journalist with the *Fergana* news agency, for inciting ethnic hatred. The reason was reportedly the publication of several articles of “provocative nature aimed at inciting ethnic hatred and enmity and creating the preconditions for the aggravation of inter-ethnic relations”.

In at least one case, the charge with the “propaganda of war” (Article 407 in the current version of the Criminal Code dated 28 October 2021, Article 385 of the former Criminal Code dated 2 February 2017) was used to criminalise media workers’ statements:

- On 1 February 2022, an investigation was opened into *Kaktus Media*’s publication. The material concerned was reportedly a reproduction of the Tajik website *Asia-Plus*’s publication about a shooting at the Kyrgyz-Tajik border, which claimed that the Kyrgyz side opened fire first. The editorial board clarified that the material was republished merely to show the views of Tajikistan’s media.

At least one criminal case was related to the obtaining and dissemination of information by investigative journalists:

- On 14 February 2018, financial police brought charges against **Elnura Alkanova**, a journalist with the *Fergana* news agency, for illegally obtaining and distributing documents containing commercial secrets. Earlier, the State Service for Combating Economic Crimes opened a criminal case against her for the alleged disclosure of a bank secret. The journalist was reportedly investigating the purchase of luxury cottages involving high-ranking officials.

Finally, ten cases aiming to discredit and silence media workers alleged crimes not directly related to their journalistic work, for example:

- On 16 June 2022, the Jalal-Abad Regional Court issued a guilty verdict for the abuse of office against an independent journalist **Kuttumidin Bazarkulov**. He was accused of violating the law in a video equipment tender in 2015-2016, while being the head of the *Jalal-Abad regional TV* channel. The court ordered him to pay 3 215 000 KGS (approximately 38 500 EUR) in damages to the state. The journalist was released from the courtroom because the statute of limitations had expired.
- On 22 January 2022, the head of *Temirov LIVE* channel, **Bolot Temirov**, was detained on charges of the drug use and sale. His editorial equipment was seized. On the same day, **Bolot Nazarov**, who collaborated with *Temirov LIVE* presenting information about the journalistic investigations in the Kyrgyz language in an ethnic genre, was also detained on charges of drug use. Their cases are reportedly linked to a recent journalistic investigation into the fuel business of a high-ranking official’s family.

- On 7 May 2021, a criminal case was opened against *April TV* journalist **Kanat Kanimetov** for petty hooliganism.
- On 28 October 2021, a blogger **Gulzat Mamytbek (Alymkulova)** was arrested on arrival in Kyrgyzstan from Turkey as part of a criminal case on fraud.
- On 31 July 2020, **Asylbek Bektenov**, a journalist with the *Achyk Sayasat* (meaning “Open Politics”) newspaper, was detained for 48 hours in Karakol, allegedly on suspicion of extortion. The case was allegedly related to his criticism of the authorities of the Issyk-Kul region.
- On 20 January 2020, **Tursunbek Beishenbekov**, the editor of the *Chyndyk* (meaning “Truth”) newspaper, was detained on suspicion of complicity in abuse of office, as well as of knowingly making a false report of a crime. The case allegedly stemmed from the newspaper’s criticism of the Deputy Prime Minister.

Another widely-used method of pressure was **summoning media workers for questioning and interrogation** (47 cases). The use of this method was connected both with cases against media workers and outlets and with their professional activities (for example, reporting on significant events). However, in the latter cases summoning was often aimed at intimidating media workers rather than obtaining information necessary for a legitimate investigation. This is evidenced by the circumstances of the summoning (for example, using calls rather than official summons) and the requirement to sign a non-disclosure pledge. In some cases, during questioning, law enforcement officials asked media workers to reveal the source of information or to delete a material, or read personal correspondence on messengers.

Some media workers were also **restricted in their freedom of movement** (22 cases), either as part of criminal cases against them, or as a result of being “blacklisted” for searches when entering and leaving the country.

There have also been three cases of **extradition to other states and deportation**, for example:

- On 9 August 2020, an independent Uzbekistani journalist, **Bobomurod Abdullayev**, who was visiting Kyrgyzstan, was detained by the State National Security Committee officers at the request of Uzbekistan’s security services. He was extradited to Uzbekistan a month later, despite concerns of the international human rights organisations.
- On 9 December 2017, **Chris Rickleton**, an *Agence France-Presse* journalist, was deported from Kyrgyzstan. The official reason was the visa regime violation. He had previously been refused accreditation since 2016 without an explanation.
- On 11 March 2017, officers of the 10th Main Directorate of the Ministry of Internal Affairs of Kyrgyzstan took a Russian citizen, chief editor of the *News Agency*

REGNUM, **Grigory Mikhailov**, to Kazakhstan, without the right of return to Kyrgyzstan.

There were also several **civil lawsuits against media outlets and media workers** (at least seven cases). 85 % of the documented lawsuits were brought by the current or former representatives of the authorities.

One of the most common lawsuits was for the protection of honour and dignity. The claims for moral damages accompanying these lawsuits were often knowingly infeasible and led to grave material consequences. For example, in 2017, the Prosecutor General filed five lawsuits against the co-founders of *Zanoza.kg* for publications that allegedly defamed the honour and dignity of the President. The Prosecutor General demanded 27 mln KGS (approximately 370 600 EUR) in compensation. As a result, the editor's bank accounts were arrested and she was banned from leaving the country.

Other examples of civil lawsuits included:

- On 22 January 2020, the Ministry of Health filed a lawsuit against the *Achyk Sayasat Plus* (meaning "Open Politics Plus") newspaper. The reason was an investigative article about overpriced and contraband medications, which allegedly harmed the reputation of a ministry official. The Pervomaisky District Court of Bishkek partially satisfied the claim and ordered the newspaper to pay the moral damages of 50 000 KGS (approximately 650 EUR) and publish a retraction.
- On 17 June 2020, the Bishkek City Court ordered the *Asia News* newspaper to pay 50 000 KGS (approximately 600 EUR) for harming the honour and dignity of the former Deputy Prime Minister. The lawsuit related to a publication about his alleged cooperation with foreign security services.
- On 23 September 2020, the Supreme Court of Kyrgyzstan ordered the *Asia News* newspaper to pay the Minister of Internal Affairs 300 000 KGS (approximately 3 200 EUR) in compensation for the information and collage that allegedly defamed him.
- On 21 September 2017, **Kabai Karabekov**, a journalist with the 24.kg news agency, was sued for five mln KGS (approximately 60 800 EUR) to defend the honour and dignity of a presidential candidate. The journalist wrote about his and his family connections with some foreign organisations.
- In June 2017, a court ordered **Naryn Ayyp**, a political commentator and co-founder of the web portal *Zanoza.kg*, to pay nine mln KGS (approximately 118 300 EUR) for a critical article allegedly defaming the President.

It should also be noted that courts do not always give proper and reasoned explanations of their decisions regarding such claims.¹⁵

Several **other examples of using legal means to harass the media** included:

- On 23 June 2020, *April TV* channel's assets were confiscated by court decision along with other property of the former President of Kyrgyzstan, who was sentenced to 11 years in prison.
- On 19 December 2017, the property and frequencies of *NTS TV* were seized based on a court decision in a lawsuit against their previous owner.
- In August 2017, *Sentyabr TV* was closed down by court decision on the grounds of "dissemination of extremist materials".

Following the adoption of the new Constitution of the Kyrgyz Republic in 2021, the authorities decided to revise 359 laws, including the Law on Mass Media, the Law on Protection of Professional Activities of Journalists, the Law on Television and Radio Broadcasting, and the Law on the Public Television and Radio Broadcasting Corporation. This was done against the opinion of independent experts and journalists who saw no need to change any of these laws.

The latter of these initiatives resulted in the change of the status of the Public Broadcasting Corporation of Kyrgyz Republic, the country's largest and most popular broadcaster. The Law No. 33 "On the National Television and Radio Broadcasting Corporation", signed by the President on 13 May 2022,¹⁶ transformed it into a state-owned organisation (the National Broadcasting Corporation) and removed a number of democratic principles designed to ensure the broadcaster's independence. The law abolished the Supervisory Board, a former supreme governing body, which used to be partially elected by the representatives of civil society organisations and ensured accountability and transparency of the broadcaster's operations. The executive body, the General Director, who used to be accountable to the Supervisory Board, became the main governing body, appointed and dismissed by the President of Kyrgyzstan. Media experts note that the law may lead to corruption and political interference to the detriment of the public interest, as well as contradict the latest UPR recommendations aimed at strengthening democratic institutions by protecting freedom of expression and media freedom.¹⁷

Among other significant recent legislative changes was the adoption of Law No. 101 "On Protection from False (Inaccurate) Information", signed by the President on 23 August 2021.¹⁸ Among other provisions, it empowered unnamed "authorised state bodies" to shut down or block websites for publishing "false or inaccurate" information, on the basis of a complaint by a private individual or a legal entity and without recourse to court.

¹⁵ <https://ifi.fund/ru/zakony-i-smi-kak-sozdat-balans-mezhdu-svobodoj-slova-i-otvetstvennostyu/>

¹⁶ <http://cbd.minjust.gov.kg/act/view/ru-ru/112367>

¹⁷ <http://ca-mediators.net/en/5466-public-broadcasting-corporation-transformed-into-state-controlled.html>

¹⁸ <http://cbd.minjust.gov.kg/act/view/ru-ru/112282?cl=ru-ru>

4) Physical attacks

On 25 July 2020, at the height of the COVID-19 pandemic, journalist and human rights defender **Azimzhan Askarov** died in prison after over ten years of detention. The State Penitentiary Service claimed that Mr. Askarov, who was serving life imprisonment, had no health problems and did not provide him with the necessary medical care. In 2016, the UN Human Rights Committee found that he had been arbitrarily detained, tortured and did not receive a fair trial.

In addition to this tragic death, there have been 40 physical attacks and threats against media workers in 2017-2022. These most often took place while media workers were carrying out their professional duties.

In 27.5 % of the cases, physical attacks and threats were carried out by the representatives of the authorities. Some of the examples included:

- On 5 October 2020, a riot policeman shot at **Aibol Kojomuratov**, a *Current Time* journalist, while he was filming a street riot.
- On 5 October 2020, a law enforcement officer threw a stone at *Vesti.kg* journalist **Eldos Kazybekov** while he was filming clashes between protesters and law enforcement officers in Bishkek.
- On 8 March 2020, **Kanat Kanimetov**, a journalist with the *April TV* channel, was beaten in Bishkek by five policemen during a live broadcast from a feminist march against violence and for women's rights.
- In August 2019, **Aida Jumasheva**, a journalist with the news agency *24.kg*, was injured by a rubber bullet while covering the storming of the former President's house in Koi-Tash village, and a cameraman **Joodar Buzumov** was physically attacked by the authorities.

In 72.5 % of the cases, physical attacks and threats were carried out by non-state actors and unknown persons, some of whom may have been affiliated with the state. Some of the examples included:

- On 2 June 2022, an independent journalist **Bakyt Kulchumanov** was attacked at the district office of the State Agency for Registration of Immovable Property Rights by an unknown man, allegedly an employee. He punched the journalist in the jaw, tore his clothes, and broke his glasses. The journalist was there to obtain information for his investigation.
- On 28 November 2021, **Abdumalik Bazarbaev**, an *Osh TV* journalist, was covering the parliamentary elections near an Osh polling station when he was

suddenly approached by a man, presumably a representative of one of the candidates, who demanded that the journalist stop filming and used force.

- On 6 August 2021, an independent investigative journalist **Ulukbek Karybek uulu** was abducted in Jety-Oguz district of the Issyk-Kul region. During the Prime Minister's meeting with the local residents affected by the flood, the journalist made several videos commenting on local problems and criticising him. Three unknown men approached him and aggressively demanded that the journalist leave the place of filming. When he refused, they pushed him into a car and took in the direction of Karakol.
- On 30 April 2021, a *Sputnik Kyrgyzstan* correspondent **Zulfiya Turgunova** was attacked while covering the meeting of the Batken region residents and the Chairman of the State National Security Committee during which they discussed the issue of disputed border areas. Unidentified men prohibited her from filming, then pushed her to the ground and dragged away. The security guards of the head of the State National Security Committee and the local governor were present but did not react in any way.
- On 11 April 2021, *Kloop.kg* freelance journalists **Alyima Alimova** and **Bekmyrza Isakov** were attacked by a group of unknown women at the polling station while broadcasting violations during the local elections and the constitutional referendum. Women hit and pushed the journalists and took away their phones.
- On 1 April 2022, a film crew of the *Nesahar* (meaning "Not Sugar") media project was attacked in the Moscow district of Chui region while filming footage for an investigation. During the filming, approximately 20 people surrounded them, took away their cameras and phones, and let the dogs down. The attackers also took memory cards from the crew and deleted the recorded material.
- On 7 October 2020, a *Kaktus Media* journalist **Tanzilya Mingalieva** was attacked while broadcasting live from the rally. Several drunken people surrounded the journalist, attacked her, and took away her phone.
- On 6 October 2020, correspondents and camerapersons of *Reporter.kg*, *24.kg*, and *Kloop.kg* news agencies were attacked by protesters in the centre of Bishkek. Several people took away *Reporter.kg* reporters' phones used for filming and tried to take away video cameras from the *Kloop.kg* camerapersons.
- On 6 October 2020, **Dastan Umotbay**, regional correspondent of *Radio Azattyk*, was attacked by an aggressive crowd while covering a rally in Osh.
- On 4 October 2020, an unidentified woman attacked *Radio Azattyk* journalist **Aigerim Asylbekova**, who was broadcasting live from a polling station during the parliamentary elections. The attacker damaged the camera and demanded that she stop filming.

- On 8 March 2020, *Kloop.kg* journalist **Aizirek Imanalieva** was attacked by a right-wing radical group during a feminist march. One of the nationalists snatched and smashed her phone.
- On 9 January 2020, **Bolot Temirov**, editor-in-chief of the investigative media outlet *Factscheck.kg*, was beaten outside his office in Bishkek. Three unidentified men knocked him down, beat him for several minutes, and took his phone.
- In November 2019, *Kloop.kg* investigative journalists were attacked, and in September 2019, a cameraman from *Radio Azattyk* was attacked. Interestingly, the attacks were followed by hacking attacks on their media.
- In May 2019, *Radio Azattyk* journalist **Ydrys Isakov** was beaten while filming at an alleged underground casino location in Osh.
- In November 2018, **Inga Sikorskaia**, a journalist and the head of the School of Peacemaking and Media Technology, got into a suspicious car accident. The taxi in which Inga Sikorskaia was travelling crashed into a parked car on the side of the empty road. She sustained injuries and a concussion. The incident occurred two days after the night attack by unknown persons on the office of the School of Peacemaking and Media Technology, where its staff were holding open consultations on freedom of expression. Previously, since 2017, Ms. Sikorskaia had been scrutinised, searched, and detained 19 times by border guards on her way in and out of Kyrgyzstan.

The authorities essentially encourage attacks on media workers and outlets by not addressing the allegations of threats and obstruction of their work. Physical attacks are also often not effectively investigated.

5) Non-physical attacks

Media workers in Kyrgyzstan also faced non-physical attacks and threats offline and online – 88 times between 2017-2022.

Attacks by the authorities amounted to approximately 20.5 %. Some examples included:

- On 21 November 2021, the Central Commission on Elections and Referendums issued a directive banning the media from covering any election-related research starting from 23 November 2021. As a result, the publication of the results of media monitoring of hate speech and freedom of expression in the pre-election discourse of Kyrgyzstan, as well as recommendations for the media, authorities, political parties, and candidates scheduled for that day by the School of Peacemaking and Media Technology became impossible.
- On 19 April 2021, at 11 pm, a group of police officers came to the house of the *April TV* journalist **Kanat Kanimetov**'s relatives in Issyk-Kul region. Without specifying the

legal grounds, they questioned the relatives and their neighbours, inquired about the media worker's place of residence and, threatening them with a search, forced a relative to sign a statement that he did not live there.

- On 2 June 2020, the State National Security Committee publicly accused *Radio Azattyk* investigative journalists of bribery. The deputy head of the Committee's investigative department, speaking at a meeting of the parliamentary commission, said that the journalists had allegedly been given 100 000 USD.

Non-physical attacks and threats from non-state actors and unknown individuals, some of whom may have been affiliated with the authorities, amounted to approximately 79.5 %.

Some examples included the following:

- On 2 February 2022, a female investigative journalist with *Temirov LIVE* was subjected to blackmail. She was romantically involved with a man, who was allegedly an employee of the State National Security Committee. Her laptop was hacked, their sex was secretly filmed, and several persons, who reportedly identified themselves as the State Committee for National Security officers, tried to blackmail her into cooperation and sharing information about the journalistic investigations. She refused, and the video was published on the internet.
- On 27 November 2021, YouTube removed a video from the *Kloop.kg*'s channel based on a complaint from unknown persons that it contained "insults, threats or intimidation". The video was reportedly an instruction for election observers in Kyrgyz language. The removal of the video and a one-week ban on publishing the content on the YouTube channel took place shortly before the parliamentary elections.
- On 23 September 2021, **Abdykerim qizi Aysezim**, a journalist with *Aimak* newspaper, was subjected to harassment and threats during a visit to a residential home for the elderly and people with disabilities. During an interview with the director, one of the residents came up to her and complained about the poor conditions. The journalist started recording his complaints on her phone. The director snatched the phone from her and demanded not only to delete the video and photos, but also to stay in the care home and write a positive story. The guard of the institution blocked the journalist at the door and attempted to not let her out of the building.
- On 19 April 2021, **Bolot Temirov**, an investigative journalist with *Temirov LIVE*, began receiving threats on social media from provocateurs allegedly linked to the police that they would "come to him" if he did not remove a report he had posted about a rally for the resignation of the head of the Ministry of Internal Affairs. At the same time, there were attempts to hack into his Facebook and Instagram accounts.
- On 9 February 2021, over 15 people tried to break into the office of the *TMG TV* channel in Osh. A crowd of unidentified people shouted accusations in spreading

inaccurate information at the journalists and demanded explanations. Prior to the attack, journalists had prepared materials about the corruption in the distribution of humanitarian aid during the COVID-19 pandemic, as well as about the illegal sale of land in the Sharka village administration in Kara-Suu district of Osh region. During the investigation and the day before the attack, the channel's correspondents reportedly received threats, including from the head of Padavan village of the Sharka village administration, who suggested that they should not publish the material.

- On 19 January 2021, **Shaista Shatmanova**, presenter of the Political Cocktail programme on *Super TV*, was warned by a phone call “not to raise the question” about a former deputy of the State Customs Inspectorate, featured in several journalistic investigations into corruption and organised crime. This happened after the acting President, who had been invited to the TV programme, was sent questions to be asked on air.
- On 9 October 2020, an independent journalist **Alena Khomenko** was threatened on Facebook after she had expressed her opinion about the illegitimacy of the then acting President. The hateful comments directed at her contained xenophobic language based on ethnicity, calls to leave Kyrgyzstan, as well as gender-based threats and insults. In addition, posts criticising the authorities began to disappear from her Facebook page.
- On 7 October 2020, the *KTRK TV* channel presenter **Erkin Ryskulbekov** reported receiving death threats after participating in the Expert Taldayt (meaning “Experts Analyse”) programme on *Radio Azattyk*.
- On 6 October 2020, a group of people stormed the office of the independent *Channel 5*. The leader of the group, a former journalist of the state television, demanded airtime and stated that he intended to become the new general director.
- On 7 June 2020, unknown persons threw a Molotov cocktail at the office of an independent *Channel 3* in Talas. As a result, all the equipment that was used to broadcast the TV channel burnt down.
- On 3 March 2020, unidentified people broke into the editorial office of *PolitKlinika* and took away the hard drive and notebooks of journalists. Prior to this, the outlet's reporters had been investigating the assets of the then mayor of Bishkek.
- In December 2019, nine Kyrgyzstani online media and websites (*Factcheck.kg*, *Ecomonist.kg*, *Kloop.kg*, *Kaktus.media*, *Sokol.media*, *Vb.kg*, *Knews.kg*, *Today.kg*, and *Politklinika.kg*) were targeted by hackers. The attacks were allegedly linked to an anti-corruption journalistic investigation published on these websites.
- During another anti-corruption journalistic investigation conducted in 2019 by *Radio Azattyk*, the Kyrgyz service of Radio Liberty, the *Organised Crime and*

Corruption Research Centre, and *Kloop.kg*, media workers were followed and threatened by unknown people.

Non-physical attacks are also often not effectively investigated.

6) COVID-19 restrictions

In 2020, Kyrgyzstan introduced restrictions on mass gatherings and elections, and introduced the COVID-19 tracking app to counter the spread of the COVID-19 virus.¹⁹

In 2020, at least three instances of pressure on media workers due the COVID-19 pandemic were documented. They included a refusal of accreditation for several media outlets, physical attack on a journalist by a security guard of the restaurant allegedly violating the restrictions, and a police summon for questioning in connection with a report on a violation of restrictions by another restaurant.

II. Relevant Concluding Observations of the Human Rights Committee

In its 2014 Concluding Observations (CCPR/C/KGZ/CO/2), the Human Rights Committee expressed concern at reports of persecution of journalists for expressing their opinion (Paragraph 24). In this connection, the Committee recommended that Kyrgyzstan should ensure that journalists are able to freely exercise their right to freedom of expression, threats, intimidation and violence against them are investigated, that perpetrators are prosecuted and punished, if convicted, and that victims are provided with compensation (Ibid.).

The Human Rights Committee was also concerned at reports that some Uzbek-language media were closed, including two independent Osh-based Uzbek-language television stations, Mezon TV and Osh TV, following the June 2010 events (Paragraph 27). In this connection, the Committee recommended that Kyrgyzstan should promote the use of minority languages in the media, including by restoring Uzbek-language television stations (Ibid.).

In its 2017 evaluation of the follow-up to the recommendations contained in Paragraph 24 of the Concluding Observations (GH/fup-120), the Human Rights Committee reiterated its recommendation and required more specific information on measures taken to investigate incidents of threats, intimidation and violence against journalists, prosecute and punish perpetrators, and provide victims with compensation (statistics on such incidents reported since March 2014 and the outcome of such complaints).

¹⁹ <https://www.icnl.org/covid19tracker/?location=69&issue=&date=&type=>

III. Relevant UPR Recommendations

Recommendations made during the third cycle of the UPR of Kyrgyzstan in January 2020 included the following:

- 140.79 Take further measures to prevent the misuse of legislation on extremist activity and terrorism, incitement of ethnic hatred and defamation, in order to prevent the targeting of journalists, media organizations and human rights defenders (Canada) (Supported; A/HRC/44/4/Add.1 - Para. 36);
- 140.81 Take the steps necessary to ameliorate the right to freedom of expression and the right to access to information (Croatia) (Supported; A/HRC/44/4/Add.1 - Para.39);
- 140.82 Step up efforts to protect media freedom and the freedom of assembly (Czechia) (Supported; A/HRC/44/4/Add.1 - Para. 39);
- 140.88 Ensure compliance with the Law on the protection of the professional activities of journalists and guarantee the safety of journalists (France) (Supported; A/HRC/44/4/Add.1 - Para. 49);
- 140.90 Enhance protections for civil society, journalists and human rights defenders to ensure they are able to carry out their work in a safe environment free from intimidation, harassment and attacks (Ireland) (Supported; A/HRC/44/4/Add.1 - Para. 49);
- 140.91 Create an enabling environment for media freedom and freedom of opinion and expression, both online and offline, including by bringing the appropriate national laws into full compliance with the International Covenant on Civil and Political Rights and international human rights obligations (Lithuania) (Supported; A/HRC/44/4/Add.1 - Para. 39);
- 140.94 Ensure that everyone, including human rights defenders and journalists, can exercise their right to freedom of expression, including online, without fear of reprisals, in compliance with international law and standards (Switzerland) (Supported; A/HRC/44/4/Add.1 - Para. 39);
- 140.95 Ensure that relevant legislation guarantees the exercise of the rights to freedom of expression and association for all individuals, in particular journalists (Austria) (Supported; A/HRC/44/4/Add.1 - Para. 39); and
- 140.98 Strengthen democratic institutions by protecting freedom of expression and media freedom, both online and offline, eliminating corruption at all levels by holding officials and non-State actors accountable and protecting civil society's role in promoting good governance and transparency (United States of America) (Supported; A/HRC/44/4/Add.1 - Para. 39).

IV. Relevant Concerns of the Special Procedures

Since the consideration of the previous periodic report, relevant concerns were raised by the Special Procedures regarding:

- the proposed law on countering terrorism, including its consequences for the right to freedom of opinion and expression and far-reaching interferences in the independence of mass media (OL KGZ 3/2020, dated 6 May 2020);
- the repeated denial of a right to a fair trial of human rights defender and journalist Mr. Azimjan Askarov, whose health was severely deteriorating in his place of detention (UA KGZ 2/2020, dated 5 May 2020);
- the allegations of the detention, threat of extradition, and denial of adequate medical care to Mr. Muratbek Tungishbayev, a Kazakhstani blogger (UA KGZ 1/2018, dated 13 June 2018); and
- the proposed law imposing a range of criminal and administrative sanctions for disseminating information that allegedly encouraged “non-traditional sexual relations” in the Kyrgyz Republic (AL KGZ 1/2014, dated 6 May 2014).

V. Recommendations

We encourage the Human Rights Committee to urge the government to:

- Publicly acknowledge the contribution of independent media workers and media outlets in Kyrgyzstan to society;
- Ensure the protection of media workers and outlets from any undue pressure related to their legitimate work, regardless of their actual or perceived political views and affiliation, and ensure a particular protection of media workers investigating corruption and covering events of particular significance (such as public assemblies, elections, referenda);
- Promptly, effectively, independently, and impartially investigate all threats, attacks against, and deaths of media workers, bring those responsible to justice, including those with direct and supervisory responsibility, in fair trials and ensure effective remedies to the victims;
- Repeal the Law No. 101 “On Protection from False (Inaccurate) Information” and the Law No. 33 “On the National Television and Radio Broadcasting Corporation”, ensure consultations with the civil society and media workers in any future legislative initiatives, and refrain from adopting any restrictions incompatible with the requirements of necessity and proportionality in Article 19 (3) of the ICCPR; and

- Refrain from silencing media workers through criminal prosecutions (including under Art. 330 of the Criminal Code and other provisions) and lawsuits, and stop harassing them through the misuse of other legal mechanisms (such as questioning, restriction of the freedom of movement, searches).