



Access to Information and the Internet in the South Caucasus
Remarks by Sam Patten, Senior Program Manager for Eurasia at Freedom House
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The Internet today remains one of the least impeded means of accessing information in the South Caucasus; however, access to the Internet across the countries of Armenia, Azerbaijan and Georgia is still a work in progress. Just as uneven as the levels of access, though, are the potential threats that can be seen to those in the region who seek to express themselves freely in a manner consistent with the aims of the Geneva Declaration on Internet Freedom, issued earlier this year by a diverse, global group of human rights defenders, NGOs and industry watchdogs. Freedom House, which I represent at today's forum, was one of the participants in that March meeting, and through its Freedom on the Net survey, it monitors the relative state of Internet freedoms in an expanding pool of countries which, this year, include both Azerbaijan and Georgia. I would like to share with you some thoughts on trends in the region, as we see them, and how these might influence broader freedom of expression issues both in the year ahead, and for the near future. The sense of guarded optimism I may convey today can perhaps best be explained by a Caucasian proverb: "If you build a bridge, you will cross it yourself. If you dig a pit for someone else, you will fall into it yourself." Bridges, not pits, will be the region's predominant feature going forward. This said, the potential for free expression to fall into pits is very real and in some cases the digging has already begun.

No media exists in the abstract, and in looking at the relative state of Internet freedoms in the three countries of the South Caucasus, it is equally important to look at media freedoms in each country more generally. Freedom House rated two of the three countries – Armenia (66) and Azerbaijan (79) – as "Not Free" in its 2010 Freedom of the Press survey, in contrast to Georgia's (59) "Partly Free" rating. In the region's most extreme case of inhibited freedom of expression in Azerbaijan, relative Internet freedom shines a ray of hope. For the two young bloggers who remain imprisoned as we gather here today, that ray of hope may seem more conceptual than real. Please indulge me a brief digression so I can offer an example of what I mean by this.

In the fall of 2008, I had the chance to meet a strikingly intelligent young man who was visiting Washington to raise awareness about the situation in his native Azerbaijan. His name was Emin Milli and he spoke of a "virtual democracy" in which young, aspiring Azeris like himself could participate without incurring the risk of direct state retribution. Virtual candidates would compete in virtual elections, Emin explained, and not be subjected to capricious registration requirements, official harassment or even selective prosecution that opposition political candidates have encountered in Azerbaijan. His excitement was infectious. In the eyes of the Azeri authorities, perhaps too much so, because he was attacked in Baku last year after posting the now infamous "Donkey Video" with Adnan Hajizade and then, astoundingly, sentenced to two and a half years in prison for "hooliganism." I raise Emin's case because it demonstrates the juxtaposition of opportunity and threat in the current context of access to information and the Internet in the South Caucasus, specifically Azerbaijan. I can't help wondering what caveats he would offer today if describing to an outsider what potential existed in his country for the Internet as liberating technology.

Looking at the region as a whole, I will focus on three inter-related areas: the state of media freedoms, the role the Internet has to play in strengthening the freedom of expression, and immediate obstacles to achieving this promise.

The State of Media Freedoms in the South Caucasus

Freedom House reporting and ratings for 2010 look at the entirety of 2009, and it is fairer to use the same twelve month period to look at all three countries under discussion. As in Azerbaijan and Georgia, television is the major medium in Armenia and 2009 saw few tangible improvements. A broadcasting law passed in April did little to improve the independence of the Council on Public Television and Radio, all of the members of which are appointed by Armenia's president. The independent broadcaster A1+ has been off the air since 2002, and despite favorable rulings by the European Court of Human Rights, the suspension of its license remained in place at the year's end. New legislation last in August of 2009 further curtailed journalists' independence with vague and perhaps even self-contradictory references to reports that "do not correspond with reality" or offend the "interest, honor and dignity" of parliament members provide grounds for suspending journalists, and therefore aggravate self-censorship. Meanwhile, physical attacks on journalists continued. Newspapers are politicized and have limited reach beyond the capital. Internet penetration in Armenia in 2009 was less than seven percent, substantially the lowest in the region.

Azerbaijan led the region in terms of the number of journalists in state custody at the end of 2009 – six, not counting suspended sentences and one death of a journalist in prison, Novruzali Mamedov. The case of Enulla Fatullayev raised eyebrows last December when authorities allegedly found heroin in his jacket. Last month, Freedom House joined nine other human rights organizations in signing a letter to Azeri President Ilham Aliyev calling for Fatullayev's release and his being granted a new trial. We have also written to the chair of the Council of Europe regarding the Azerbaijani Government's refusal to comply with the European Court of Human Rights judgment in the case. Television stations are for the most part controlled by the government or government-friendly business elites, and the prohibition of foreign broadcasting went into effect in early 2009. Newspapers continue to offer some diversity of views, but are highly politicized. The Internet penetration rate was registered over 40 percent; however, making it the region's highest. In many respects, this figure may reflect the demand for better quality, more objective information among the country's surging young population. The sentencing of Milli and Hajizade in November of last year had, most likely the intended, chilling effect, though. The estimated 22,737 Internet hosts and 35 Internet Service Providers will, under imminent new rules, have to be registered with the Ministry of Communication and Information Technologies.

Our host country of Georgia enjoys the relative distinction of having a "Partly Free" media, but last year's scoring margin only showed it to be seven cumulative points ahead of the "Not Free" Armenia, which indicates how precarious this distinction remained in 2009. Television media remained highly polarized with major national stations widely considered to be pro-government in their content. The offices of relatively-newly launched Maestro satellite TV were attacked by a grenade in May last year which, unlike the one lobbed at former U.S. President George W. Bush in Tbilisi some years prior, actually went off. Pledges made by Georgian President Mikheil Saakashvili to put an end to the "persecution and insulting of journalists" show mixed results one year after he committed to a series of democratic reforms. Content analysis of major Georgian television broadcasting evidenced limited criticism of the government on Rustavi-2, Imedi and the Georgian Public Broadcaster; however, the state

broadcasting board is, unlike Armenia's mixed in its composition between government and opposition appointees. Approximately 30 percent of the Georgian population consider themselves Internet users.

One trend worthy of note on the regional media landscape sees countries broadcasting beyond their borders. The Caucasus One station, based here in Georgia, directs programming to Russia's North Caucasus, featuring in one of the broadcasts Alla Dudaeva, the widow of first Chechen President Dzhokar Dudaev, killed by a Russian missile during the first Chechen War. Russia blocks the Caucasus One's satellite signal; however it remains available over the Internet. Georgian efforts to broadcast into the breakaway regions of Abkhazia and South Ossetia reflect a desire to persuade citizens there of the benefits of reintegration, which can be seen as a positive, if fledgling, trend to engage in debate via the media. Armenian broadcasting into Nagorno-Karabakh has similar aims. Some may call these efforts provocative, while others see them as steps towards engagement in a region long known to be home to so many different, and often competing, tongues.

The Role of the Internet in Strengthening the Freedom of Expression

Both Azerbaijan and Georgia enjoy dynamic levels of Internet usage, while Armenia lags behind by a significant margin. For the purposes of comparison these two countries offer a study in contrasts with some similarities, though more strident differences in their Internet usage. Azerbaijan has made ICT development a national priority as it seeks to make itself into an ICT hub for the region, and thus has sought foreign aid to support these sectors.

In 2009, both Azerbaijan and Georgia saw cases of content policing. In Azerbaijan, bloggers Milli and Hajizade were, as I mentioned earlier, attacked, prosecuted and jailed as a direct result of their posting a satirical video depicting a government press spokesman as a donkey (in reference to the high process the Azeri government was spending at that time to important donkeys.) In Georgia, two young students were detained after allegedly insulting the patriarch of the Georgian Orthodox Church. Their computers were confiscated, and the two were briefly held before they took they parody off YouTube and were then released. In both cases bloggers crossed "red lines," though arguably there are substantially fewer such taboo topics in Georgia than in Azerbaijan. Public parodies of the president's masseuse, Dr. Dot, for instance, were the subject of internet chatter as well as street posters in Tbilisi in early 2009 whereas similar expression would be unimaginable in Azerbaijan.

In both countries, social media sites provide a magnet for internet users, particularly more youthful ones, though there appears to be an important difference that can be measured mainly in terms of intensity. From the beginning of 2010 to mid-July, Azerbaijan saw a spiked increase of nearly 75 percent in its Facebook users (105,000 to 180,000 according to Facebookers' *Facebook Statistics of Azerbaijan*), whereas Georgia has seen no such rapid increase, rather a steady use of Facebook, Hi5 and other social-networking sights for predominantly social purposes. Given the relatively higher media controls that exist in Azerbaijan, Internet content in the country also appears to play a greater role in substituting for state-controlled media than it does in Georgia as evidenced by "flash mobs" and student and youth activism over social media.

Another measure of both the need and potential for Internet might be seen in USAID's announcement this past July of a \$4 million New Media Project in Azerbaijan, designed to "address shrinking information space by ... increased citizen digital access to diverse information content ... and support for professionally-produced content development." Clearly media suppression speaks to the

need for such a foreign-funded project in Azerbaijan, but spikes in Internet usage strongly suggest the potential for such a project. Its existence raises the question whether similar projects might promote an acceleration of freedom of expression in other countries in the region, and beyond.

An important function of the freedom of expression in democratic societies is the empowering effect it affords civil society to serve as watchdogs of the public interest in such areas as corruption. Here there are some nascent cases in the South Caucasus that suggest an encouraging trend. Armenia's Investigative Journalists/Hetq Online received an award in 2004 from the Armenian branch of Transparency International for "its outstanding contributions to the struggle against corruption." In Azerbaijan, the Caucasus Media Investigations Center uses new online tools to support active citizenship attempting to build a more democratic society by seeking government accountability. Blogs such as *Flying Carpets and Broken Pipelines* in Azerbaijan, *OneWorld* in Armenia and *Sweet* in Georgia—among others – are conduits for civic participation where netizens can share information and opinions. Our *Freedom on the Net* report this year commends the Georgian government for expanding the ability of citizens to register for services online.

Looking a little further afield, there are examples elsewhere in the OSCE region both of greater potential for the Internet enhancing civic participation as well as real risks for restricting access to the Internet as a tool for free expression. During this past summer's wildfires in Russia, bloggers, civil society activists and IT specialists who shared frustration with their government's slow response joined forces to launch an Ushahidi Fire Platform that linked needs for assistance with volunteers willing to help. The Russian government ultimately linked their state website with the Ushahidi platform, which is one measure of the project's success. Last month in Ukraine, a well-known journalist and blogger launched *Vladometer* (power meter) to monitor how politicians keep or do not keep the promises they make to voters at election time. The Russian Institute for Modern Development, closely linked to the country's president, has launched *rosspending.ru* to increase transparency about the Russian state budget, but it is difficult to tell how much the public at large uses it as a resource for questions about state spending. In fairness, many of these initiatives are new and only time will tell how effective they are in impacting the policies of governments.

Kazakhstan's 2009 Internet law subjecting blogs and websites to the same restrictions as traditional media raises potential concern, though it has not yet been implemented. Belarus is poised to issue new restrictive regulations next month requiring the licensing of all websites bearing the nation's top-level domain and prohibiting access to those which do not. These examples are clearly troubling, especially given the tendency of regimes in the region to share "worst practices." In order for the Internet to strengthen the freedom of expression in the South Caucasus as well as across the OSCE region, it is vital to eliminate obstacles to access and for states to resist the temptation to pass laws or regulations that encourage self-censorship. Traditional media is unduly encumbered by such pressures throughout the region as it is.

Immediate Obstacles to Achieving the Internet's Promise

The obstacles to progress in realizing the Internet's promise as a bridge-builder capable of transcending traditional means of censorship and other barriers to the freedom of expression in the South Caucasus are three-fold: cost, technological reach, and political interference.

In all three countries, cost for Internet access is a major prohibitive factor, with monthly fees for broadband ranging from the equivalent of \$25 to \$62 in Azerbaijan and the significantly cheaper \$10 to \$25 monthly broadband subscription fees in Georgia, where there are an estimated 150,000 home subscribers out of a population of 4.3 million. Lower costs will come about only as competition increases, and the trend of an open market currently favors Georgia, whose example Azerbaijan will hopefully follow.

Technological constraints cannot be understated, and should be clearly disentangled from political interference. Georgia's access to the Internet depends on other countries through which it travels and during the 2008 Russian invasion, interruptions of service and cyber-attacks were witnessed (as was the temporary blocking of Russian domain names). Azerbaijan's access to the Internet is controlled at a single point of entry, just as is Burma's or Iran's, suggesting the possibility of future filtering or discontinuation of access should authorities there take that course. While the effects of technological development and foreign assistance to this end in Azerbaijan have yet to be seen, it should be noted with interest whether access to high speed Internet does in fact expand in coming years. There is some speculation that it is deliberately kept out of reach of ordinary citizens because of its potential to carry Internet TV with accompanying video and audio. Constricting this aperture of free expression would send a very negative signal.

Given that Armenia lags behind the other South Caucasus states, its government and its foreign friends would be well served to explore ways of expanding access to Armenian citizens both in cities and rural areas. This could help compensate for imposed and self-censorship trends in the traditional media and promote more vigorous social and political discussion.

Currently there is no restrictive regulatory regime over the Internet in the region. As access expands; however, it will be tempting for governments to impose licensing of Internet TV, or even bloggers, and moves in this direction would certainly be a mistake from the standpoint of free expression. Georgia has set a fairly positive example in honoring its constitutional protections of free expression as they pertain to the Internet. Azerbaijan has set a deeply worrying example in its treatment of Mr. Milli and Mr. Hajizade. Restricting the Internet's potential as a social, communications, and informational conduit in any of the countries in the region would not only be an infringement of the rights to free expression, but also of development. Advancing their country's development, and modernity, is surely an aspiration the political elites in each South Caucasus capital share.

Without over-stating the potential of the Internet to bridge divides or under-stating the nature of the challenges posed by frozen conflicts and stunted freedoms, it is easy to agree that the Internet can be a liberating force in the South Caucasus. It should be an instrument of dialogue and, as such, unrestricted. Thank you for this opportunity to address this distinguished group and I hope we might find new and constructive means of cooperation over the course of this conference.