**Public Foundation “Media Policy Institute” (MPI)**

**Court cases for the period January –September 2017.**

**MPI provided direct legal representation in 19 court cases against media outlets and journalists.**

1. Bulatova E.V the head of the sewing factory against Akipress Agency, the amount of moral damage compensation is 200 000 soms. 18 April 2017 the case of Bulatova was partially satisfied but the compensation of moral damage from Akipress was rejected. Later Bulatova appealed to the Bishkek city court. The Civil Cases Board satisfied the claim partially and ordered to compensate Akipress for moral compensation in the amount of 45,000 soms.
2. General Prosecutor appealed to the first instance court to defense honor and dignity of the Kyrgyz Republic President Atambaev A. against lawyers, News agency ProMedia ([www.zanoza.kg](http://www.zanoza.kg)) and Azattyk Media (Intl Radio Freedom [www.azattyk.org](http://www.azattyk.org)).

Thanks to collaborated activities of MPI and Azattyk Media a case of Azattyk Media successfully finished a President ordered to withdraw the statement of claim. A case of Zanoza was finished and according to the first and the second instance, decisions were fully satisfied in favor of President. The moral compensation asked from Azattyk Media – 10 000 000 soms and from Pro Media – 3 000 000 soms.

1. Member of Parliament Chynybai Tursunbekov appealed to the court against Radio Azattyk A plaintiff Tursunbekov asked to recognize as untrue information published at the website [www.azattyk.org](http://www.azattyk.org) and the amount of moral damage compensation is 10 000 000 soms. The final date of consideration is 6 February 2017, the sides came to peaceful statement.
2. Akimbaev Taalaibek appealed to court against Akipress in order to recognize information published in web portal “Turmush” as untrue and to compensate moral damage in amount 200 000 soms. February 14, 2017 by the decision of the Leninsky District Court of Bishkek, the statement of claim Akimbayev was left without satisfaction.
3. General Prosecutor appealed to the first instance court to defense honor and dignity of the Kyrgyz Republic President Atambaev A. against lawyers, News agency ProMedia (www.zanoza.kg and Azattyk Media (Intl Radio Freedom [www.azattyk.org](http://www.azattyk.org).) The article “Tekebayev said that he found information about the property of Atambayev in offshore Cyprus”. The amount of moral damage compensation from Azattyk Media was: 10 000 000 soms from ProMedia (zanoza.kg 3 000 000 soms). Thanks to collaborated activities of MPI and Azattyk Media a case of Azattyk Media successfully finished a President ordered to withdraw the statement of claim. Regarding ProMedia [www.zanoza.kg](http://www.zanoza.kg) according to the court decision of the first instance, the amount of moral damage compensation left without changes – Zanoza has to pay 3 000 000 soms to the President.
4. General Prosecutor appealed to the first instance court to defense honor and dignity of the Kyrgyz Republic President Atambaev A. against News agency ProMedia [www.zanoza.kg](http://www.zanoza.kg) and journalist Narynbek Idinov, published at [www.zanoza.kg](http://www.zanoza.kg). The article titled "Millions from the president: for whose account is the banquet actually?" Moral damage compensation from: ProMedia – 3 000 000 soms and Idinov Narynbek – 3 000 000 soms. A case of Zanoza was finished and fully satisfied in favor of President the first and the second instances the decision left without changes. The decision about compensation of 3 000 000 soms came into legal force but the enforcement proceedings did not begin.
5. General Prosecutor appealed to the first instance court to defense honor and dignity of the Kyrgyz Republic President Atambaev A. against News agency ProMedia ([www.zanoza.kg](http://www.zanoza.kg)) and journalist Narynbek Idinov. Articles: 1. "Lies allegedly in salvation: the papple show of independence" dated 03.03.2017 located at the web address: [http://zanoza.kg/doc/353559\_loj\_iakoby\_vo\_spasenie:\_pappet\_shoy\_nezavisimosti.html](http://zanoza.kg/doc/353559_loj_iakoby_vo_spasenie%3A_pappet_shoy_nezavisimosti.html) 2. "The arrest of Omurbek Tekebayev: intrigue is twisting" dated on 1.03.2017г [http://zanoza.kg/doc/353418\_arest\_omyrbeka\_tekebaeva:\_intriga\_zakrychivaetsia.html](http://zanoza.kg/doc/353418_arest_omyrbeka_tekebaeva%3A_intriga_zakrychivaetsia.html). A Judge obliged website to block articles from the website. A court of the first and the second instance left the decision without changes. The claim of the Prosecutor General of the Kyrgyz Republic against the ProMedia Public Foundation was fully satisfied, the respondents were compensated for moral damage in the amount of 3.000.000 (three million) soms from ProMedia and 3 000 000 soms from Idinov.
6. General Prosecutor appealed to the first instance court to defence honor and dignity of the Kyrgyz Republic President Atambaev A. against News agency ProMedia ([www.zanoza.kg](http://www.zanoza.kg)). An appeal against ProMedia ([www.zanoza.kg](http://www.zanoza.kg)) and human rights defender Cholpon Jakupova was filed to the first instance court. General Prosecutor asked to recognize as untrue an article “ Cholpon Jakupova: It's time to fix a person with maniacal inclinations” dated on 30 March 2017 at the link: [http://zanoza.kg/doc/354919\_cholpon\_djakypova:\_pora\_pristrynit\_cheloveka\_s\_maniakalnymi\_naklonnostiami.html](http://zanoza.kg/doc/354919_cholpon_djakypova%3A_pora_pristrynit_cheloveka_s_maniakalnymi_naklonnostiami.html), A Judge ordered to block this article. The first and the second instances ordered Idinov, Maslova and Jakupova to compensate moral damage compensation in amount 3 000 000 from each.
7. Antenn TV Ltd against Director of Sports and health complex. According to the Determination of the Karakol City Court the judge Suranchiev U.Zh of January 16, 2017, the application of "Anten-TV" to review the court decision on newly discovered circumstances was satisfied.
8. Osmon uulu Dinmuhhamed (a staff of General Prosecutors Office) appealed against Azattyk. Osmon uulu Dinmuhhamed appealed to recognize as untrue information published in the article «The son of a debtor who works at a high position interferes with the process?» and to compensate moral damage in amount 1 000 000 soms. According to the achievement of a peaceful statement, this court case was successfully finished.
9. A Ukraine company Quant Ether appealed to the Bishkek inter-district court of Bishkek against ProMedia [www.zanoza.kg](http://www.zanoza.kg). An article “Who is going to check the quality for digital TV equipment”. By a decision of the Inter-District Court of Bishkek, the claim was partially satisfied, the court ordered Zanoza to bring refutations of information to reimburse the expenses for the representative's services in the amount of 35,000 soms. The rest of the claim was denied. A complaint filed with the court decision to the Bishkek City Court.
10. Bulatova appealed to the first instance court against Akipress. She asks to declare untrue the information in the materials: "Former employees of the Bishkek garment factory held a meeting at the building of the Jogorku Kenesh", "Akhmat Bakiyev - raiding clothing factory Komsomol. Inaction of law enforcement agencies», «Video conflict over the garment factory of VLKSM: prospective owners can not enter the building ". The plaintiff demands to remove the entire publication from the resource and reimburse the expenses for the representatives, the amount of moral damage compensation is 200 000 soms.
11. Orozaliev K., Smailova A., Arzybaeva S. addressed the Pervomaisky District Court of Bishkek with a claim for protection of honor and dignity to the information portal "Voice of Freedom" and compensation of moral compensation in the amount of 600 000 soms. The plaintiff disputed information disseminated in the article: "The history of the boarding school in Talas: The long-awaited victory, but this is not the end". MPI represented the interests of the portal. As a result, the court left the claim without consideration.
12. A citizen Amanova I. addressed to the Leninsky district court with a claim for protection of honor, dignity and compensation for moral damage. A case is against Fergana Information Agency, Ulugbek Babakulov, and to the information resource Zanoza. The plaintiff requests that the information disseminated in the article "To borrow money and go to the prison" and compensate moral compensation for 1 000 000 soms from Ulugbek Babakulov, the author of the article. In this legal process, the Media Policy Institute represents the interests of Zanoza.kg. The court process is ongoing.
13. In 2016, the court ordered the journalist to bring a refutation of unreliable information discrediting the honor and dignity of the President of the Kyrgyz Republic and to recover from him 2,000,000 soms as moral damages compensation. July 07, 2016 at the request of Daiyrbek Orunbekov Public Foundation "Media Policy Institute" signed an agreement with the lawyer Zhyrgal Babayev. He represented the interests of the journalist during the investigative measures to initiate a criminal case under Article 338 of the Criminal Code "Failure to comply with a court decision or other judicial act "and took part in legal proceedings as a lawyer in all judicial instances. Thus, on February 10, 2017, the court terminated the criminal prosecution against journalist Daiyrbek Orunbekov, who was charged with "malicious default" of the court's decision.
14. On September 12, 2017, the journalist Zulpukar Sapanov was acknowledged as guilty of committing a crime under the part 1 of Article 299 of the Criminal Code of the Kyrgyz Republic "Raising national (interethnic), racial, religious or inter-regional enmity" by the decision of the Pervomaisky District Court of Bishkek and sentenced to four years in prison enhanced mode. The basis for bringing to criminal responsibility was a book published in 2016 under his authorship "Kydyr Sanzhyrasy", where individual fragments were found to be inciting religious strife. At present MPI Media Commissioner Akmat Alagushev filed an appeal on September 21 to appeal the verdict. It is worth noting that Akmat Alagushev joined the case as a lawyer at the stage of the last word of the defendant. Earlier MPI provided consulting assistance to Zulpukar Sapanov.
15. Citizen Murataliev T.M, ex-head of the Ala-Archa village, applied to the information resource of Zanoza to appeal to the Alamedinsky District Court with a claim for protection of honor, dignity and compensation for moral harm. So the plaintiff requests to declare refutation of the information disseminated in the article "Ex-head of the Ala-Archa village allegedly cruel beat the acting head" to oblige the site [www.zanoza.kg](http://www.zanoza.kg) to remove the disseminated information. The process is ongoing.
16. Elena Bulatova appealed to the district court with a claim for protection of honor, dignity and business reputation against IA "AKIpress". She asks to declare untrue the information disseminated in the video press conference "A. Bakiyev - raiding clothing factory Komsomol. Inaction of law enforcement agencies" [http://presscenter.akipress.org/page:1/news:23537/text:%E2%EB%EA%F1%EC/#findtext](http://presscenter.akipress.org/page%3A1/news%3A23537/text%3A%EF%BF%BD%EF%BF%BD%EF%BF%BD%EF%BF%BD%EF%BF%BD/#findtext). The plaintiff demands to block the publication from the resource and reimburse moral damage compensation in the amount of 200,000 soms.
17. Elena Bulatova appealed to the district court with a claim for protection of honor, dignity and business reputation against IA "AKIpress". She asks to declare untrue the information disseminated in the video press conference at the web application of AkiPress [www.turmush.kg](http://www.turmush.kg). The plaintiff demands to block the publication from the resource and reimburse moral damage compensation in the amount of 200,000 soms.