
The National Security law introduced ambiguous concepts such as “the negative impact of information,” which gives the government the right to decide upon the degree of negative impact. This law also contains a clause that allows the authorities to ban any foreign media.



KAZAKHSTAN

In view of Kazakhstan's OSCE chairmanship in 2010 and the government's declarations concerning the liberalization of the country's legislation, media experts and the public have been expecting liberal changes for two years. However, 2011 was as disappointing as the year before. Tamara Kaleeva, the director of the Adil Soz International Foundation for Protection of Freedom of Speech told attendees of an OSCE conference in Dushanbe in November 2011, "Kazakhstan's OSCE chairmanship in 2010 did not lead to a higher degree of freedom of speech in the country. The number of criminal proceedings against journalists has not decreased. In view of a significant decline in the number of civil proceedings, the total sum (of damages) claimed has not changed. Having conducted hefty image-making initiatives in the international arena, the government took care of regime consolidation inside the country in 2011."

There is a long list of anticipated changes that the government has hinted it would make to improve the freedom of expression and freedom of the press environment. One long-awaited change is the creation of regulations to provide journalists with access to information. Libel and defamation claims have not been decriminalized. Rules regarding media registration and re-registration have not been liberalized.

Instead, the government maintains laws designed to force media outlets and journalists to guess what might get them in trouble, and therefore self-censor. The National Security law introduced ambiguous concepts such as "the negative impact of information," which gives the government the right to decide upon the degree of negative impact. This law also contains a clause that allows the authorities to ban any foreign media.

State officials exert pressure on the media, demanding one-sided, biased coverage of events. For example, long before the parliamentary elections, media outlets that had received state grants received an unspoken message to mention the ruling Nur Otan party as often as possible in a positive context and to spread the idea of a two-party democracy as promoted by a presidential aide. And although bloggers enjoy a relatively higher degree of freedom, blogger and MSI panelist Kuanysh Magzuov noted, "A blogger is always afraid... When a person works alone, it is always more difficult."

KAZAKHSTAN AT A GLANCE

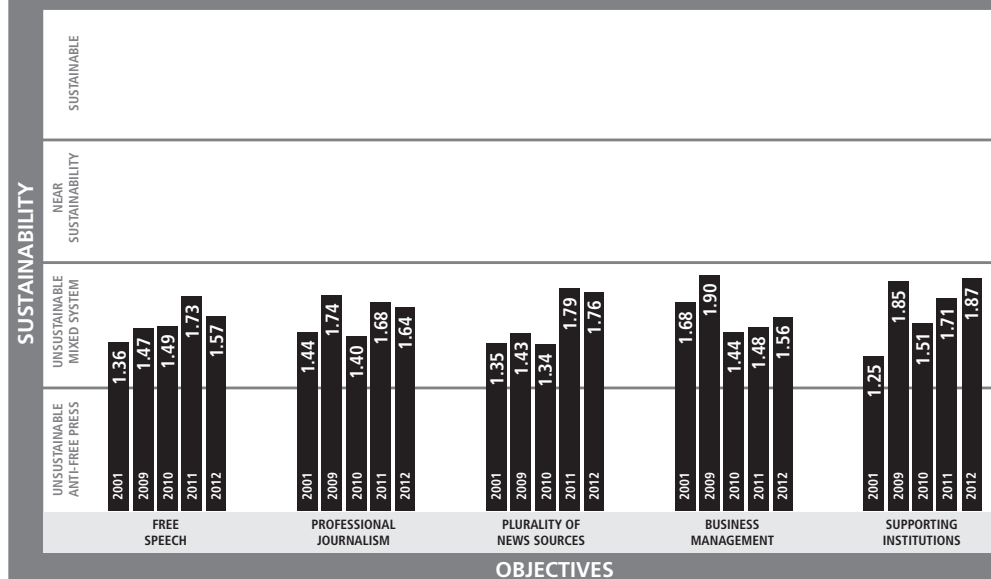
GENERAL

- > **Population:** 17,522,010 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Astana
- > **Ethnic groups (% of population):** Kazakh 63.1%, Russian 23.7%, Uzbek 2.8%, Ukrainian 2.1%, Uighur 1.4%, Tatar 1.3%, German 1.1%, other 4.5% (2009 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 47%, Russian Orthodox 44%, Protestant 2%, other 7% (*CIA World Factbook*)
- > **Languages (% of population):** Kazakh (state) 64.4%, Russian (official) 95% (2001 est., *CIA World Factbook*)
- > **GNI (2010-Atlas):** \$121.4 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-PPP):** \$10,610 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 99.5% (male 99.8%, female 99.3%) (1999 est., *CIA World Factbook*)
- > **President or top authority:** President Nursultan A. Nazarbayev (since December 1, 1991)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 937 total, 5 main daily papers, 6 other main weeklies; Radio Stations: 4 national stations, 43 total; Television Stations: 3 national channels, more than 100 other terrestrial channels, 14 local cable networks
- > **Newspaper circulation statistics:** The top two newspapers are *Vremja* (private, Russian language) and *Karavan* (private, Russian language)
- > **Broadcast ratings:** Top four television stations: Khabar TV, Kasakh TV (Kazakhstan 1), KTK (Kazakh Commercial TV), El-Arna
- > **News agencies:** Kazinform (state-owned), Interfax Kazakhstan, KazTAG, Kazakhstan Today
- > **Annual advertising revenue in media sector:** \$60 million (2007, Video International Analytical Center)
- > **Internet usage:** 5.299 million (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: KAZAKHSTAN



Scores for all years may be found online at http://www.irex.org/system/files/EE_msiscorers.xls

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OBJECTIVE 1: FREEDOM OF SPEECH

Kazakhstan Objective Score: 1.57

Olga Kraus, editor-in-chief of *Novyi Vestnik*, commented, "The constitution of the country guarantees freedom of speech, and the Media Law also exists but, in fact, the 'freedom of speech' in the country is no more than a formal concept. The law rather limits the rights of media, and there is no real defense mechanism. In the regions, everything is completely controlled by the authorities."

Media legislation is also full of bylaws concerning television and radio broadcasting as well as controls on the Internet. Due to one such provision issued by the Ministry of Communications and Information, the citizens of Kazakhstan nearly lost access to Google in June when the Ministry demanded that servers for .kz websites be located within the borders of the country; Google responded by announcing its departure from Kazakhstan. A governmental clarification that the rules referred only to domain names that had not been registered prior to the decree kept Google in the country.

Journalists still face the possibility of criminal penalties for "disclosure of information classified as a state secret." Penalties include prison terms of up to two years in jail.

New legislation in 2011 was deemed by the MSI panelists as hindering the cause of free speech. Media lawyers compare

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

many new regulations to a Pandora's box, claiming that their implementation may cause serious damage to the non-governmental media. An example can be seen in the newly adopted law "On National Security of the Republic of Kazakhstan," mentioned above, which has introduced the legal concept "negative impact of information." This allows the government to decide negative impact is and to what degree information reported is harmful. Noted Olga Kaplina, project manager for Internews Network-Kazakhstan, "The Law on National Security is potentially dangerous for the media as it covers, among threats 'The influence of information on public and individual consciousness related to deliberate distortion and spreading of unreliable information to the detriment of national security.' A number of lawyers believe that any information unacceptable for the government can be viewed as unreliable."¹

This law (article 23, part 4) also impinges on the operation of communication providers: "In case of anti-terrorist operations and suppression of mass riots, the head officer of the crisis center may demand that owners of communication networks and service providers receive compulsory instructions on halting communication services to physical and/or legal persons and/or limiting the use of the network and means of communications, as well as changing the mode of operation of the networks and means of communications."

The most significant legislative event was the adoption of the law "On Television and Radio Broadcasting" at the very end of the year. The drafting of the law included discussions with a number of media organizations. However, the final draft was adopted in defiance of the position expressed by the journalism community. Media experts and Kazakhstani journalists appealed to Kazakhstan's president twice, requesting him first to halt the process of the draft law approval and then to veto it. At the end of 2011, similar requests to the president and the minister of communications and information were made by Dunja Mijatović, the OSCE representative on Freedom of the Media, as well as by representatives of such organizations as Article 19 and Soros Foundation-Kazakhstan. These appeals expressed concern about problematic wording of key provisions in the law.

The law's opponents pointed to two key issues that would, in their opinion, threaten media freedom:

1. Representation in the Television and Radio Broadcasting Committee: opponents of the law wished for media NGOs to receive full voting membership rather than being symbolically present and unable to exert any influence on the decision-making process.

¹ <http://www.zonakz.net/articles/41889>

2. Licensing broadcasters for digital conversion: opponents of the law, including the OSCE,² fear that the transition to digital broadcasting will, ironically, limit media pluralism despite the increased frequencies available. Critics question whether non-governmental stations, especially regional ones, will have a chance of being licensed or whether they will effectively lose, without compensation, their license in the switchover. The government plans to grant the national operator, Kazakhtelecom, a monopolistic position by allowing it to purchase broadcasting frequencies without requiring competitive bidding, whereas other companies will have to compete for their frequencies in multiplexes.

The Television and Radio Development Committee issues broadcast licenses. For several years, the National Association of Television and Radio Broadcasting Companies of Kazakhstan (NAT) has been fighting to obtain the frequency bands allocation plan. However, despite multiple inquiries, NAT has failed to take the wraps off the allocation plan. Therefore, each invitation to bid for a frequency is a kind of revelation.

On August 31, the International Foundation for Protection of Freedom of Speech Adil Soz and NAT addressed Minister of Communications and Information Askar Zhumagaliev via a blog post asking him to reveal the number of frequency bands allocated to television and radio broadcasting in Kazakhstan. Also, media NGOs inquired about the government plans for using frequency band resources released due to the transition to digital television broadcasting. On September 16, Zhumagaliev replied that a territorial frequency plan (TFP) for the first multiplex covering the whole territory of Kazakhstan and the second multiplex for Almaty, Astana, and Karaganda cities have already been developed. The network for the first multiplex will consist of 827 transmitters throughout Kazakhstan. As of today, frequency allocations specified in the TFP have been coordinated with the Ministry of Defense and an international coordination of these frequency bands is being conducted according to the recommendations of the International Telecommunications Union. "In the future, the frequency band allocation procedure for digital broadcasting is going to be conducted according to the regulations stipulated in the currently drafted law On TV and Radio Broadcasting. It is also planned to release four or five television channels for the development of broadcasting in the Republic of Kazakhstan," the reply from the Minister of Communications and Information says.

The Television and Radio Development Committee met twice in 2011 (January and October) and, according to Sholpan

² OSCE press release "OSCE Media Freedom Representative Expresses Concern over Newly-Adopted Broadcasting Law in Kazakhstan." <http://www.osce.org/fom/86713>

Zhaxybaeva, the executive director of NAT and the only representative of NGOs on the Committee, both meetings were conducted with violations of the regulations. Loopholes for violating the principle of equality of all the participants are always found. Sometimes regulations governing the period of notice about the bid may be infringed. The meeting may be scheduled within a few days after the public announcement, while preparation of all the necessary documents requires several weeks. For instance, it takes at least five days to get a tax statement in the regions. Sometimes the officials who prepare the documents for bid examination and summarize consolidated data on application completeness, may also remove certain documents from the folder submitted for bidding. Zhaxybaeva noted that being the only independent member of the Committee, she often goes through the files before they are submitted for bidding in order to make sure that all the necessary papers are there. Yet, there were cases when she had to protest against tampering with the application by the officials, confirming prior completeness of applications of some television and radio companies. The owners and managers of media outlets are usually afraid of fighting for their right to participate in bidding and do not protest against the tampering with their applications for fear of repressions.

Another infringement of the examination procedure is the evasion of anti-monopoly legislation. The whole package of frequency bands presented for bidding is often given to one company while local—city or regional—companies are not considered as an alternative. For instance, the Committee meeting in October allocated 22 radio frequencies in big cities to one company in spite of the fact that several local private companies also bid for them.

In 2011, due to the launch of national Balapan and Madaniet channels under the personal patronage of President Nazarbayev, citizens in areas that had been underserved for a long time gained access to more broadcast options. Discussing the positive impact of these channels' launch and development, media experts in the focus group also noted the illegitimate licensing of these channels. Zhaxybaeva mentioned that each channel is supposed to receive its bandwidth through a bidding procedure and by decision of the Committee. However, the government decided that they could launch these channels themselves, by-passing the procedures stipulated in the law. Without prejudice to the quality of these channels and their significance for the general public, it is important to note that in this case the government behaved as a monopoly. Private media were not offered any opportunity to take part in bidding for relevant content creation and development. There do exist private media that are interested and capable. For example, the regional Otrar TV, supported by the Internews New Reporter project, created a website updated in real time, having thus

made a step towards development of a multimedia version. Its owner addressed the Ministry of Communications with a proposal to create a nationwide channel for children. Several years ago Otrar launched the first children's programming in the Kazakh-language; they later launched and are still broadcasting programs in the Uzbek and Uyghur languages.

Promises by mobile communications companies to launch 3D mobile television channels have failed to come into being. According to one version, the officials responsible for licensing documents were trying to extort an insurmountable bribe; another version claims that calculation of expenses (including those related to political and ideological factors) and potential profits looked irrational to the owners of these companies.

The Television and Radio Development Committee is also authorized to make decisions regarding revocation of previously made decisions concerning registration of media outlets. If need be, this can be used as a tool against critical media.

Practice shows that even those stipulations of the law that look quite liberal at first sight may, in case of necessity, be used against certain media outlets and journalists. Thus, the stipulation that the Ministry of Communications and Information must ensure that no media outlets be registered under the same name, has since summer 2011 been practically preventing Tokbergen Abiev, the former editor-in-chief of *Zakon i Pravosudie (Law and Justice)*, who had spent three years in jail for the accusation of "giving a bribe," from registering a new edition. Each time Abiev filed a registration request with another name, the Ministry would constantly reply that media outlets with such names already existed, and the registration of a new edition with the same name was impossible. In fact, the last time Abiev applied for registration in the fall of 2011, he filed requests for two editions with names that were in principle undreamt of for a printed publication: *A Corrupt Official Must Sit in Jail* and *Kazakhstan Media Alliance Law and Justice*. Imagine how shocked he was when the official rejection signed by the deputy head of the Committee for Archives and Information of the Ministry of Culture claimed that newspapers with such names already existed!

The problem is that registration applicants can never verify the accuracy of claims regarding the existence of these or other names; although the inventory of all registered media outlets is not a classified document, it has never been published. Despite multiple promises, the Ministry of Communications and Information does not provide open access to the inventory. However, panelists noted that the situation might change for better due to a recent Minister of Communications and Information Decree On Approval of the Rules of the National Online Service Media Registration.

The only media that do not yet require licensing is blog posting, though the government is already actively interfering with this media by blocking undesirable blogging platforms.

Tulegen Askarov, economic analyst for *The Voice of Republic*, said, "Formally, media outlets as businesses function on equal terms with other market players, and, as of today, they do not have any tax or customs privileges. However, a 20 percent limit on the foreign ownership of media, stipulated by the National Security Law, is still in force."

Enjoying no preferences in taxation and other conditions for business development, media outlets are still different from other types of businesses in terms of market entry conditions. Although the licensing procedure for media is quite similar to that for other types of businesses—the licensor can grant or refuse, suspend, discontinue, or even revoke the license—in the case of media business registration, the decision is very often influenced by additional political factors. Most business outlets receive their licenses from local executive authorities of the region where the licensee is registered, whereas media licensing, registration and re-registration procedures are centralized and conducted only by the authorized body: the Ministry of Communications and Information of the Republic of Kazakhstan.

Adil Soz monitors recorded 14 attacks against media outlets and 15 cases of threatening journalists in 2011. In none of these cases were the perpetrators brought to justice. News about crimes against journalists and media outlets is usually spread around through mailing lists of media outlets; however, crimes against journalists of state-run media are usually concealed by decision of the media outlet's administration. Representatives of various media outlets raised the issue of impunity of those who attack journalists at a press conference held on the International Day to End Impunity, November 23, 2011. At the same time, any investigation conducted by media outlets or journalists themselves is being blocked, and the authors of investigative articles are persecuted.

Five years have passed since journalist Oralgaisha Omarshanova disappeared and the case has essentially gone cold. The media community believes an investigation is not being carried out at all. Journalists' suspicions are based on the fact that right before her disappearance, Oralgaisha had published an investigative article in the *Zakon i Pravosudiye (Law and Justice)* newspaper concerning the conflict between Kazakhs and Chechens in Malovodnoe (Malybai) village, expressing her opinion about a link between high-ranking security officials and criminals involved in the conflict. However, the investigation had neither refuted nor confirmed these suspicions. The only example of a speedy investigation and a guilty verdict by the court the case of murdered Kyrgyz

opposition journalist Gennady Pavlyuk. The panelists believe that the speed of the investigation and the court ruling was possible solely because of changes in the Kyrgyz Republic political elite who masterminded the murder.

Statistics of violations of journalists' rights bear evidence of certain tendencies: the majority of "victims" are journalists from private media; television reporters and cameramen are the most frequent targets of attacks. Bloggers are seldom among those against whom crimes are committed.

The dependence of state-run media outlets on the state is growing from year to year. On the one hand, there is a well-established tradition of providing state-run media outlets with hefty funding from state funds; besides, most of the state-run print media are supported by mandatory subscriptions for officials and civil servants. *De jure*, all state-run media are amalgamated in huge corporations, the editorial boards of which are appointed by governmental bodies and enjoy a status similar to that of the Soviet-times: they participate in the governmental flow of documents (including those kept secret from other media outlets), they bear international passports, and often belong to the ruling Nur Otan party.

Some recent legislative provisions benefit the mass media. For example, article 129 of "On the Introduction of Amendments and Addenda into Certain Legislative Acts of the Republic of Kazakhstan Regarding Further Humanization of Criminal Legislation and Strengthening the Guarantees of Lawfulness in the Criminal Process of the Criminal Code of the Republic of Kazakhstan," enacted in January 2011, introduced the administrative issue preclusion system. For the media, this law rules out the possibility of administering punishments, such as a six-month imprisonment, for libel. Criminal liability for libel and defamation has not been abolished, despite the promises given by Kazakh authorities to the international community. The changes in the law refer to administrative liability for libel and defamation and stipulate administrative liability according to the Administrative Offenses Code; only then is punishment within the framework of the Criminal Code.

Amendments and addenda to the Civil and Criminal Codes made in 2011 (Law No. 452-IV) allow a legal entity to defend its business reputation by demanding that a media outlet publish a reply or refutation if information infringing on the rights or lawful interests has been disseminated. Both the reply and the refutation must be published free of charge. If the owner of the media outlet refuses to publish the refutation, or if publication has not been carried out within one month, or in case of liquidation proceedings against the owner of the media outlet, the legal entity has a right to claim compensation for losses pursuant to the procedure established by article 350 of the Civil Code.

A special law, "On the Leader of the Nation," protects the president, members of parliament, and other political figures. Each lawsuit concerning such high-ranking persons involves hefty compensation out of proportion with the level of life and income in the country. As a result, panelists stated that high-ranking officials initiate most libel cases against journalists and media outlets, and practically all cases end up with guilty verdicts for the journalists. Courts still award huge sums in favor of plaintiffs. Media outlets face a dilemma: either to be a "watchdog" and inform the public of cases of power abuse, infringement of citizens' rights, etc. or to go bankrupt because of suits filed by those in power. In 2011, yet again, *Uralskaya Nedelya (Uralsk Week)* newspaper was within an inch of bankruptcy, this time due to the lawsuit from the Joint Manufacturing Venture Metal Products LLC regarding the publication of an article titled "What the Regional Akim is Concerned About." In March, the Uralsk regional court announced its decision: oblige the newspaper to pay KZT 20 million (\$133,000) in compensation for moral damages. The case was not about the veracity of presented facts, but regarded the opinion of a journalist who cast doubt on the company's professionalism.

The panelists believe that most journalists who lose libel, defamation, protection of honor, dignity, and business reputation lawsuits have been punished because they could not present conclusive evidence of being right. Instead of presenting arguments based on facts, they often express their own opinions and thereby affirm various stereotypes of poor journalism.

Several criminal court hearings in which journalists were accused of libel took place in 2011. As many as 19 people were accused, 15 of whom are traditional media journalists (mainly from regional print media) and four Internet journalists.

Valery Surganov, a journalist working for the www.guljan.org website, and Kuanyshebek Botabekov, editor-in-chief of *Adilet* newspaper, were accused of "Libel combined with an accusation of a person committing a grave or an especially grave corruption crime" and sentenced to a year-and-a-half of imprisonment each. The charges against Surganov originated from his article "Kings of Financial Police, Part Two" placed on the website www.guljan.org on June 12, 2011, and a similar article published in *Kazakhstan* newspaper on June 14, devoted to the murder of a Kazakh student, Ernar Aliev, in Moscow. Sandzhar Aliev, the head of the Financial Police in Pavlodar Oblast, filed the claim, feeling the articles distributed false information. Surganov was also sentenced to pay compensation of KZT 100,000 (\$670) and issue a refutation on his website.

Botabekov's case centered around his articles "Mr. Kenes, which team do you play for?" and "Dear valued Mr. President!" In addition to his suspended sentence, he was ordered to publish a refutation and pay KZT 300,000 (\$2,000) as moral damage compensation. The Nakipbekovs brothers—both high-ranking state officials—filed the claim as private persons whom the author had accused of corruption and abuse of power.

Few cases end up in favor of the journalists. The Petropavlovsk City Court declined a lawsuit for protection of honor and dignity filed by Kulshira Usenova, Arjarkyn village school principal, who was seeking to recover KZT 2 million (\$13,400) as moral damage compensation for articles published by Viktor Miroshnichenko, a reporter with *Vremya (Time)*. The Shardary District Court of South Kazakhstan Province dismissed a suit by the district akim (governor) Margulan Marayim against the editor-in-chief of the district newspaper *Shardara Tynysy Zhumabek Mukanov* claiming KZT 2 million (\$13,400) in damages. Irrefutable proof of facts, published in the articles that had allegedly harmed the civil worker's dignity, was provided during the trial. Panelist Galiya Azhenova, the head of the Public Center of Expertise of Information Disputes at Adil Soz, provided legal support in that case.

Nevertheless, 2011 witnessed a symbolic case, when a young and democratic member of parliament, Tomirbergen Birtungarov, filed a lawsuit for protection of honor, dignity, and business reputation against a journalist with a symbolic compensation of KZT 1. Later on, the parties settled, but the media considered the case as a very positive step.

Article 20 (item 2) of the constitution guarantees "Everyone shall have the right to freely receive and disseminate information by any means not prohibited by law. The list of items constituting state secrets of the Republic of Kazakhstan shall be determined by law." However, state agencies sometimes deliberately "filter" media access to important events. For example, regional journalists from private media outlets have a very slim chance to gain access to events conducted in the akimat's office when the leaders of the country visit it. Getting accreditation at high-ranking state events is an extremely difficult, almost impossible mission, for bloggers. On the other hand, it should be noted that in 2011, authorities started paying attention to bloggers. Bloggers participated in such key press-tours such as the launch of the Kazakhsat-2 satellite in Baikonur and the discussion of the e-government in Astana.

"Access to information depends on each particular department. National-level organizations usually require a written request for supplying information. On the regional level, it is much less complicated. Information can be obtained by phone," said Beishen Kuranbek, director of Zhetysu TV in Taldykorgan.

In situations when the government agencies refuse to provide journalists and media with access to information, the latter often fight for their rights with the help of legal mechanisms. Journalists usually lament about court procedures, which take a lot of time provide very little protection. In 2011, the *Aina* newspaper decided to become one of the few media to file a lawsuit for restriction of access to information. First, the newspaper applied to a specialized inter-district economic court in Kostanay with a lawsuit against the Karabalyk District Department of Sanitary and Epidemiological Inspection. The problem was that journalists working for this newspaper had verbally requested that the Department publish the exact results of the inspection of local points of sale. The Department head refused to reveal such data, having considered that such disclosure might harm the owners' reputation and hinder the development of their businesses. On April 26, the court declined *Aina's* claim, explaining that the plaintiff had missed the time allowed for claims. Another reason for the court's rejection was the absence of a registered request, although the Department did not deny that a verbal request had been made.

Changes to the regulations that would provide journalists with access to information and stipulates clear-cut responsibility of state agencies and officials to provide access to information was prepared as a draft law in 2010. Many Kazakhstan's NGOs, including Internews lawyers, took part in its development. However, the parliament was dismissed just before the law was going to be adopted, and its future is still unclear.

Despite stagnation in some areas of access to information, in 2011, the active development of the e-government system has continued. The government has invested large amounts of money into a practical implementation of e-government. At the High-Tech Conference and Exhibition in Astana, experts estimated that savings from the e-government implementation have already exceeded KZT 40 billion (\$270 million).³

Now not only state agencies, but also key political and administrative figures have their own blogs and websites. The panelists mentioned the website of the akim of Taraz and the website of the Supreme Court as being the most efficient ones, open to cooperation and providing access to socially important information. On the other hand, the Twitter account of the prime minister, which quickly reached 20,000 followers, has, according to the panelists, become simply a formal channel of communication: anonymous clerks attend to the prime minister's personal Twitter feed, giving run-around replies to specific requests and questions asked by followers.

³ <http://digitalcom2011.kz>

The journalists say the same happens with other governmental channels of communication: they are all characterized by pseudo-openness. A journalist seldom receives competent and clear replies to relevant questions. The fear of showing incompetence often causes rejections and red tape. In the course of the panel discussion, the panelists quoted multiple examples of refusals to provide information for factitious reasons or without any reason whatsoever.

The Adil Soz monitoring of the violation of journalists' and media rights has also recorded cases of limiting journalists' access to information. For example, in April 2011, "A reporter for the weekly *Avitrek*, Robert Keller, was preparing an article related to the delay in delivery of low-cost prescription drugs for disabled people. Keller addressed the head of the Department of Public Health of Karaganda Province for explanations. An office manager asked the journalist to leave a written request and promised to reply within a month. As a result of the delay, the journalist could not fulfill his task."

Another example from Adil Soz: "Two explosions rocked the city of Atyrau on October 31. The responsibility for them was claimed by the Jund al Khilafah (The Caliphate Soldiers) terrorist organization. According to the SITE research organization, the militants had published their statement concerning the case on the Jihad forums. Since this statement had not been commented on by Kazakh officials, the Azattyk (Freedom) radio reporter Svetlana Glushkova applied to the General Prosecutor's Office for information. The General Prosecutor's Office assured her that they had no information about such a statement and suggested that she leave a written request for information. The Ministry of the Interior told the journalist that they did not know anything about Jund al Khilafah's statement either. The National Security Committee (NSC) stated that the Atyrau explosions were to be investigated not by them but by the General Prosecutor's Office and the Ministry of the Interior."

Journalism is still a freely chosen occupation. There is no barrier to entering the profession, no licensing procedures, and no qualification tests. Practically everyone can become a journalist, especially now with the spread of blogging. The only barrier is if you want to be listed as a loyal journalist and get accredited by the state authorities and certain state-run companies. There are also some barriers for becoming a staff member of major state-run media. The absence of any specific requirements for entering into the profession rules out special privileges. However, as Azhenova stated, "The press card means a lot; therefore, even bloggers try to work for print and officially registered media in order to receive a press card with 'staff reporter,' 'free-lance reporter,' 'editor.'"

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kazakhstan Objective Score: 1.64

There are very few examples of scrupulous reporting with balance and multiple sources of information. Media often publish information without verifying it, without taking the time to find out what the criticized side thinks, etc. This hurts the media consumer, but it also hurts the media: *Vechernyi Taldy-Kurgan (Evening Taldy-Kurgan)* newspaper had to pay court-ordered fines because it did not check other sources of information and verify facts contained in a Community Council of Taldykorgan region press release. It just re-printed the text, which averred the court secretary's appearance did not conform to business attire, saying she was wearing a tube top and a mini-skirt during court hearings, and implied that this also brought her morals into question. The newspaper was found guilty of causing moral damage and insulting the court secretary's honor and dignity; the editors did not have any documented proof of "unethical" clothing.

In the course of the panel discussion, panelists could name only a handful of journalists who adhere to a majority of professional standards. Among others, they mentioned Bukov, who works for *Vechernyi Taldy-Kurgan (Evening Taldy-Kurgan)* and has quite a few court hearings under his belt in which he managed to present convincing documents that exonerated him. In most cases, journalists have to face a dilemma: whether to publish information with only one opinion or not to present it at all because the representatives of government agencies refuse to provide any comments, especially in critical cases.

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well-sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

The following case is typical. Anatoly Inochkin, a journalist for *Criminal News* newspaper was preparing an article about the state-run orphanage for children and adolescents in Karaganda city, where children were being fed expired products. These facts had been established by investigators of the Prosecutor's Office of Kazybek Bi District in Karaganda. In order to avoid publishing one-sided information, the reporter asked the orphanage staff for clarification. However, the orphanage representatives refused to speak to the journalist.

Adding to problems of quality journalism are staff that have not changed their approach to journalism since Soviet times. Most editorial offices of the regional media are full of veteran journalists who do not want to move out. According to Kuranbek, more than a third of journalists are old timers who cannot switch to working on computers. In the cities, especially in television, the situation is just the opposite: most journalists are young.

There is a huge demand for analysis of news, and editorial boards are looking for news observers, as the audience needs guidance in the sea of news. However, there are very few such experts among journalists.

Events that happened in Kazakhstan in 2011 became a litmus test for checking the journalists' professionalism and integrity. Several well-known terrorist attacks and incidents took place this year. Analyzing the work of media outlets on these days, one can see that most journalists and media outlets are incapable of working with several sources of information and cannot react in a timely way to the events that have a great significance to the country. For example, during the terrorist attack in Taraz, which took place on a weekend, many media outlets did not find it important enough to prepare any news coverage, while others presented them late in the evening, when the Internet was already full of rumors. Information published by those agencies that did operate on that day was not always verified.⁴

Internews experts note that bloggers also demonstrate insufficient professional skills. For example, in the case mentioned in Objective 1, above, when bloggers were included in events such as a satellite launch or discussions of e-governance, many bloggers dedicated significant space to the meals they received and how they were taken bowling.

Askarov voiced a strong opinion regarding ethics: "There are no ethical standards for journalists that have been approved by the journalist community and employers. This leads to the dominance of subjective journalism, pre-paid concealed PR materials, and other negative phenomena that lower the quality of materials and the media as a whole. Commercialization of information published in mass media is pervasive."

⁴ <http://newreporter.org/2011/11/15/kak-kazaxstanskije-smi-osveshhaliterakt-v-taraze/>

The panelists provided examples of ethical lapses: television operators may show the faces of AIDS patients in focus or depict scenes of violence and dead bodies covered in blood. Last year, the Ministry of Communications and Information was even compelled to send a special notification to OJSC CTC (Commercial Television Channel) about their violation of ethics because the channel regularly broadcasts programs that show dead bodies. Commenting on such a lack of sensitivity, Askarov said that all kinds of violations of ethical norms are inevitable because students of journalism know nothing about their rights and responsibilities.

On the verge of the 2011 elections, 50 editors (from the Chief Editors' Club) signed an Election Charter promising not to violate ethical norms while reporting on the election process. This charter had little effect on mass media, though several editorial boards did note that abidance by ethical norms is not necessarily connected to abidance by legal norms.

The panelists believe that bloggers also do not follow ethical standards: they use taboo vocabulary in their posts and practice concealed public relations whenever they can. As of today, the only website that separates between advertising and other content is tengrinews.kz. Some websites create content that blatantly calls for ethnic discord or publishes information that defames personalities (e.g. masa.kz). However, there have been no cases of bringing bloggers to court for these posts.

Plagiarism and piracy have become common practice in Kazakh media. Adil Soz monitoring had to introduce a special category of legal action against the media: "Accusations that journalists and media violated copyright." Kazakh-language blog content is the most popular target for plagiarists. However, plagiarism is often detected in traditional and quite respectable media: for example, unique content on health issues from the Camp Kcell blog is regularly reproduced on the *Ene Mene Bala* program, and most television channels have already introduced BlogPost segments that never mention the names of the bloggers. Eurasia TV borrows news from zakon.kz aggregator, which, in turn, aggregates information from various sources without referring to the authors. On November 21, the web-editor of *Nasha Gazeta* (*Our Newspaper*) wrote an email to the editorial board of ok2net.kz website with a complaint about using authored video material "The Volunteers' Farewell Party in Kostanay" without the editor's consent and any reference to the source and author. *Nasha Gazeta* requested that either a direct link to the material and the name of the author be posted or the material be removed. An anonymous ok2net.kz operator refused to comply with these requirements, claiming that the video clip was posted by their user, and they do not bear any responsibility for that.

As it often happens, dishonest “borrowers” not only conceal the source, but sometimes even sign someone else’s product with their own names! As Victor Losev, the President of Kazakhstan Association for Protection of Copyright and Related Rights put it at the roundtable Copyright Protection in the Information Medium, 90 percent of the most visited Kazakh websites contain pirated content. There is even a new political party in Kazakhstan whose aim is to fight against any kind of injustice, including piracy.

There are no tools and procedures for copyright regulation in the Internet environment yet, nor are there any courts capable of judging copyright issues properly.

Sometimes media outlets not only “borrow” materials from other sources of information, but also make editorial changes without the author’s consent. For example, in March, the www.nur.kz published Elena Chernyshova’s report on the disciplinary committee meeting “While Sandwiches I Make, Thoughts of People Pierce My Brain” (Express K, March 5, 2011) with their own title: “The Most Corrupt Akimat of the Country has been Named.” According to the author, this title completely distorts the sense of the article.

Both journalists and media outlets practice self-censorship. “Self-censorship is widespread, since media outlets are trying to avoid negative reaction of the authorities, as well as businesses and individual citizens because Kazakhstanian legislation allows for an easy way of demanding hefty compensation from media outlets for moral and financial damage,” said Askarov. Reporting on frequent and key events such as protest rallies by miners, media outlets try to avoid specific details and interviews with the miners and other protesters. Another case involved the Kazakh Embassy in China, which was closed for some time and did not issue visas. Although this problem was recorded by visitors and a video was sent to Kazakhstan, no one dared show this video or write a critical article in the print media.

“All state-run media outlets are bound by the same management and understanding of the state interests. For the sake of a quiet life, a journalist makes the coverage or article exactly according to what has been requested,” said Azhenova.

Furthermore, the Law on National Security adopted in 2011 reinforces self-censorship. It aims to prevent “the influence of information on public and individual consciousness related to deliberate distortion and spreading unreliable information to the detriment of national security.” A number of lawyers believe that any information unacceptable for the government can be viewed as unreliable. And this is a new avenue for censoring journalistic activity.

One result of this attitude held by the media and promoted by the government is that citizens learned about the terrorist

attacks in Taraz initially only from Russian Internet sources. Local media dared write about it only 12 hours later. The Minister of Communications and Information summoned media representatives and warned them how important it was to adhere to ethical norms in their coverage of the conflict, though no media outlet had published a single line about this event. As a result of such an attitude about informing the public, the city and the whole country were filled with rumors. Some said there were piles of corpses all over the city. Another popular version claimed that the event was organized by the police trying to conceal a clash, in which several of their colleagues had been killed. In order to avoid investigation, they allegedly arranged a pseudo-terrorist attack, which could explain the dead bodies in the street. In the age of access to the Internet and social media, such a lack of authoritative reporting can be quite damaging to the public.

Journalists are sometimes so confused that they do not even report on events that bear no political angle, being afraid of getting themselves and their media outlets into trouble. For example, when there was a series of earthquakes in Almaty on May 1, journalists from all traditional media preferred to keep silent until the evening. Since the weather conditions in Astana have been censored for many years—meaning, it is undesirable to write about bad weather in the capital city—an earthquake may fall under the same censorship.

Demonstrating her attitude to censorship and self-censorship in the mass media, the author of guljan.org website posted a provocative video clip showing a naked butt with the caption “Bitter truth is better than sweet falsehood.” This pointed jab at a major problem facing journalism in Kazakhstan aroused a storm of protest among professional journalists and the general public.

Coverage of key events, being hampered by self-censorship as demonstrated above, is further complicated by the existence of taboo topics. For example, it is unacceptable to write about opposition political parties. Censorship and self-censorship are responsible for a veil of silence around significant political processes, for example, the prosecution for fraud and money-laundering of tycoon Mukhtar Ablyazov. The violence accompanying labor strikes in Zhanaozen became an indicator of each media outlet’s openness. According to Azhenova, the coverage of events in Zhanaozen by state-run media, with a rare exception of Kazakhstan TV, was one-dimensional and accusatory. The viewpoint of the opposition media was also one-dimensional. “The main version of the Zhanaozen events was received from Twitter, YouTube, and Facebook,” she said.

Reporting on interethnic relationships is still considered taboo. Nevertheless, journalists do write about the topic, using varying approaches. Kazakh-language media highlight

the dominant position of the Kazakh language and the importance of guarding the rights of an independent Kazakhstan. Russian-language media write about relationships between various nations in an idealistic style, presenting the picture of indissoluble bonds of friendship and consensus between ethnic groups. Since 2011, it has become unacceptable to write about religion and religious life. The television in Taraz, which had earlier received a grant to cover religious life, received an updated grant for stories on mediation to avoid conflicts.

In the absence of content, therefore, and to avoid problems and repression, some journalists from regional media generate content by publishing their own novels in serial form.

The scope of events covered by bloggers is much broader than that reported by traditional media.

Pay levels for journalists vary and depend on the type of media, where it is located, its ownership, and its chief editor's personality. The overall trend after the economic crisis has been for salaries to either remain flat or even decrease.

According to one panelist, journalists' pay rates gradually decreased in 2011, and now a journalist receives \$400 to \$500 less than in a public relations job. That, according to the panelist, is why journalists accept gifts and "rewards" from those they write about, especially in media outlets without strict policies on such gifts. According to Kuranbek, a person came to the Zhetysu TV editorial office with a proposal for a program aimed at explaining the draft law On Television and Radio Broadcasting to the public. He claimed that the Khabar TV office demanded a payment of KZT 2,000 (\$13) for such a program.

Non-governmental Kazakh-language newspapers have lower revenue and therefore lower salaries than the Russian-language media outlets. At *Turkestan* newspaper, for example, the highest salary barely reaches KZT 100,000 (\$670) per month, but only a few journalists achieve that level of income.

Most regional print media pay no more than KZT 50,000 (\$335). This is tolerated because if a regional journalist loses her or his job, s/he has nowhere to go. Kuranbek, head of Zhetysu TV, managed to raise the salary from KZT 20,000 to KZT 90,000 (\$135 to \$600) within a short period of time, having re-arranged revenue and spending policies. He claims, "The journalist's salary today is not bad if you are a professional and work from early morning to late evening. Regional journalists mainly work for one outlet, and their salary and expenses allow them to hold the one job only. Today many people are trying to enter journalism, not to leave it, and the pay level here is much higher than that of teachers, though not as high as that of certain government

officials. Dedication also plays a significant role." Astana journalists receive KZT 100,000 to KZT 120,000 (\$670–\$800).

Journalists at state-run media outlets enjoy the highest salaries. Nevertheless, not everything is perfect there either. For example, journalists working for the biggest information agency, Kazinform, went on strike three times during the year in order to receive their salaries. The striking journalists mentioned regular delays in payments as the reason for their strike; management explained this was due to past mistakes of the agency's tax accountants and by late payment penalties for previous years as well as frozen bank accounts.

Young people tend to look for better-paying jobs, so they move on if the salary is not high enough. Many young journalists work for several media outlets. Journalists often leave the media for jobs in the press-centers of oil, manufacturing, and state-owned companies, as well as press-centers of law-enforcement agencies. Many journalists work in unknown magazines, like an agribusiness journal, where they do not have to "sweat" but just reprint various specialized articles.

Blogging has not become a profession yet as it hardly brings in any income. A few exceptions are the bloggers with an audience of 500 to 600 visitors because they post to-order advertising. The majority of these are Russian-language bloggers, but almost none from the Kazakh-language blogosphere. There are a few exceptions, such as the blogger Kuanysh Esikeev, who can make an income of up to \$500 a month.

The trend towards further eclipsing news with entertainment programs has continued in 2011. As the panelists stated it, a "glamorization" of broadcasting is underway. Having analyzed the disappearance of news programs from the broadcasting schedule, the participants of Media Kurultai-2011, which took place in Almaty on October 31, noted, "Modern radio journalism is dead. Radio stations prefer a middle-of-the-road format: a bit of one thing, a bit of pop music. No analytical programs. Nothing more than four minutes in length." A few exceptions still exist in regional radio stations, such as the Taldyqorghon information radio or Kostanay radio that produces its own newscasts. On the whole, the panelists say that the chances to create a multimedia radio station like Russia's Echo of Moscow or Bavarian Memoryloops are feasible only on the Internet. Such an online radio has a potentially serious audience: today, as many as 7 million Kazakhstanis access the Internet at least once a day.

In 2011, the state invested large amounts of funds in the development of entertainment formats and creation of locally produced television serials. Traditional media create fewer and fewer newscasts themselves; most just borrow the

news from newsfeeds and online news aggregators. The few exceptions are limited to such information programs as *The Portrait of the Week* on CTC. The situation may change with the implementation of Khabar TV's plan to launch a 24-hour news channel, 24KZ, and an educational channel, Bilim.

The administration of the state-run television channels is clearly oriented towards adopting foreign formats. According to Kaplina, television experts have calculated that in order to compete with Turkish serials, which are most popular, one hour of locally produced content should cost about \$30,000. It is noteworthy that the second most popular television channel in Kazakhstan, Channel 31, which belongs to the Russian CTC Media Corporation with 82.9 percent penetration, fills its broadcasting schedule with Turkish and Korean serials, Hollywood films, some CTC content, and some Kazakh-language programming (mainly entertainment).

News and analysis still exist in the schedule of leading television channels mainly due to government procurement.

In October 2011, Internews conducted a one-day content analysis for several media outlets and a blog platform. It revealed that traditional media are less engaged in investigative journalism and publish fewer issue-specific stories of a social or political nature. At the same time, Kazakh-language media are characterized with a wider variety of genres. On the day of content analysis, the yvision.kz blog posted almost no materials related to politics, economics, or society. Internews expert and panelist Kaplina noted, "Cultural topics are now more prevalent in Kazakhstani blogs than in traditional media. This speaks about the decline in the variety of traditional media, whereas blogs, unfortunately, do not fill this niche."

The technological potential of the Kazakhstani media has grown considerably during the year. Today, media outlets have enormous capacities. "Our regional TV technical equipment has significantly improved within the past years. We are moving towards digital broadcasting and have all the facilities for that: cameras and editing equipment in P2 format. The news block is broadcast live. A virtual studio has been launched. Internet access for staff members is free of charge. All this has improved the quality of programs we produce," said Kuranbek. In 2011, several media outlets made an attempt to improve the kit carried by their reporters: Lada (Aktau), Novyi Vestnik (Kostanay), Rabat (Shymkent), and Tengrinews provided additional tools such as video cameras and USB modems to enable reporters to send timely news on important events to their websites.

Equipment of state-run media outlets with new technologies and facilities is incomparable to the private media's possibilities of technical upgrading. This is especially true for the electronic media. Some private television channels are still

employing outdated equipment, and this is reflected in the quality of their broadcasting, which, in turn, does not spur the growth of audience and advertising flow. This vicious circle will perhaps be broken with the universal introduction of digital technologies, when those incapable of meeting new standards will automatically cease to exist.

Being fairly well equipped, traditional, especially state-run, media outlets are now facing a lack of qualified and technically competent journalists. Media NGOs are also having problems due to the lack of technically trained staff. In order to help the media, The Legal Media Center NGO in Astana, supported by Friedrich Ebert Foundation and OSCE, organized a seminar on the efficient use of social media tools for NGO activities in October, 2011. The seminar revealed that different organizations have different levels of competence in these instruments: Minber NGO (Almaty) makes use of RSS, has a Twitter account, a page on Facebook, and uses tools for synchronizing information; representatives of many other foundations and associations learned what Twitter is only at this training.

The state is actively involved in the process of switching to digital broadcasting. A specific program for information and communication technology development is geared towards gradual introduction of digital broadcasting in 2010 through 2014. As the first stage of the project, the national satellite television broadcasting network Otau was launched on January 18, 2011. With the satellite television network in place, the whole population of the country, including those living in remote rural areas close to the borders, receive 37 national and regional television programs for the first time and free of charge.

Authors of investigative articles are persecuted. Journalists and operators of the Stan TV Internet portal (controlled by oppositionist Mukhtar Ablyazov) and the staff of K+ TV channel found themselves in the epicenter of a governmental pressure campaign. In the case of Stan TV, besides beaten staff and multiple lawsuits with substantial amounts claimed, governmental bodies, represented by the sanitary-epidemiological department, managed to close Stan TV information partners Namystan LLC and Stan TV video portal by suing Stan Production Studio LLC for violating health codes. When the president's aid, ex-Minister of Information Ertysbayev appealed to journalists, encouraging them to conduct more investigations, the head of the Journalists' Union, Seitkazy Matayev responded, "I just know that the state-run media do not conduct investigations whatsoever. As for private, independent media, they are, of course, involved in investigative journalism, but do it at their own peril and risk because any investigation is bound to produce a negative response by the criticized party."

Matayev words are backed up by dozens of lawsuits filed to protect the honor and dignity of various politicians, who accuse journalists of libel. For example, Gennady Benditsky, a journalist for *Vremya (Time)* newspaper, who is famous for his pointed articles, was forced to appeal to the public from the newspaper's pages in August. He wrote that after several publications concerning the facts of illegal activity of certain National Security Committee officers and the personnel of the Khorgos and Korday customs and border control checkpoints, some sources in the security agencies warned him that he is "on a hook."

Business journalism has stayed at the same level, having not experienced the same setbacks during the crises as the business sector did only due to state procurement contracts. Grant funds received from the government have almost completely compensated for the decline in advertising flows to business media outlets. The economic crisis has lowered the spending capacity of the majority of the country's population, which first of all affected the "glamour" media industry, which had just started to develop a couple of years before. Other kinds of niche journalism have not demonstrated their capacities yet. Even the Court Journalists' Guild, which was founded in Shymkent at the end of 2010, did not showcase capacity for enhanced coverage of legal proceedings in 2011.

OBJECTIVE 3: PLURALITY OF NEWS

Kazakhstan Objective Score: 1.76

The activity of such media outlets as Stan TV, K+ TV channel, a number of party-run media, and various Kazakh- and Russian-language blogs has significantly decreased the monopolization of news and information by the government and is fighting information monotony. Years of information control and censorship and traditions of bias in covering events both by state-owned and opposition media outlets have developed a specific approach to understanding the news among newspaper readers. Askarov described this approach in the following way, "Take *Kazakhstanskaya Pravda* and *Respublika* [now published as *Golos Respubliki*] and find the truth about the event between the two versions of reports."

The panelists explain the low level of public trust in the majority of traditional media in the following way: State-run and pro-governmental media outlets, controlled by businesses loyal to the government, cover only those topics that have been approved by central and local authorities. Many media outlets have developed a certain hierarchy in presenting information: the president; government; parliament; big business; the rest of society. Business circles that control the leading media outlets refuse to be transparent about

ownership. These lead to the lowering of the public trust in mass media in general and electronic media in particular.

Although practically all Kazakhstani media outlets are politically biased and reflect political events in the country according to their owners' interests, the development of multimedia technologies promote diversity of information in the media. A large number of private media outlets focus on reflecting relevant social problems. For example, the Otrar multimedia outlet speaks about multiple aspects of life in the regions, from problems of children staying at home unattended to the desperate situation with housing, all in a real time mode. Typically, a couple of days later the same coverage is broadcast by national television companies like CTC.

There are 8,248 registered media outlets in Kazakhstan (2,513 of which are active); 212 electronic media outlets; 2,392 foreign media are distributed, and 9,000 domain names are registered in the .kz domain. Eighty-five percent of print media are privately owned. This variety promotes citizen access to diverse information and their awareness of nearly all, including political, events (see objective 2 for more details).

New television channels Balapan and Madaniet, as well as Classics radio, were launched in 2011. This has broadened the scope of information presented to the public. Furthering avenues for access, KazTAG sends its newsfeed in SMS form, although in general this channel of distribution is not popular in the country. The public places a lot of trust in

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources
- > The media provide news coverage and information about local, national, and international issues.

the blogosphere, especially in its coverage of critical events. Bloggers were the only sources of information in many stories. The Internet also prevents the government from limiting access to foreign sources of information.

Taken together, in general plurality of news sources does allow the public to be aware of events and develop their own points of view.

Perhaps because of this, 2011 was marked by a trend towards further tightening of registration for foreign media of various genres. According to article 19 of the Law on Television and Radio Broadcasting, registration of all foreign electronic media with the authorized body is mandatory now, whereas in the past they could just be spread by a distributor. Deputy Minister of Communications and Information Nurai Urasov said in an interview with stan.kz, "The current registration procedure is imperfect, and I suspect that foreign TV channels do not always know that their content is broadcast here, in Kazakhstan. That is why we have introduced the requirement that the channels themselves must register here through their representatives."

Information security provisions, approved on November 14, 2011 by the Decree of the President of the Republic of Kazakhstan, as well as the Government Decree on Satellite Communications, introduced limitations for conditional access and set a deadline for registration and certification of all satellite dishes. Access to foreign media delivered to the public by means of satellite dishes and Internet continues, however, and citizens in various regions have access to foreign media. For example, in Merken and Korday Districts and in Taraz city a lot of people watch Kyrgyz television channels, and Russian television is widespread. According to the State Report on Media Development, during two decades of independence, Russian programs as well as BBC, CNN, Deutsche Welle, Radio Freedom, Polish channel Polonia, and other television and radio channels have been broadcast via cable and satellite throughout the whole republic.

An attempt to curb foreign Internet zones nearly led to the departure of the Google search engine from Kazakhstan, discussed above. And a court injunction on access to Internet sites www.djamal.wordpress.com and www.caucase.wordpress.com as "foreign media whose content contains illegal information" led to the lockout of the whole Wordpress.com platform, due to which hundreds of Kazakh blogs became inaccessible to Internet users.⁵

The lockout of the Live Journal (LJ) platform was also explained by the fact that the District Court of Almaty considered 14 websites of this platform to violate the law.

⁵ Kazakhtelecom explains inaccessibility of the blog platform by the fact that all blogs on this platform have the same IP-address and it was impossible to block only one or two of them. Source of information: "WordPress was blocked because of two blogs" <http://www.adilsoz.kz/news/wordpress-zablokirovan-iz-za-dvux-blogov/>

The Minister of Communications and Information, Askar Zhumagaliev, stated on Twitter that the Ministry had addressed the administration of the Russian sector of LJ regarding that court ruling but did not receive any reply. In response to this, the administrator of the Russian sector of LJ, Svetlana Ivannikova, said that no court ruling that bans specific LJ pages is openly available, and no governmental body of Kazakhstan has ever addressed this issue with her. LJ has a conflict committee that can quickly settle any disagreements, and as soon as an application arrives, they are ready to help prevent the advocacy of violence and ethnic hatred. Adil Soz experts said in this respect that the court ruling on illegal content is questionable, as the public has not been provided with any proof.⁶

Access to the domestic media has several kinds of restrictions. On the one hand, the price of print media increased 20 to 30 percent during the past year and some sectors of the population cannot afford to buy them to the extent as they used to. On the other, political considerations may restrict citizens' access to Kazakhstani media. Government officials create temporary artificial barriers, as in cases described in Adil Soz monitoring, when the akimats' staff in the regions buy outright all the copies of certain opposition newspapers to prevent the distribution of a specific critical article. Such cases happened with the *Golos Respubliki* newspaper several times during the past year; in May a part of the circulation was bought in Petropavlovsk and the whole circulation was held in Almaty.

Foreign online sources being blocked has been described above, however, some of the most serious blocking of access to domestic media is also occurring online. For instance, access to certain online resources, such as the website of *Respublika* newspaper, is blocked. The trend of extra-judicial means of blocking citizen access to Internet resources has become a norm in the past two years. The list of domestic Internet resources, access to which was either restricted or blocked in 2011, is quite impressive. It includes Twitter accounts and the websites of NGOs and opposition media. All of Twitter and several other websites in the .kz domain were blocked in December 2011 due to riots in Zhanaozen. Overall, Adil Soz monitoring recorded more than 200 cases of lockout or restricted access to websites, both foreign and domestic. According to the monitoring overview of the Media Life organization, "The owners of Internet resources usually receive information about website lockout from their users."

On the other hand, there has been an expansion of access of the country's citizens to domestic electronic media due to the launch of the Otau satellite, discussed above. Several new

⁶ "Blocking access to the LiveJournal violates the constitutional rights of citizens" <http://www.adilsoz.kz/news/blokirovka-dostupa-k-livejournal-narushaet-konstitucionnye-prava-grazhdan-schitaet-fond-adil-soz/>

domestic blog platforms, where analytical information and news are posted, were founded in 2011, including horde.kz and www.samizdat.kz.

Further, the increase in subscriptions to mobile communications during the past two years exceeded 32 percent, the level of mobile communications coverage is record-breaking for the Central Asian region, at 92.5 percent,⁷ and almost every adult in Kazakhstan has a mobile telephone. However, in view of personal income, mobile communications including GPRS and WAP services are still quite expensive for most Kazakhstanis residing in the regions, and the speed and quality of connections are still quite low. There were hopes that the launch of 3G services would solve the problem, but they are still too expensive. The situation is improving due to special tariffs for unlimited Internet connection via flash-devices.

Readers and Internet users who participated in the regional media discussion organized by the *Respublika* with OSCE support on Azattyk radio expressed their opinion that opposition newspapers such as *Respublika* interpret the term “freedom” as one-sidedly as do their counterparts from state-run media. Just in contrast to state-run media outlets, which praise the development of the country and highlight the positive role of the country’s leaders, *Respublika* shows all those aspects in a deliberately negative light and does not allow any criticism of opposition leaders.

There are 15 state-run and private news agencies. Such a large number of sources of news and information enable not only niche specializations and increased promptness of reporting, but also new avenues of distribution, thus promoting the advancement of digital technologies. In addition to news agencies covering general news stories, some specialize in business and finance or translations of key foreign news stories. The agencies employ various features, such as RSS, real-time updating, and SMS delivery.

In 2011, state-owned Kazinform, which publishes in Kazakh, Russian, and English, was merged with Kazteleradio in order to streamline management.

Private regional media outlets endeavor to produce their own news content, though many television channels have reduced the number of newscasts a day and limit their time to 20 minutes. Two private television channels began showing newscasts in 2011: The First Northern (Petropavlovsk) and cable New TV in Karaganda. However, TV Tan ceased all its newscasts. Radio newscasts are almost non-existent except for programs in Kostanay and Taldyqorghhan, mentioned above.

There is no official information in the country as to who owns which media outlet. There are multiple rumors about shifts

in ownership that take place in the media market. According to one such rumor, the media empire under the auspices of the president’s son-in-law keeps growing, adding new radio frequencies to his existing portfolio that includes Autoradio, Kazakhtelecom, and other information businesses. Nur-Media and the state-run Arna Media are still the biggest media corporations in Kazakhstan. However, even media experts have no precise and clear-cut information. A statement about the necessity to reveal information on the ownership of media outlets was voiced at the Forum of Regional Media in December 2011; however, this call was left unanswered.

At the XVII session of the Kazakhstani Peoples Assembly, President Nazarbayev said that, “Funding of ethnic media outlets has increased fourfold since 2005...” The national radio has several editorial boards that prepare programs in minority languages. However, editorial offices that had produced content in the minority languages in Otrar TV for more than 10 years were closed this year because of unprofitability.

Mass media—newspapers and magazines, television and radio programs—cover 11 languages of minorities that reside in Kazakhstan. Beside two major languages, Kazakh and Russian, there are media in Ukrainian, Polish, German, Korean, Uyghur, Turkish, Dungan, among others. The variety of topics, media types, and languages promotes the development of local media outlets.

The media are also being used to promote the entrenchment of Kazakh as the official language of the state, replacing widespread use of Russian. According to Ministry of Communications and Information requirements, more radio and television programs that advocate the Kazakh language should be broadcast in 2012-2013. Kazakhstan TV has already closed its Russian-language service and 100 percent of its programs are now broadcast in Kazakh. This reaches into minority media, as well. The Ministry is planning to introduce new permanent programs devoted to teaching the Kazakh language in such national minority newspapers as *Ukrainski Novyny*, *Kore Ilbo*, *Deutsche Allgemeine Zeitung*, *Vatan*, and *Akhyska*, as well as in the national newspapers *Kazakhstanskaya Pravda* and *Liter*. Beginning next year, all television channels irrespective of their ownership are required to start broadcasting Kazakh language lessons. Kazakh-language Internet content is being, and will further be, developed. Investments have been made into the translation of Wikipedia into Kazakh.

Coverage of minorities in society apart from ethnic and national minorities is mixed. “Mass media, including blog posts, report on various socially important topics, such as sex ratio, ethnicity, traditions of the society, religion. Yet, almost nothing is said about sexual minorities. Since there are no restrictions I am aware of, I assume it is just due to

⁷ www.comnews-research.ru dated September 6, 2011

the public mindset,” said blogger and *Turkistan* journalist Esengul Kapkyzy.

Kazakhstani media cover not only domestic, but also international events. Despite decreased attention and the use of Reuters and BBC news feeds, international news is still constantly reported on in all television newscasts. Several information agencies and news portals specialize in international news aggregation and distribution. Interest in both domestic and international news among the public remains high.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kazakhstan Objective Score: 1.56

Due to the absence of transparency in financial activities of media enterprises, even media experts find it difficult to assess the level of efficiency of media outlet management. The public believes that the media businesses are highly profitable enterprise. However, no data supporting such a belief is available. Indirect data lead to the conclusion that most media outlets—both electronic and print ones—are efficient enterprises; what they lack is transparency of business operations.

Zhaxybaeva noted that descriptions of the administration of some state-run media, including Kazakhstan TV, reveal multiple financial violations. “Just look at the website of the Accounts Committee for Control of Kazakhstan. Even a superficial view of the reports and explanations shows how inefficiently the taxpayers’ money is being used, how it is stolen. Here they explain why they have purchased such

expensive cars, there—why, for example has Nur Media deposited the budget money in the bank? Who gave them the right to deposit public funds?” she asked.

Zhaxybaeva’s opinion was supported by other panelists. Azhenova pointed out that she can already name three persons who had allegedly stolen money while heading state-run media outlets. However, none of them had ever been punished; they were just shuffled from one job to another. “The administration of the state-run TV channel Kazakhstan has changed several times in the past three years. The main reason for the previous administration dismissal is inefficient management and inappropriate expenditures, according to the assessment of the Accounts Committee for Control. Examples include thousands of millions of tenge a year spent on VIP lounges in airports, per diem expenses and travel allowances for the channels’ administration, and renting accommodation for reporters in foreign countries for the price of luxurious villas. In order to close this financial gap, the administration decided upon staff reduction at the expense of journalists and editors,” she said. The latest example refers to the chairman of the board of Kazakhstan TV and Radio Corporation being transferred to the position of the chairman of the board of *Kazakhstanskaya Pravda* newspaper in 2011 after the misappropriation of KZT 728 million (nearly \$5 million) had been detected.

Media experts believe there is a disincentive for state-run media outlets to be highly profitable because then the amount of funding allocated by the government may be reduced. Private media outlets prefer to conceal information about their revenues in order to avoid close attention by the tax authorities. According to Askarov, “The goal of private media outlets is to show losses on paper while skillfully concealing their revenues.”

According to media experts who expressed their opinion at the Media Kurultai in Almaty, only those media outlets that turn into multimedia companies have potential for development. In this vein, in 2011 several Kazakhstani media outlets, supported by Internews, created full-fledged websites that are updated in real-time and not just once a day or weekly as they used to be. These include Otyrar TV (Shymkent), *Lada* newspaper (Aktau), *Novyi Vestnik* newspaper (Karaganda), *Uralsk Week* newspaper (Uralsk), and *Nasha Gazeta* (Kostanay). However, in general, Internet media have not yet gained the full attention of advertisers and advertising agencies.

The print media still subsist on three sources of income: subscription, sales, and advertising. Many media outlets receive a fourth source of income: grants for social procurement by the government. In addition to hefty grants, state-run media outlets benefit from mandatory subscriptions by civil servants. In 2011, all media outlets—both

MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

state-run and private ones—faced the issue of becoming self-sustainable. This goal has been set for the state-run media outlets by the Ministry of Communications and Information. The minister has repeated several times that the efficiency of media outlets will be judged by audience ratings of television channels and circulation of print media.

After the crisis, advertising revenues started to grow for almost all types of media. According to the data provided at Media Kurultai-2011, based on official price-lists, total advertising expenditures in 2011 in Kazakhstan have increased by 22 percent in comparison to the same period in 2010. The most significant growth was enjoyed by television and radio. According to a TNS Central Asia survey for January-September 2011, the distribution of advertisements among media (excluding Internet) is broken down as: 78 percent television, 4 percent radio, and 11 percent print. In contrast, the Kazakhstani Advertising Portal website published the following data concerning the distribution of advertising in the mass media market: "Television advertising leads with 44.6 percent, followed by advertising in newspapers (28.5 percent), then advertising in magazines (15.4 percent), outdoor advertising (14.9 percent), and radio advertising with 14.8 percent. Strange enough, advertising in the Internet holds the last place with just 8.4 percent."⁸

Expenditures for advertising on the Internet in 2010 are known to have reached more than \$5 million, and the forecast for 2011 expects this to double. According to the data posted on the UVISION platform, the Internet advertising market constitutes \$7 million (compared to \$140 million for television and \$70 million for outdoor, newspaper and radio advertising). At the third annual conference of bloggers and Internet designers, BarCamp Central Asia 2011, expert analysts highlighted Internet business prospects and expressed an ungrounded prediction that in the next two years the volume of advertising in Kaznet will outgrow that in radio and print media.

Major advertisers differ by media type: transnational companies producing cosmetics and fast food lead in television advertising; mobile communications operators and commercial banks prefer radio; print media has a mixture of everything: banks, cell phone operators, and cosmetics manufacturers.

This year traditional Kazakhstani media started working with advertising agencies that place banners. New Internet resources completely focused on receiving funds for Internet development, namely, www.voxpopuli.kz portal, have appeared. The portal's owner Alisher Elikbayev openly keeps track of income and expenditure statistics in his Twitter account. According to his data, 80 percent of the

portal's revenues come from advertisements and 20 percent from investments.

According to the Kazakhstani advertising portal, finding a good advertising agency in Kazakhstan is still problematic. Full-service agencies that are ready to arrange advertising campaigns are in limited supply, and there is almost no competition. Big international network agencies do not make much effort in Kazakhstan; in fact, they are represented by their names alone, all the staff are local. They have no creative ideas, panelists asserted, but clients come to them anyway because the market sectors are already divided among the existing big advertising agencies. For example, television advertising is mainly distributed via two sales houses, TV Media and Arna Media Advertising. Regional media outlets are mainly served by regional advertising companies like Aqtobe RIKa Media group, which has been working with almost all big media outlets in western Kazakhstan for more than 20 years. Each of them offers services of relatively similar quality, and no bright stars have appeared lately.

The entrance of Kazakhstan into the CIS Customs Union has already attracted Russian companies and advertising experts. Panelists hoped this will increase competition in the market.

The law on advertising establishes the following norms. Advertising on television and radio programs, which do not specialize in advertising materials, should take no more than 20 percent of the overall daily broadcasting time, except for a "crawler" (a running line) that is limited in volume; its size should not exceed 7.5 percent of the overall image area and should not interfere with the textual and informative content of television programs. There are legal limitations on television and radio advertisements. For example, no advertising, even "crawlers" may interfere with the "broadcasting of official announcements, speeches of candidates for presidency of the Republic of Kazakhstan and for membership in representative bodies, educational and religious programs, as well as programs for children." In practice, the state does not control the percentage of advertising and there is no data on violations of or compliance with the government stipulations.

No such requirements exist for print media.

As mentioned above, both private regional and state-run media outlets receive state-allocated grants for covering socially important topics, though these investments were distributed disproportionately. In 2011, however, most leading non-governmental media outlets were deprived of such funding.

Private media outlets, especially those in the regions, barely survive and have to fight for state grants. However, according to panelists, the distribution of grants shows that non-governmental media face an unequal playing field. Diana

⁸ <http://kpr.kz/forum/index.php?/topic/1727-D1>

Okremova, director of the North Kazakhstan Legal Media Center, illustrated this fact with an example: a state-run regional newspaper received a grant of KZT 35 million (\$235,000), whereas a private regional newspaper received only KZT 1 million (\$6,700). Further, lots are arranged in such a way that new media outlets, which are in dire need of financial support, cannot pass the bid criteria in order to receive a grant.

The level of government financing of media considerably distorts the market. The state-allocated budget for electronic media outlets also includes funds for their technical upgrading, whereas private television and radio companies experience serious challenges because they must both survive from day to day and invest in their future. To be fair, most private media outlets belong to large media businesses owned by influential political groups, and they also receive substantial funds for content production and technical modernization. The dependence of media outlets on investments from one source conditions the extent of the media outlet's dependence in terms of its editorial policy.

Officials have also invented new methods of making media outlets dependent by aggregating pro-governmental media outlets within common Media Centers (*Media Ortalygy*). Having provided office space free of charge, the state receives a number of benefits: on the one hand, it can thus express its care for the media and, eventually, for the freedom of speech in the country; on the other hand, it is much easier for the state to control the media outlets if housed in one location.

Market research is being developed seriously in Kazakhstan. Media research services, including audience surveys as well as demographic and audience preference research, are offered by several companies, the most prominent of which are TNS Central Asia, Comcon-2 Eurasia, and Bisam.

Leading television channels are more decisively focused on market research but cast doubt about such surveys. For example, television audience evaluation is still conducted by the TNS Company, whose activities are often questioned by the media outlets' managers. Ratings published by this company do not always match those received from market research ordered from other companies or conducted by the media outlet itself. Nonetheless, these ratings impact program scheduling.

In 2011, the government paid more attention to the ratings system and expressed its determination to invest in the development of a state-run institution for this purpose. A representative of the Ministry of Communications and Information announced at the Media Kurultai in October that PeopleMeters will be installed not only in the cities whose population exceeds 100,000 residents, but also in smaller

towns. The government believes that this will be able to prove that viewers in the regions watch national television more. At the same time, TNS representatives at the Media Kurultai claimed that the data would not change significantly as, according to baseline surveys, 40 percent of the rural audience watch satellite television.

Internet ratings are measured by various independent companies; among them several domestic counters have found their own niche, for example: whois.1in.kz, goto.kz, kaztop.com, zero.kz, kazstat.com, etc. This is especially important since the most reliable counter, Google Analytics, became almost unavailable to Kaznet users in March 2011. Some shortcomings in Google Analytics has allowed domestic companies to develop their services.

As for print media, the circulation committee fell into oblivion a long time ago and newspapers tend to overestimate their circulation in order to attract advertisers. Such deceptive practices are prohibited by law; in general the government has been indifferent to the fate of cheated advertisers. However, in 2011, there was a precedent when a media outlet was punished for displaying incorrect circulation figures. The Specialized Administrative Court in Petropavlovsk issued a ruling in May 2011 demanding that the owner of the city newspaper *Petropavlovsk Quarter* pay KZT 45,360 (\$300) to the state budget for an administrative violation of article 350, part 2 of the Code of Administrative Offences, i.e. for overestimating real circulation figures.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kazakhstan Objective Score: 1.87

The National Association of Television and Radio Broadcasters of Kazakhstan (NAT) plays a leading role and occupies a unique niche among professional media associations. NAT identifies itself as a professional non-governmental association, aiming at lobbying for favorable and equal conditions for the development of all television and radio outlets in Kazakhstan. In cooperation with a number of other NGOs, particularly Adil Soz, NAT conducted an unprecedented lobbying campaign for introducing improvements to the draft law On Television and Radio Broadcasting that would bring positive results for media outlets. Another organization, the Association of Television and Radio Broadcasters of Kazakhstan (ATRB), has a similar mission and unites 12 television and radio companies.

Representing print media, the Association of Newspaper Publishers and Printed Press Distributors of Kazakhstan did very little in 2011, according to panelists.

The minister of communications and information announced in 2011 the foundation of the Coordinating Council on Mass

Media, the legal status of which is still unclear. Inviting all chief editors to participate in the work of such a Council (on the Chief Editors' Forum), Minister Askar Zhumagaliev assured them that "The Council will make important decisions regarding media development," and that journalists may designate representatives for participation in its work.

The Journalists' Union of Kazakhstan, the legal successor of Soviet professional unions of journalists, has actively participated both in lobbying amendments to the draft law On Television and Radio Broadcasting and in activities such as organizing contests, conferences, and roundtables for journalists. The Journalists' Union of Kazakhstan is a founder of the Congress of Journalists of Kazakhstan, as well as the Confederation of Journalists' Organizations of the CIS and Confederation of Creative Unions of Kazakhstan. Some critics of the Journalists' Union quip that the journalists' community needs it only at those rare moments when some journalist is to be nominated for a state award or to organize parties for its most famous members.

There are some trade unions in media outlets, for example, the independent trade union of Almaty Regional Television and Radio Company Zhetysu in the city of Taldyqorghan, which is a rare example of a successful association of journalists in Kazakhstan. The history of its foundation and development is an example of self-organization. The Zhetysu TV trade union is very similar to former Soviet trade unions: it protects the interests of workers, demands better working and living conditions from management, and monitors compliance with labor laws.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

Although legally each media outlet is supposed to have a trade union and the signing of a trilateral collective agreement between the employer, employee, and trade unions is mandatory, there are very few places where such an agreement exists. During the past year, there were multiple cases of violations of journalists' working rights and labor disputes between journalists and employers; the absence of trade unions was a negative factor for the outcome from the journalists' standpoint. For example, the panelists mentioned the case of the dismissal of technical personnel and some editors at TV Kazakhstan without paying them for their last period of work, and the dismissed did not even try to appeal management's decision.

The Chief Editors' Club, initiated by the Russian RIA-News Company, unites chief editors of media outlets from all CIS countries. Until recently, it had been dormant. However, in 2011, the Club became more active and proposed to draft an Ethics Charter for compliance with ethical norms in reporting on the elections.

More than ten strong media organizations work in Kazakhstan, including Adil Soz, Internews-Kazakhstan, the Center for Protection of Regional Journalism (with offices in Astana and Pavlodar), the Center for Legal Aid to Media, Freedom of Speech in Central Asia, the Institute of Media Standards, the Voice of Freedom of Central Asia, the International Center of Journalism "MediaNet," the public foundation Center for Business Journalism "BizMedia," etc. Since 2009, 12 media NGOs have united in the Media Alliance of Kazakhstan, aiming to consolidate media community efforts to increase the efficiency and professionalism of mass media; however, unlike previous years, MAK was not so active in 2011.

Media organizations offer a wide variety of services, from organizing and conducting research and the monitoring of violations of journalists rights to linguistic expert analyses and education, trainings, contests, lobbying campaigns, etc.

Academic programs for students of journalism still deserve criticism as they do not provide students with the skills necessary for their future work in a multimedia editorial office. The past year started with conflicts at the Faculty of Journalism at the Al Farabi Kazakhstan National University.⁹ Students expressed their discontent with the changes in schedules, allegedly insufficient attention to the national language, and low levels of teaching. The conflict was solved by dismissing the Russian-speaking dean of the faculty, which was interpreted in many media as a fight between conservative forces in the faculty and the reform-minded dean.

⁹ http://rus.azattyq.org/content/stydent_protest_almaty_/2313430.html

Nonetheless, hoped-for changes appear to be just around the corner. On the one hand, there are more and more alternative forms of training that teach journalists how to cope with new technologies of working in social networks, developing their skills in online journalism, and other informal courses of journalism. According to changes in legislation, higher education institutes are going to adopt the Bologna system, which implies radical changes in the curriculum and methods of education.

There have traditionally been many training programs and courses, and such services are offered by diverse institutions. As a rule, these seminars and trainings are provided within a framework of projects and programs supported in the short term by international donors and development agencies. Beside traditional courses on the rights of journalists, courses and educational programs devoted to online journalism featured particularly in 2011. Internews-Kazakhstan is still one of the key centers of informal education for journalists. The topics of its seminars and trainings have been traditional for a long time: television journalism, radio journalism, and print media journalism; increasing the financial stability of the stations, advertising sales; trainings on technical issues, new equipment and technologies; and computer graphics and design. The organization also offers on-site resident programs with practical training in editorial offices. On the verge of the 2011 elections, Internews organized courses on covering elections online and in traditional media. Today Internews focuses its attention on social media and photojournalism. In order to accumulate information, exchange experience and provide the source of information and ideas, Internews-Kazakhstan is developing an Internet resource newreporter.org/.

The center of regional journalism in Northern Kazakhstan conducted seminars on the following topics: "Legal Security Techniques" for media in the national language; "What should Media for Youth Look Like?"; "A Journalist and an Official: Finding and Receiving Information"; "Journalists' Ethics"; "Internet for Journalists"; as well as mastering skill classes for beginning journalists such as "The Interviewing Technique" and "News Journalism."

In addition to traditional formats, training in blogging and various aspects of working in social media was conducted in the framework of the BarCamp and a Kazakh-language forum BlogKurultai-2011 (the first time a forum of Kazakh-language bloggers sharing their experiences has been conducted).

There are about 300 publishing houses in Kazakhstan and according to the Association of Printers and Publishers of the Republic of Kazakhstan the circulation of printed products exceeded 350 million copies at the beginning of 2011.

However, in previous years, such newspapers as *Respublika* could not have been published in print. Political pressure exerted upon printing and publishing companies forced them to refuse to publish the newspaper, thus deliberately turning down revenue. Such a non-commercial attitude was based upon past experience, when more than one publishing house had problems with the authorities and faced financial losses because they had printed that newspaper. Kazakhstan's entrance into the CIS Customs Union had positive results for opposition newspapers. Thus, for the first time in two years, *Respublika* (now published under the title *Golos Respubliki*), is printed not on a risograph with its limited printing possibilities, but in full color from a Russian publishing house. Further, the CIS Customs Union reinforces that lack of monopolization and control of media equipment and paper supply.

State-owned and operated "Kazpochta" (Kazakhstan Post) JSC is still a monopoly that media must rely upon for subscriptions and delivery of periodicals. Kazpochta has many other functions, related to receiving payments, delivering mail, pensions, etc. Kazpochta does not efficiently deliver newspapers to readers and service is marred by delivery delays, increases in delivery charges, and demands for specific payment for service. For example, a regional branch of Kazpochta in Northern Kazakhstan sent a letter to the regional newspapers of Northern Kazakhstan Province in mid-November with a new version of the contract for its services in 2012. According to the contract, newspapers will receive only 70 percent of the money collected from subscribers (a so-called publisher's price), while the remaining 30 percent will be sent "once the product is printed." Despite regional newspaper managers' objection, this new contract also retained the condition that postage fees for the whole year be collected in advance.

According to e-government data, the Kazakh segment of the Internet is represented by 10 companies. The companies differ in the type of ownership and offer different kinds of access to the Internet, so in combination all types of Internet services are available in the market. However, the political influence of Kazakhtelecom is unlimited. It can demand the blocking of, or restricted access to, websites in an arbitrary manner.

Wider Internet access and a relative decline in its price due to diversification of providers in the market, especially in the cities, enable citizens to become potential journalists, with video and pod-casts published on websites. This was demonstrated during the Zhanaozen events, when anonymous citizens broke the information censorship and informed the whole world of what was going on there. This is supported by available network infrastructure: the 3G network speed can reach up to 14 megabits per second,

thus providing better access to high-speed Internet via modems or mobile phones. Wi-Max technologies have been test-launched. Such improvements have been spurred by the increased competition in the mobile market with the entry of a new service provider, Tele2.

The Digital Communications Kazakhstan 2011 conference, conducted in Astana under the aegis of the government of Kazakhstan, announced a new program for the development of information and communication technologies by 2014. The program is geared towards turning the country into an advanced information society and increasing the competitive potential of the state and its citizens in the international market. The program objectives have been set by the government as follows:

- Transfer 100 percent of local telecommunications networks to digital technologies to reach a broadband Internet density of 22 subscribers per 100 people
- Reach a cellular communications density of 111 subscriptions per 100 people by providing each populated area in the country with mobile networks
- Increase the availability of computers to the population and reach 25 computers for every 100 people
- Increase computer literacy of the populace to 40 percent
- Provide at least 50 percent of socially important state services in electronic form
- Achieve a digital broadcasting coverage of 95 percent of the population
- Achieve satellite television coverage of 100 percent

Substantial investments for the development of the program, described by Prime Minister Massimov in his blog, could mean a significant technological leap forward in media and communications in Kazakhstan in the next couple of years. At the same time, this will obviously escalate conflicts related to the restriction of the freedom of speech and access to content via the Internet and other technologies in Kazakhstan.

List of Panel Participants

Diana Okremova, director, North Kazakhstan Legal Media Center, Astana

Olga Kaplina, project manager, Internews Network-Kazakhstan, Almaty

Olga Kraus, editor-in-chief, *Novyi Vestnik*, Karaganda

Sholpan Zhaxybaeva, executive director, National Association of Television and Radio Broadcasters of Kazakhstan, Almaty

Larisa Polihranidi, journalist, *Turan* newspaper, Shymkent

Beishen Kuranbek, director, Zhetysu TV, Taldykorgan

Tulegen Askarov, economic analyst, *The Voice of Republic*; instructor, Journalism Program, Kazakh-British Educational Institution, Almaty

Galiya Azhenova, head, Public Center of Expertise of Information Disputes, Adil Soz International Foundation for Protection of Freedom of Speech, Almaty

Esengul Kapkyzy, blogger; journalist, *Turkistan*; director, Public Foundation Minber, Almaty

Kuanysh Magzuov, blogger; author and creator of Qazaq Blogshilar, Almaty

The following submitted a questionnaire but did not attend the panel discussion:

Gulmira Birjanova, lawyer, Kazakh Association of newspapers publishers, Astana

Erzhan Suleimenov, creative director, Khabar TV; creative director, Institute of Media Standards, Almaty

Moderator and Author

Gulnara Ibraeva, chair, Social Technologies Agency, Bishkek, Kyrgyzstan

The Kazakhstan study was coordinated by, and conducted in partnership with, Innovative Solutions Inc., Bishkek, Kyrgyzstan. The panel discussion was convened on December 15, 2011.