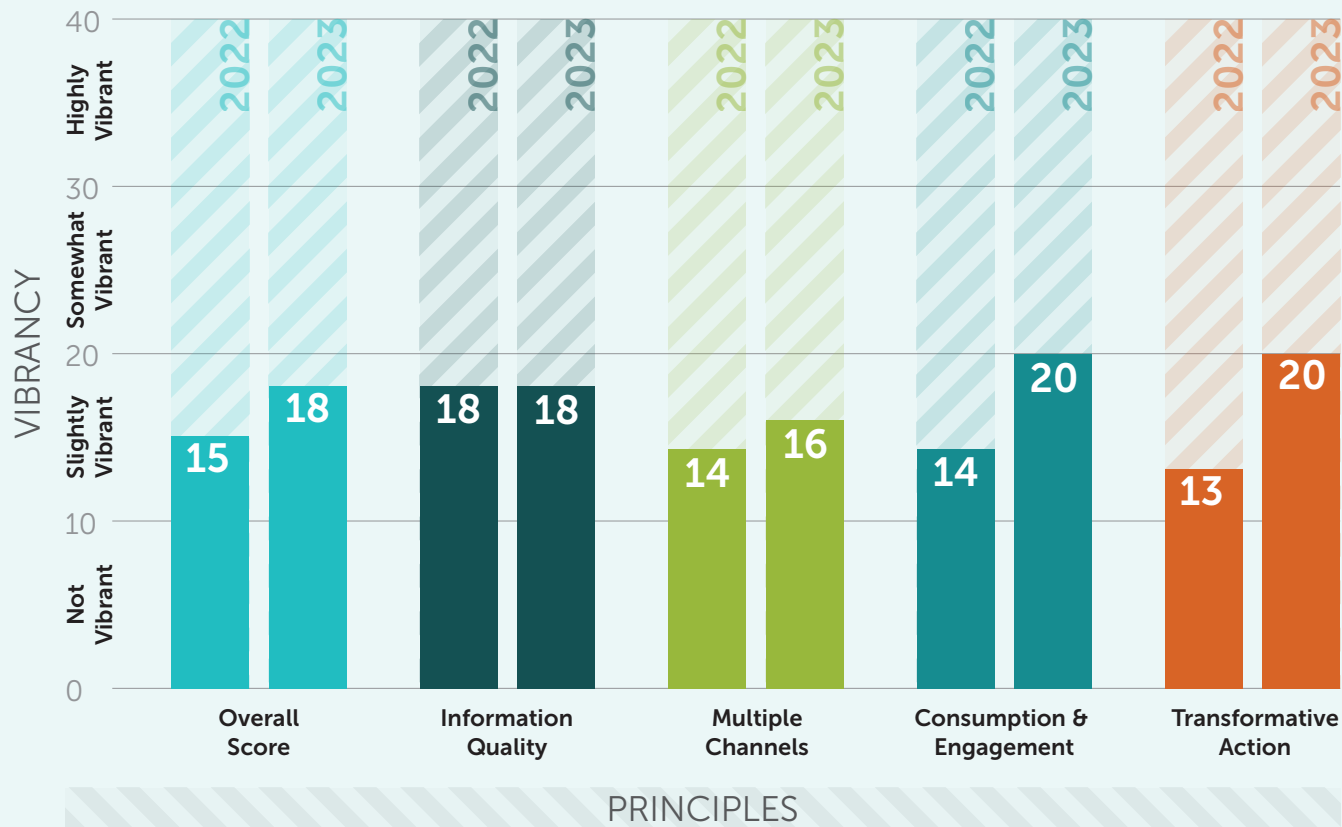


KAZAKHSTAN

Vibrant Information Barometer

2 0 2 3





Highly Vibrant (31-40): Quality information is widely available in this country. People have the rights, means, and capacity to access a wide range of information; they recognize and reject misinformation.

Somewhat Vibrant (21-30): Quality information is available in this country and most of it is editorially independent, based on facts, and not intended to harm. Most people have the rights, means, and capacity to access a wide range of information, although some do not. Most people recognize and reject misinformation, although some do not.

Slightly Vibrant (11-20): Quality information is available on a few topics or geographies in this country, but not all. While some information is editorially independent, there is still a significant amount of misinformation, malinformation, and hate speech in circulation, and it does influence public discourse. Most people do not recognize or reject misinformation.

Not Vibrant (0-10): Quality information is extremely limited in this country. The vast majority of it is not editorially independent, not based on facts, or it is intended to harm. People do not have the rights, means, or capacity to access a wide range of information; they do not recognize or reject misinformation; and they cannot or do not make choices on what types of information they want to engage with.

Highly Vibrant

Somewhat Vibrant

Slightly Vibrant

Not Vibrant

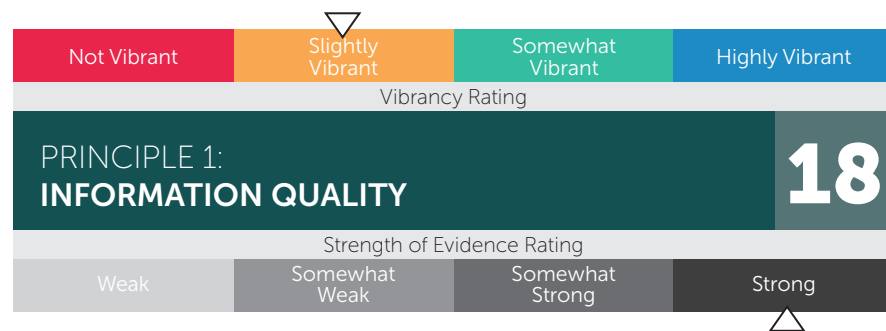
OVERALL
SCORE**18**

Protest rallies in January turned into mass riots and violence, setting Kazakhstan up for a volatile year. Armed attacks across the country led to a loss of life, as well as severely damaged infrastructure. Journalists and bloggers suffered more than 50 recorded attacks and violations, including one death, wounds and injuries, detentions, and summons to the police. The internet was completely unavailable across the country for several days, leading to an information vacuum. The January unrest also charged Kazakhstan's society politically—and as people became more interested in political events, independent resources appeared to support investigations on state budget spending and to monitor the work of state bodies.

In March, President Kassym-Jomart Tokayev unveiled an initiative to “revise the law on the media, taking into account the interests of the state, the demands of society, and trends in media development.” By the end of the year, government agencies, civil society, and the journalistic community had developed a draft law on the media that introduced innovations including a statute of limitations for defamation cases, the granting of special status to journalists, the introduction of a press card for media personnel, and the drafting of legislative amendments to improve information access. Despite reforms announced by the president, many long-running concerns persist. The information space and digital broadcasting infrastructure remain mainly under state control, while private channels have limited access to digital terrestrial multiplexes, resulting in a loss of audience and reduced advertising revenue.

Acts related to exercising the right to freedom of expression (insult, dissemination of deliberately false information, incitement to discord) remain criminal offenses, and media literacy remains weak. People tend to believe fake news that spreads rapidly on social networks and messenger apps more than official media—a situation aggravated by the war between Russia and Ukraine.

Kazakhstan's overall country score rose to 18, a three-point increase from last year's study. Citizen journalism is booming, and people are using the internet as their main source of information. At the same time, problems with fakes and internet fraud often occur. The government is investing huge amounts of money in the media and the internet in an attempt to strengthen information security, but its approach has been ineffective and has spurred propaganda and positive coverage of officials. Principles 3 (information consumption) and 4 (transformative action) saw increases in scores from the 2022 VIBE study, which can be traced to a large number of Telegram and Instagram channels, as well as the emergence of tools for interaction between citizens and the state (such as eotinish.kz, dialog.egov.kz, public hearings, and advisory bodies). These tools are evolving into a good way to uphold the rights of people and contribute to operational communication and solving urgent problems of Kazakhstanis. In addition, publications on social media networks have led to real changes, such as reducing illegal public procurement.



The gap between professional media and anonymous telegram channels is obvious: The former try to use and rely on fact-based reporting, while, the latter are more oriented toward sensational stories and publish more fake news. Compliance with ethical standards still remains one of the main problems throughout Kazakhstan’s media sector. Social, economic, political themes are covered sufficiently but coverage of human rights is low. The indicator examining sufficient resources received the lowest scores in this principle, driven by the country’s inadequate advertising market along with insufficient state support and grants from international organizations to the media.

Indicator 1: There is quality information on a variety of topics available.

In 2022, dozens of media in new formats—Telegram channels, TikTok communities, and Instagram accounts—cropped up in Kazakhstan’s media market. Young and middle-aged people rely heavily on public and social networks for much of their information.

The infrastructure allows the production of a variety of content (print, broadcast, and digital), but a large segment of the older generation still relies heavily on television. The situation also differs depending on geography: In the villages, people prefer television—even if it does not provide objective and comprehensive information and falls almost completely under the control of the state. To prop up the dying print media infrastructure, the Ministry of Information and Community Development proposed state subsidies for newspapers under a new

media law.

According to freelance journalist Chingis Ualikhan, only a small number of independent media produce high-quality information materials, “double-check the facts, and use official data that can be double-checked.”

In addition to journalism courses, which almost every regional university offers, organizations including Adil Soz IF, Legal Media Center, Internews, Medianet, and the Foundation of Turkic-Speaking Journalists provide a variety of courses and training seminars aimed at improving professional qualifications, both online and in person. According to Jamilya Maricheva, head of project Protenge, the NGOs perform serious work to train and support journalists, and this has a positive effect on the media market.

Unfortunately, though, ethical standards are not always respected. Professional content creators often disregard facts and produce material that is far from accurate. This was particularly noticeable in the aftermath of the January events; the aikyn.kz news website, for example, disseminated information under the headline “terrorists.”

According to experts, the state-owned media conducts itself more ethically, fueled by “more censorship and fear,” as described by Galiya Azhenova, a lawyer who works for the Adil Soz NGO. However, many important topics are hushed up, for example, the true causes of the January events and illegal rallies. Despite the wide range of topics covered by media, important problems are often bypassed or simply silenced under pressure from the authorities, such as detentions of LGBTQ+ activists and the war between Russia and Ukraine. Thus, there is still no honest information about what happened in January, how many people died and suffered, and who was responsible. However, bloggers covered the January events faster and more fully than official media, according to some of the panelists.

Gulnar Assanbayeva, teacher at KIMEP University and independent media expert, noted that there have been no recorded cases of journalists being punished or censored for inaccurate information and that editors also violate ethical standards. In most cases, amateur

content creators make no effort to adhere to any ethics. No one faces any consequences for violating ethical standards.

Timur Gafurov, editor of the online [news website ng.kz](#), remarked that the large number of anonymous Telegram channels has influenced ethical standards negatively, because their authors often publish unverified information. Maricheva, however, said that there is no institution of reputation in the country—and as society has a “short memory,” all ethical violations are quickly forgotten.

Very often the news is very similar across all media. Moreover, in most cases, these are reprints from other media, since most publications cannot afford extensive correspondent networks. At the same time, however, resources to specialize in particular topics do exist. “We see a trend towards an increase in expertise in materials about the country’s economy, including the oil, agricultural, and financial sectors,” Maricheva noted. The most popular resources are Telegram channels @qztrd, @FINANCEkaz, @shishkin_like, @kazservice, and @tengenomika. However, this trend is more relevant for specialized channels in social networks or for new media, while the mainstream media often avoid covering certain issues.

According to the panelists, the best-covered topics include social issues, political issues, and governmental budget formation and spending. After the January unrest, political scientists became popular and in demand, and society became more politicized.

Media coverage of human rights, on the other hand, is abysmal—and unfortunately, the events of January did not improve the situation. Topics including HIV, domestic violence, religion, the LGBTQ+ community, the military and defense industry, and military operations in Ukraine draw little coverage. Kazakhstan adopted a neutral stance on the war in Ukraine, and in some cases government agencies demanded that journalists remove pro-Russian materials. Accordingly, the discussions on this topic are rather restrained.

When covering the work of governmental agencies and departments, the media with state funding focus on promoting and praising state bodies. Independent sources are more critical; they analyze the activities

of *akims* (heads of local government) and budgets, make inquiries, and ask uncomfortable questions. At the same time, however, independent journalists are forced to depend upon alternative sources to obtain information about the work of government agencies.

The situation regarding access to public information is not ideal. Officials classify many documents as restricted, and it is virtually impossible to prove the legality of their actions. Unfortunately, the public has no access to the decisions of local executive bodies, the government, or decrees on the president’s website. At the end of 2022, the Ministry of Defense proposed the introduction of criminal liability for discrediting the army and spreading false and destructive information during “special periods,”¹ an initiative that may worsen the situation.

Editorial independence is often out of the question because of the continuing practice of state funding of mass media, in which most media outlets participate. According to the panelists, in WhatsApp chats, presidential representatives advise journalists on which topics they should and should not cover. Instagram feeds are mostly independent, but internal self-censorship runs strong.

Another problem is that news often lacks any analysis or contextualization, leaving the audience with a limited picture of events. For example, few people produce serious analytical materials on the topics of elections, referendums, actions, and rallies.

Indicator 2: The norm for information is that it is based on facts. Disinformation is minimal.

Reliance on facts, the use of multiple sources of information, and objectivity in the production of informational content are mostly accepted as the norm, but not everyone follows these guidelines, especially non-professional content producers.

In many cases, professional content producers violate this norm as well.

1 “Kazakhstan proposes to introduce criminal liability for discrediting the army,” Radio Azattyk, December 8, 2022. <https://rus.azattyq-ruhy.kz/society/44366-vesti-ugolovnuiu-otvetstvennost-za-diskreditatsiu-armii-predlagaiut-v-kazakhstane>.

During the January events, for example, President Tokayev said that the country was attacked by 20,000 terrorists. Although this information was not confirmed and the president's tweet was deleted, journalists did not retract their reports. It was reported that "20,000 terrorists cut off the heads of two policemen, raped nurses," which was later not denied by any media, although it was obvious misinformation.

According to Ualikhan, journalists sometimes spread false information, but bloggers, influencers, and opinion leaders are the worst offenders. Young, inexperienced journalists often misinterpret facts and make mistakes with figures. The blogger Meirzhan Turebaev, for example, openly advertised banned financial pyramid schemes, causing a large number of people to lose their assets and financial investments; he was subsequently brought to justice.

Maricheva believes that journalists generally rely on facts in preparing their materials. However, they are primarily motivated not by an interest in upholding professional standards, but by a fear of consequences from the state for publishing defamatory material, which can be more severe than reputational losses.

"In the pursuit of an increased audience, which gives the opportunity to monetize through advertising, content producers are beginning to ignore the norms and principles of quality journalism," says Ainur Koskina, a QOS-live journalist. Koskina added, "Public authorities often allow themselves to disseminate incomplete, inaccurate, or false information. They do not bear any responsibility for this, although journalists monitor and report such facts. This generates the same behavior among content producers who rely on the same impunity."

State authorities disseminated false information during and after the January events, maintaining, for example, that there were no cases of torture in the country. In another case, a minister's statement about a possible sugar shortage provoked panic and caused sugar prices to rise sharply; in another example, officials failed to provide credible

information about the Ekibastuz (a city in northeastern Kazakhstan) heating cuts during cold weather. Such cases, however, never lead to any negative consequences, apart from stirring discussions on social networks.

State databases to obtain and verify information exist and are quite effective, including the public procurement website, e-government, the register of state enterprises, the database of decisions of the Supreme Court, and the national bank. Equally popular are the private resources adata.kz and kompra.kz, while Factcheck.kz offers high-quality verification of information published on media and social networks. The project, in its sixth year, promotes a culture of fact-checking, media literacy, and critical thinking among journalists. However, this fact-checking site only gets a wide audience when information portals reprint its materials; otherwise, people rarely visit the resource directly to check information.

An Almaty Management University (AlmaU University) study found that 37 percent of respondents believe that "the media deliberately try to mislead people by spreading deliberately false or greatly exaggerated information," 45 percent believe the media "cannot be called objective and impartial," and 48 percent believe that "most media are more concerned with supporting ideology than

informing people."

Responsibility for the accuracy of the information generally rests with publishing editors. Publications on websites generally do not enable commenting platforms, since by law a commentator cannot be anonymous and must register by providing his or her phone number. As a result, fake news mainly spreads on social networks, where moderation is minimal. Widespread bots in support of state policies are another problem.

Media platform algorithms are not effective enough to counteract the spread of false information. There is no working tool to protect against

“ Editorial independence is often out of the question because of the continuing practice of state funding of mass media, in which most media outlets participate.

cyberbullying, although a law passed last year to protect children from cyberbullying has come into force. According to the law's developers, it should protect children from insults and harassment on social networks, but so far there have been no successful examples.

Indicator 3: The norm for information is that it is not intended to cause harm. Misinformation and hate speech are kept to a minimum.

With the invasion of Ukraine, Russian propaganda intensified in Kazakhstan. Examples abound: A guest of the “Evening with Vladimir Solovyov” program on state-owned Russian television caused a stir with his statement that “the next problem is Kazakhstan”; Russian film director Tigran Keosayan spoke about the “ungratefulness” of the Kazakhs in a video messages; and Russia’s ambassador to Kazakhstan gave an interview to the Russian Sputnik news agency in which he said that the Kremlin would not hesitate if President Tokayev asked for help in connection with “nationalism” in Kazakhstan.

In August, Ukraine’s ambassador to Kazakhstan, Petro Vrublevsky, speaking about the full-scale war in his country, said in an interview with local blogger Dias Kuzairov: “We are trying to kill as many of them as possible. The more we kill Russians now, the less our children will have to kill.”² (The ambassador was soon recalled.)

Despite the aggressive tone of the statements and the fierce discontent they sparked in the media, the Kazakh Foreign Ministry reacts to such statements in a very restrained, neutral manner.

There is no intentional dissemination of disinformation and hate speech in the media, as editorial offices are responsible for fact-checking.

Social networks are the main medium for hate speech. Murat Abdilda, a blogger with over 40,000 followers on Instagram and over 111,000 followers on TikTok, received a 4.5-year prison sentence under the

criminal code article “inciting social, national, tribal, racial, class, or religious discord.”

With the invasion of Ukraine, Russian propaganda intensified in Kazakhstan.

Scandals related to topics like national language issues and the war between Russia and Ukraine erupt frequently on social media, and it has become a tradition for bloggers who stir up controversies to

later apologize publicly, often under pressure from law enforcement agencies.

According to Assel Karaulova, president of Kazpressclub, anonymous Telegram channels, which are very common in Kazakhstan, spread a lot of misinformation and unverified information—and they take no responsibility. Furthermore, according to Yerkimbay, the state-funded stopfake.kz project only engages in denial of data that benefits them: “The aftermath of the cases that appeared in the Kazakh media after the war resulted in an increase in hate speech content.”

Indicator 4. The content is generally inclusive and diverse.

Information is mainly in Russian and Kazakh, but mass media in minority languages (Uzbek, Uighur, German, and Korean) exist. The quality of Kazakh-language resources often suffers because the materials are translations from Russian, and there is little content in Kazakh on TikTok, Instagram, and other social media. According to Ualikhan, the Kazakh-speaking population does not receive the kind of analytical content that is available in Russian.

People with disabilities have uneven access to information, as there is no protocol in the media law that addresses their needs. There is a requirement to adapt materials in the law on access to information, but there are problems with this in practice.

Experts noted that important official information from state authorities is poorly represented on social media, where many young people get their news. There are also few materials reflecting people’s different political views.

2 “Kazakhstan expels Ukrainian ambassador Petro Vrublevsky,” Kursiv. October 5, 2022. <https://kz.kursiv.media/2022-10-05/kazakhstan-otzyvaet-ukrainskogo-posla-petra-vrublevskogo/>.

At the same time, over the past year, resources on the protection of women's rights, sex education, gender equality, and problems of domestic violence have appeared and grown quite popular. According to Azhenova, the average viewer and reader wants the official point of view on gender, ethnic, and other groups, but the presentation is one-sided: dances, songs, and friendship between people. Religion and LGBTQ issues remain problematic subjects. Journalists avoid writing analyses on these topics because they lack expertise and out of fear of punishment—such as the \$350 fine a court gave journalist Rufiya Mustafina for her interview with an imam, which the court said violated religious law. The ruling was later reversed.³

Amateur content producers include representatives of different population groups, including a large number of TikTokers from the regions and from a wide range of social backgrounds. In general, members of all groups and minorities have a voice on social media, and they also have their own channels for disseminating information.

In terms of gender equality, an overwhelming number of media executives are men. Women do not hold top positions, though they are active as journalists, reporters, and presenters.

Indicator 5: Content production is adequately resourced.

The financial situation of the private media and journalists who work for them is unstable and unsustainable. The advertising market is not very big. At the same time, approximately the same amount of public money is spent on state media, loyal private media, telegram channels, which creates unfair competition. Private media, which do not take money from the government in principle, are forced to dump and look for additional sources of income.

Funding sources are very limited, and the state remains the main “donor,” with funding totaling about \$100 million a year and serving to control the agenda of the country's main media channels. At the same

time, the budget is distributed in an opaque and closed manner, making it impossible to talk about fair competition.

Private funding in the media is significantly limited. Any attempt by a businessperson to start a media outlet is viewed as an application to participate in politics. Private media depend on grants from international organizations, advertising, and government orders to produce positive coverage on, for example, the work of local executive bodies, the police, and the parliament. Information on who funds media outlets is often unavailable (e.g., Qaz365.kz and ulysmedia). According to Azhenova, there are news agencies and websites that may be maintained by the presidential administration, but the founder remains unknown.

Advertising is often politicized; sometimes advertisers are “asked” to withdraw advertising or terminate advertising contracts with media that express criticism or oppose the authorities. According to Srym Itkulov, editor-in-chief of Arbat.media, there is still a lot of politicized native advertising in the information environment.

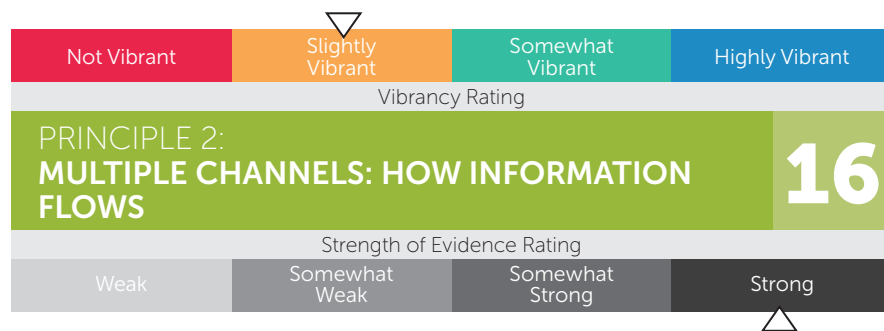
Salaries are typically low, especially in the regions (\$300-\$400 a month), often leading journalists to take part-time jobs, including working with state media in some cases.

In April 2022, employees of the country's main television channel, Khabar, demanded a pay rise, threatening to skip work. A month later, Senator Nurtore Jusip raised this problem publicly.⁴

Many journalists are leaving the field to teach in schools, where the pay is much higher.

3 “Interview with imam: journalist defended in court the right to publish material,” Sputnik. December 12, 2022. <https://ru.sputnik.kz/20221210/intervyu-s-imamom-zhurnalistka-otstoyal-pravo-publikovat-material-v-sude-30238175.html>.

4 “The senator said that the salaries of Kazakh journalists are low,” Aikyn. May 5, 2022. <https://aikyn.kz/197982/nartay-men-poznerdin-zhalakysy-ten-be-senator-kazak-zhurnalisterinin-zhalakysy-tomen-ekenin-aytty/>.



Formally, Kazakhstanis have the right to produce and receive information. However, in practice journalists have repeatedly been attacked, arrested, and prosecuted. Most people in the country have access to the Internet, but its quality depends on geography. Despite the concept of a “hearing state” declared by President Tokayev—meaning that government officials should listen to citizens, be aware of their problems, and respond to requests—there are big problems with communications between government agencies and society. Panelists gave low scores to the indicator on the independence of sources, since government agencies continue to influence editorial policy, and censorship and self-censorship are widespread. The panel gave its highest scores for this principle to the indicator looking at access to channels of information.

Indicator 6: People have rights to create, share, and consume information.

Kazakhstan’s constitution, along with additional codes and laws, guarantees the right to freedom of speech and access to information. In practice, however, journalists regularly face violations of their rights.

In January, 41 journalists were injured, mostly in connection with detentions, summons for interrogations, and accusations of spreading knowingly false information. Six journalists and bloggers who covered the protests were brought to administrative courts on charges of violating the law on rallies.

Journalist Zhanbolat Mamai was imprisoned in March 2022, accused of “distributing knowingly false information” and “insulting a representative of the authorities” during the January events; he was shifted to house arrest in November.⁵ Other examples include bloggers Danat Namazbayev and Margulan Boranbay, who had criticized Russian policies and actions, including the invasion of Ukraine, on Facebook; they were sentenced to five years in prison for calling for the overthrow of the constitutional order and inciting national discord. In July, journalist Makhambet Abzhan was arrested and charged with extortion; shortly before his arrest, he had published materials on his Telegram channel, Abzhan News, about the assets of President Tokayev’s nephew.

The offices of www.elmedia.kz and www.orda.kz suffered several attacks during 2022 as well. Journalists Dinara Egeubayeva, Gulnar Bazhkenova, and Gulzha Yergaliyeva were threatened by the public after the “January events” for disseminating information about the ex-president’s family. In November, a pig’s head was sent to the editorial office of Orda.kz with a torn photograph of editor-in-chief Gulnar Bazhkenova inserted into its mouth.

In March, the court rejected the appeal of journalist Aynur Koskina against the former deputy of parliament Bebolat Tleukhan, who hit her and damaged her equipment. The court considered that Tleukhan did this “by negligence” and, accordingly, found no concrete evidence of a crime.

In some cases, attackers have faced consequences. In January, for example, the family of journalist Amangeldy Batyrbekov was attacked; his son was shot in the shoulder and back. The court sentenced four attackers to imprisonment for “attempted murder.”

And in July, the Supreme Court acquitted the chair of the Union of Journalists, Seitkazy Mataev, and his son Aset, who received prison terms back in 2016 for tax evasion and embezzling funds allocated for

⁵ “Democratic Party leader Zhanbolat Mamai released from pre-trial detention center under house arrest,” Radio Azattyk, November 2, 2022. <https://rus.azattyq.org/a/32112137.html>.

placing state orders in the media.⁶

One article of the administrative code, “slander combined with the accusation of a person of committing a corruption crime,” has proven particularly problematic for journalists conducting investigations in the public sector. The court acquitted journalist Aleksandra Sergazina under this article, but the risk of being imprisoned for 25 days remains.⁷

According to Gulmira Birzhanova, the only article designed to protect journalists—“obstruction of the legal professional activities of a journalist”—does not work in practice. In 2022, for example, there were 19 obstruction cases, but none went to trial.

Censorship is common, especially in state media, where there is an unofficial understanding that the authorities expect the press to present as little “negativity” as possible. In private media, owners and affiliates sometimes exert pressure on editorial policies as well.

Self-censorship of journalists and editors is highly developed, given that some topics are still dangerous and sensitive, including investigations into the enrichment of politicians, oligarchs, judges, deputies, and *akims* (heads of local government). Nevertheless, criticism and investigations into the former president’s family are increasing.

Since sites for which no one is responsible are periodically blocked, the state has influence on information and communications technology (ICT) providers to intervene if necessary. In addition, sites are blocked on the orders of the prosecutor, law enforcement agencies, or the National Security Committee. In Astana, during a rally in December, the internet stopped working. Orda.kz, azattyq.org, iho.org, and bit.ly links that were archived did not open.

6 “The Supreme Court acquitted the chairman of the Union of Journalists Seitkazy Mataev and his son Aset Mataev,” Radio Azattyk, July 19, 2022. <https://rus.azattyq.org/a/31949923.html>.

7 Govorov, Georgy. “Slandered or conscientiously mistaken? – The regional court considered a libel case against a journalist in Kostanay,” Nasha Gazeta, December 6, 2022. <https://www.ng.kz/modules/news/article.php?storyid=47396>.

Several Kazakh publications have faced blocking by Russia. In particular, Roskomnadzor issued several notifications to several Kazakh media (Exclusive.kz, ratel.kz, newtimes.kz) about the removal of materials related to the war. Some of the publications refused to comply with the requirements and were blocked from publishing on Russian territory; some removed materials in an attempt to prevent the loss of Russian readers.

Indicator 7: People have adequate access to channels of information.

Infrastructure for receiving and transmitting information exists, but it is stronger in large cities than in regions, along with remote and border areas, where the main sources of information are state media and resources available through the mobile internet, such as social networks and various channels in instant messengers.

Journalists regularly face violations of their rights.

In the villages of some regions, internet and cellular communications remain unavailable. Moreover, it is not always possible to choose a provider since the internet is mostly monopolized. For example, the ability to use 5G belongs only to Kazakhtelecom. Print publications, in turn, face regular problems with postal delivery, especially to remote regions.

Threats of a social network slowdown are not uncommon, and the internet was completely shut down in January for several days. The internet often “disappears” during social protests and rallies. For example, on the day of the presidential inauguration, the infamous businessman Marat Abiyev organized an illegal rally, allegedly to draw the attention of officials to problems in agriculture (according to him). About 300 people were detained, and Abiyev was taken into custody for 15 days. At that time, the residents of Astana did not have access to the internet, since the government was trying to halt the spread of information about the rally, fearing the involvement of a large number of people. The state attributed this to “an accident in the power supply equipment at the internet gateways.” Periodic local shutdowns also occur; in November, the internet was almost completely absent in Astana

for nearly an hour.

Kazakhstan deploys four out of five possible ways to control the internet, according to Freedom House's 2022 Internet Freedom Survey: shutting down the internet, blocking foreign sites, restricting VPN technologies, and via new laws restricting the distribution of foreign sites and their content.

Extrajudicial blocking of websites is extremely common and reaches paradoxical situations when websites of international organizations are blocked by district courts and district prosecutors' lawsuits. For example, when a local court in Kazakhstan ruled that the WHO's website spread information about suicide, the website was blocked. Instances of extrajudicial blocking far exceed those blocked by a court decision.

When the internet was blocked during the January events, information was disseminated via radio, television, and SMS messages.

Indicator 8: There are appropriate channels for government information.

The changes to the legislation on access to information in 2022 specified what information should be posted on the websites of state bodies, but problems obtaining information persist. The Ministry of Information and Public Accord acknowledged that "the increase in the number of applications on the facts of restriction of the right to access to information indicates that the failure to comply with the requirements for ensuring access to information by information holders is today systematic."

Officials delay their responses, respond with non-replies, and classify information as restricted or state secrets. Officials often justify refusals to provide budget information by pointing to commercial secrets or the law on personal data (in matters of salaries of officials, budget funds allocated for various projects, public procurement, distribution of budget funds for the media, etc.). In addition, there is practically no judicial route to challenge the restriction of access under the pretext of

classifying information as "for official use." In this regard, the Ministry of Information and Social Development published the concept of amendments to the law on access to information, but they do not contain fundamental innovations.⁸

According to Itkulov, "We still do not have enough mechanisms and tools that provide citizens with access to information about the work of state bodies and the decisions they make." Another shortcoming is that not all government agency websites offer an adapted version for people with disabilities.

The panelists did note, however, increased activity on the appeals websites www.eotinish.kz and www.egov.kz, where both journalists and citizens can make inquiries, comment on draft laws, and pose questions to akims and ministers. Also, journalists, bloggers, researchers, and lawyers now actively use open data sources, which have grown popular.

Citizens' trust in governmental bodies is quite low. Moreover, according to Ualikhan, citizens know little about digital platforms where they can effectively communicate with officials.

Indicator 9: There are diverse channels for information flow.

There are no laws in Kazakhstan that regulate the concentration of ownership of media in the hands of national and foreign companies. The country has both public and private media, some of which are funded by large industrial groups. There is a 20 percent limit on the participation of foreign capital in media ownership. Perhaps this is why foreign investors are not entering the media market, which is an obstacle to the development of the sector. There are still no public service media.

Private media includes mainly online publications and newspapers. Television channels are mostly dependent on the state, but there are several regional channels with their own news, which differs from the official line.

“ The internet often “disappears” during social protests and rallies.

⁸ "A new concept of legislation on access to information," Digital Rights and Freedom Landscape. September 23, 2022. <https://drfl.kz/ru/novaya-koncepciya-po-dostupu-k-informacii/>.

The frequency allocation process can hardly be called transparent, and the procedures are mostly opaque. A special commission under the Ministry of Information and Social Development makes frequency assignment decisions, and the list of frequency owners is usually limited.

Citizens do not face any barriers to creating media, however. The process of registering a print or online publication is fully digitalized. It is much harder to create a television channel, which requires licensing and large investments. In 2022, a large number of Telegram and Instagram channels that call themselves “micromedia” appeared; their content is diverse, and they are gaining popularity rapidly.

According to Itkulov, after the January events and the start of the war in Ukraine, the politicization of society—and in particular, youth—increased dramatically. Accordingly, this stirred the growth of information channels on social networks.

Indicator 10: Information channels are independent.

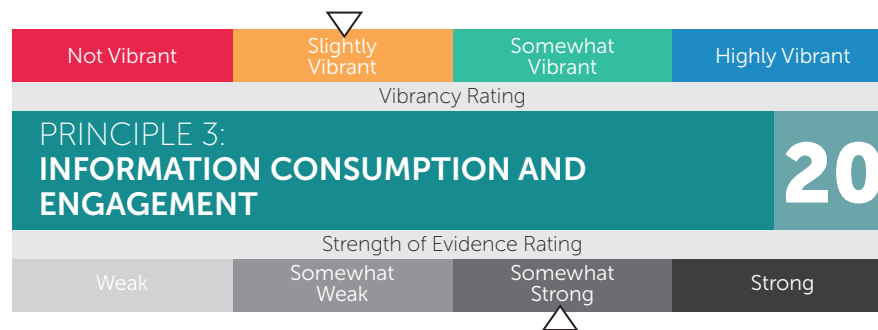
The practice of interfering with editorial policy and influencing content is very common and reinforces self-censorship: journalists know their bosses and what topics may be undesirable. The state interferes in the editorial policy of the media in order to promote its political interests, while media financed by big business or financial industrial groups show loyalty to their funders. Thus, the sources of income directly affect the editorial positions and content.

According to Azhenova, since the distribution of frequencies, licensing of media, and telecommunications services are not transparent, it is difficult to talk about their independence: “Whoever gives frequencies and subsidies instructs what to broadcast or write in the newspaper.”

Maricheva believes that it is almost impossible for the media to maintain an independent view on sensitive topics for the state. The media, for example, hardly dispute the official version of what happened in January 2022.

State media have wide preferences and different sources of funding and enjoy easier access to news sources than private media. For example,

only state media were invited to the unveiling of the memorial to those killed during the January events in Almaty.



Thanks to the emergence of various messaging apps, such as Telegram, that add to Kazakhstan’s media ecosystem, people have become more active in social networks. Involvement in the discussion of topical issues has increased significantly. At the same time, personal data protection tools do not work to their full extent, as evidenced by regular leaks and DoS attacks. In addition, the state continues to apply mechanisms for blocking objectionable and illegal content. Despite government initiatives, the level of media literacy remains quite low: people believe fakes and spread them. There are very few community media, mainly, their functions are performed by publics on Instagram and other social networks.

Indicator 11: People can safely use the internet due to privacy protections and security tools.

A special law guarantees the protection of personal data, but in practice there are serious problems with its application. Citizens periodically complain about mass leaks of personal information (medical, commercial) and the use of personal data without their consent. In March, the personal data of Kazakhstan citizens became publicly available through the fault of Yandex; later it was the fault of Kazpost. As a rule, citizens do not apply for the protection of their rights, so there is practically no judicial practice on this topic.

The media often use tools to protect against attacks, and contact the provider and law enforcement agencies, but this is hardly effective. It is very expensive for people to install their own protection system, so few people use one. In addition, as experts noted, there are few specialists on this subject.

There is very little evidence that citizens have information security, leaving them vulnerable to exploitation by internet and bank fraudsters.

Indicator 12: People have the necessary skills and tools to be media literate.

Although officials talk frequently about the need to develop critical thinking skills in the population, in practice, the level of media literacy leaves much to be desired. People spread fake messages without thinking about their veracity and tend to believe charlatans and conspiracy theories shared on social networks.

According to a 2021 Internews study on media literacy and consumption, the average level of media literacy was 16.2 out of a maximum of 35 points. Internews experts note that the most critical media literacy skills include the ability to recognize false information and distinguish bots and trolls from real internet users, as well as awareness of social networking algorithms. Internews highlighted a high risk for Kazakh citizens of being exposed to disinformation, information wars, and propaganda.⁹

Media literacy has been introduced into the school curriculum as an elective subject, but the qualifications of the teachers who teach it remain a big issue. The Ministry of Information created an information portal to combat fake information, StopFake.kz, but it is not a popular, in-demand resource, since the range of topics is very limited by the interests of the state.

People spread fake messages without thinking about their veracity and tend to believe charlatans and conspiracy theories shared on social networks.

NGOs (Internews, Adil soz, Legal Media Center, Factcheck) typically provide training in media literacy, along with some interested universities. In recent years, there have been many different online courses on media literacy, as well as research about it.

According to Gafurov, the commentators of the www.ng.kz website are quite capable of detecting fakes in the comments of opponents and errors in journalists' reports. But their critical thinking skills work only in one direction and, as a rule, do not apply to themselves.

Indicator 13: People engage productively with the information that is available to them.

Constitutional guarantees and laws give everyone the right to freedom of speech without exception, but there are certain difficulties. Activists, journalists, and bloggers actively exercise this right, but the laws contain restrictions on the discussion of certain sensitive topics and liability for inciting hatred and spreading false information. This, according to Azhenova, significantly slows down public discourse.

There are a lot of platforms for discussion, including the official resources www.eotinish.kz, www.egov.kz, and various groups on Facebook and other social networks. Comments on media websites provide another platform for discussion, which, after the introduction of mandatory user registration, smoothly flowed into social networks.

According to Gafurov, Kazakhstan has a fairly well-developed format for public hearings, but only *Maslikhat* (local parliament) deputies make decisions based on public hearings, while “the people are just letting off steam.”

In 2022, Kazakh youth created an independent forum called Morning Tea in Almaty, where representatives of the intellectual elite gather on Saturday mornings to freely discuss the most topical issues of culture, science, education, media trends, etc.

Another key platform for expression is the sanctioned free speech rally

⁹ “Media consumption and media literacy in Kazakhstan, Tajikistan and Uzbekistan,” Internews. 2021. <https://newreporter.org/mediastudy2021/>.

organized by the www.orda.kz editorial board in June 2022. “I believe that once a year journalists have the right to step on that stage and speak out for freedom of speech. Maybe in other countries journalists don’t go to rallies, but we need to remind them of that until we have full freedom of speech and democracy,” said website editor Gulnara Bazhkenova, who moderated the rally.¹⁰

Complaints about media coverage are handled by the Public Committee for Media Self-Regulation, a non-governmental organization that also conducts ethics education, makes public statements, and promotes ethical standards.

Indicator 14: Media and information producers engage with their audience’s needs.

Content producers try to understand the interests of their audiences, but measurements are still too limited in terms of audience composition and demand, as well as geographic coverage, and little consideration is given to rural populations. TNS Central Asia LLP, a professional media measurement company, provides high-quality audience research services, but the cost is out of reach for many media. As a result, digital data available on free or low-fee sites are used to analyze audiences and work with advertisers. Content producers also use Yandex, Google Metrics, and other free services. The Internews study¹¹ showed that 92.7 percent of respondents said that they had never contacted a media editorial office, and nearly a fifth said they do not trust any channels.

According to Karaulova, the media do not study their consumer audience well, focusing heavily on founders and sponsors instead. The interaction between all market players is weak; industry organizations also work

10 “‘There is a constant feeling of censorship.’ How a rally for freedom of speech was held in Almaty,” Radio Azattyk, June 25, 2022. <https://rus.azattyq.org/a/kazakhstan-oschuschenie-tsenzury-est-postoyanno-kak-v-almaty-proshel-miting-za-svobodu-slova/31914760.html>.

11 Internews: <https://newreporter.org/mediastudy2021/?fbclid=IwAR1q7fyj17ZrMPjhJlyOUB69TGTM-gP4na0WsoYSII2GI9QrfUN1ImMPVN58>.

Media literacy has been introduced into the school curriculum as an elective subject, but the qualifications of the teachers who teach it remain a big issue.

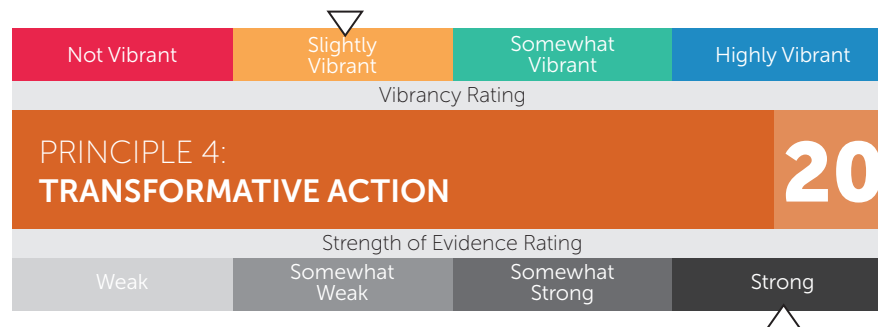
unproductively or are engaged by the state.

According to Azhenova, almost all television media are greedy for cheap entertainment programs; there is no wide and direct discussion on the air. However, much brighter prospects can be seen with some social media groups--such as Zanamiviehali, Protenge, Obozhau, and Manshuk—that do field reports along with live broadcasts and discussions on political topics, among others.

Indicator 15: Community media provide information relevant for community engagement.

There are no true community media outlets in Kazakhstan, in their pure form. There are local newspapers, but they are financed from the state budget. The only local “media” to speak of are Instagram groups, Telegram channels, and WhatsApp groups, used to discuss local problems and share news.

In the Kyzylorda region in south-central Kazakhstan, however, Rima Turmanova—a librarian by profession—created Multimedia Radio in 2021 with support from local village leaders and residents; the channel enjoys popularity in the area.



While there is still no opposition media in Kazakhstan, there are parties that promote their information agenda. As a rule, when making

decisions, people are guided by opinion leaders and independent media coverage. The role of civic activists, who identify the most important problems and draw the attention of the state to them, has increased. There is more information related to exposing corruption and the illegal withdrawal of assets from the country, but officials at various levels are not sufficiently open and transparent to either the public or journalists. Even so, when a case emerges that has traction with the population and becomes public, authorities are forced to respond, making covering up violations more difficult. As a result of these dynamics, the panel gave low scores to indicators examining individuals' use of quality information and information's support of good governance and democratic rights. The highest score in this principle was civil society's use of quality information, driven in part by CSOs taking on issues such as combating domestic violence and ecological issues.

Indicator 16: Information producers and distribution channels enable or encourage information sharing across ideological lines.

There are a lot of content producers, including many apolitical bloggers focused on creating entertaining content. Still, they occasionally raise political and social issues; for example, during elections and a referendum, some bloggers called on people to go to the polls.

Bloggers provide opportunities to discuss sensitive topics, usually on social networks, but often this depends on a subscription to a particular person or media, such as Radio Azattyk, and independent political scientists Dosym Satpaev, Dimash Alzhanov, and Shalkar Nurseitov. People with differing points of view participate in discussions on the internet and on YouTube programs, but not in the official media.

According to Gafurov, website commentators actively engage in discussions and debate articles—but their opinions are often based on data that their opponents do not find credible. For example, in disputes about the war in Ukraine, opponents refer to sources in Ukraine and Russia but mutually distrust the sources of opponents.

🗣️🗣️ Kazakhstan's citizens often form their opinions on unreliable or unverified information, according to the panelists.

Discussions of news materials can hardly be called constructive; they usually veer toward hype, statements on the verge of hate speech, or ridicule.

Indicator 17: Individuals use quality information to inform their actions.

September 2022 studies from the nonprofit Youth Information Service of Kazakhstan (YISK) have shown that Kazakh citizens are convinced that they can distinguish reliable from unreliable information; however, only a small percentage know about and use data verification tools.

The panelists estimated that about a third of citizens can distinguish the truth from false information. Many people trust anonymous messages in instant messengers, which feature a lot of dangerous health and safety recommendations, such as calls to buy unverified medicines and health products.

Election results in Kazakhstan are affected not by pre-election campaigning, but by the work of election commissions. During the November presidential elections, there was no high-quality, meaningful information about the candidates; many who voted for the incumbent president approached the decision from the standpoint of “it can't get any worse.” As for interaction with deputies, the electorate practically does not know them.

Kazakhstan's citizens often form their opinions on unreliable or unverified information, according to the panelists—and the experience of covering problems associated with the coronavirus pandemic showed that people are vulnerable to taking action based on inaccurate information.

Indicator 18: Civil society uses quality information to improve communities.

Active and “real” NGOs (versus government-organized NGOs, or GONGOs) actively share quality information, monitor the situation in

various fields of public life, and often reveal pressing issues. Effective work takes place primarily in the areas of accountability of the state budget, combating domestic violence, protecting the rights of prisoners, protecting the rights of journalists, social welfare of the regions, ecology, and protecting personal data.

Civic activists are invited as experts to various working groups, a trend that is growing from year to year. However, NGOs most often limit their participation to discussing key decisions, and state bodies and parliament do not take all proposals of civil society into account. One exception is the law on the protection of children from cyberbullying, where NGOs managed to eliminate norms that could seriously restrict freedom of speech on the internet and give the authorities unlimited opportunities to block social networks.¹² Another example is the law on the abolition of the death penalty; human rights activists sought it for many years, and it came into force in late December 2021.

An example of the participation of civil society in decision-making is the project “Budget of Popular Participation,” in which citizens propose improvements to housing settlements, and the state budget allocates funding for the projects of the winners. Another successful initiative, the Nemolci project, helps victims of violence, monitors court cases, and stimulates quality investigations.

The media began to turn more to NGOs for information and comments, indicating an improvement in interaction and an increase in the expertise of human rights defenders.

Zertteu Research Institute uses its own research to encourage corruption investigations. Another NGO, the Legal Media Center, actively contributes to drafting laws on the media, access to information, and the protection of personal data, lobbying for the interests of journalists and the implementation of international standards in Kazakh legislation.

¹² “Parliament passes scandalous law on cyberbullying and blocking social networks,” Sputnik. April 20, 2022. <https://ru.sputnik.kz/20220420/parlament-prinyal-skandalnyy-zakon-o-kiberbullinge-i-blokirovke-sotssetey-24322625.html>.

Unfortunately, the population as a whole does not show initiative to fight for change and influence the adoption of government decisions; such efforts usually involve civic activists, journalists, and educated bloggers.

Indicator 19: Government uses quality information to make public policy decisions.

Although President Tokayev has publicly stated the function of a “hearing” and open state, the problem of quality communications is a major one. Government agencies regularly hold press conferences, issue briefings in the Central Communications Service and Regional Communications Services, and send out press releases, but MPs, ministers, and *akims* often run away from journalists, refuse to answer questions, and simply ignore the media.

According to Azhenova, government agencies demonstrate little effort to initiate public discussions: “There are no cases where a public body has organized itself and discussed in advance and extensively in public, at a conference, the pressing issues. NGOs usually organize such discussions, inviting key agencies.”

In addition, sometimes government officials publicly accuse journalists of incompetence, as happened with the First Deputy Prime Minister Roman Sklyar.¹³

He said that the media had not properly covered the work during the Ekibastuz heating accident, specifying that only journalists of the Yertys Media holding company had worked objectively.

Political debate in Kazakhstan is underdeveloped, and candidates do not always provide convincing facts and research results. In 2022, the presidential candidates’ debate again took place without the participation of the main candidate—the current president.

¹³ “Sklyar, amid the failure of his work, accused the media of incorrectness in covering accidents,” ZonaKZ. December 14, 2022. <https://zonakz.net/2022/12/14/sklyar-na-fone-provala-svoej-raboty-obvinil-smi-v-nekorrektnosti-pri-osveshhenii-avarij/>.

Sometimes, government officials publicly accuse journalists of incompetence.

Indicator 20: Information supports good governance and democratic rights.

Information about corruption in Kazakhstan regularly appears in the media and on social networks. However, the prosecutor's office and law enforcement agencies react only in response to public outcry and publicity. For example, the Protenge Instagram account regularly publishes investigations on public procurement, which led to official investigations and tenders to be cancelled. However, there are cases when seemingly high-profile publications in the media draw no reaction from the state. In 2022, there was also a lot of interest in the search for misappropriated funds during the rule of ex-President Nazarbayev, but very little quality information appeared on this topic.

The presidential election could not be called a fair competition, as international assessments confirmed.¹⁴ The incumbent President Tokayev had significant privileges and political advantages over his rivals. It is worth noting, however, that for the first time two women ran for the presidency.

According to Gafurov, “Even high-quality information cannot make elections in Kazakhstan fair and free—that would require changing the composition of election commissions.” Officials denied journalists access to information, blocked their physical access to polling sites, and subjected them to other difficulties.

Civil activist Ilyas Samuratov tried to obtain data on the number of voters from the city election commission, which denied his request on the grounds that the commission had received no complaints. Samuratov then appealed to the prosecutor's office, where the complaint was forwarded to the police, which dismissed the case without consideration.¹⁵

¹⁴ “According to OSCE/ODIHR observers, early presidential elections in Kazakhstan lacked competition, and despite effective preparations for the elections, observers stressed the need for further reforms,” OSCE Office for Democratic Institutions and Human Rights. November 21, 2022. <https://www.osce.org/ru/odihr/elections/531818>.

¹⁵ Samuratov, Ilyas. “We will make the coward tremble, The bold one will look - we will melt. We are afraid of the brave, We fly away in fear,” *Nasha Gazeta*. January 6, 2023. <https://www.ng.kz/modules/news/article.php?storyid=47704>.

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