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KAZAKHSTAN

On several occasions in 2013, Kazakhstan President Nursultan Nazarbayev announced his goal that by the year 2050, Kazakhstan would rank among the top 30 most developed nations in the world. Encouraged by various surveys indicating that Kazakhstan is one of the world's fastest growing economies, Nazarbayev began to define more ambitious strategic goals for Kazakhstan's development.

Accordingly, Kazakhstan launched a number of economically, politically, and culturally significant projects to advance its development agenda, including the launch of the KazSat satellite—the country's first—to help advance Kazakhstan's space program. Kazakhstan synched its advancement goals with active efforts to reform the government administration, internal affairs bodies, government service personnel policy, and the Bolashak overseas training program.

However, failed government initiatives related to pension reform, tax strategies, and lower-than-expected international ratings in the areas of human and civil rights dampened some of the country's impressive economic achievements. At the same time, discussions are stirring of a post-Nazarbayev Kazakhstan, including conservative predictions from the uneasy political and cultural elite in regard to the country's uncertain future without Nazarbayev.

Human Rights Watch's Kazakhstan report for 2013 described the country's worsening human-rights situation, with growing pressure on the freedom of speech from the authorities and the lack of appropriate legislation. The report also detailed the persecution of critics of the regime, including journalists, and also called attention to the fact that human-rights complaints remain uninvestigated and unpunished.

KAZAKHSTAN at a glance

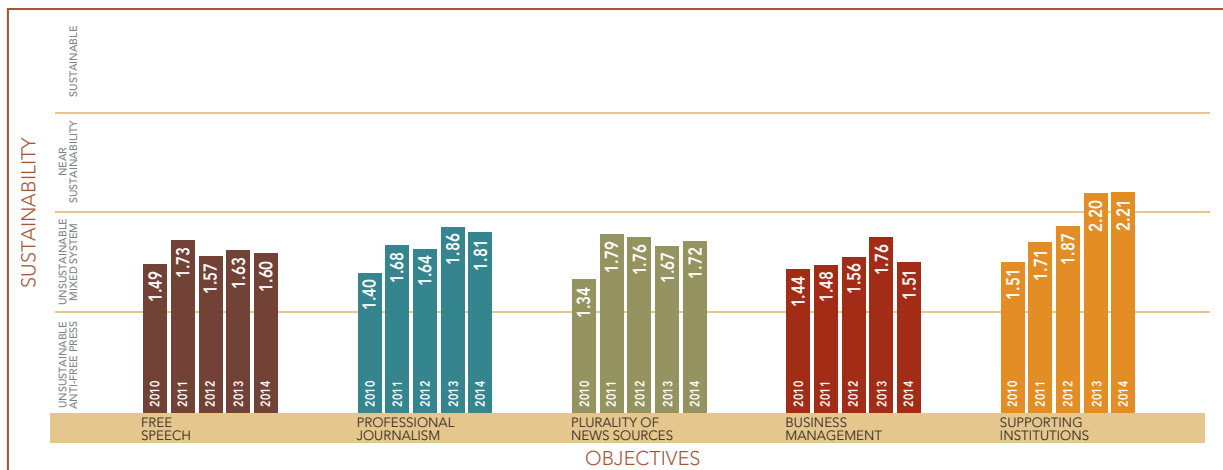
GENERAL

- > Population: 17,948,816 (July 2014 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)
- > Religions (% of population): Muslim 70.2%, Christian 26.2% (Russian Orthodox 23.9%, other Christian 2.3%), Buddhist 0.1%, other 0.2%, atheist 2.8%, unspecified 0.5% (2009 Census)
- > Languages: Kazakh (state language) 64.4%, Russian (official, used in everyday business) 95% (2001 est., *CIA World Factbook*)
- > GNI (2012-Atlas): \$164.3 billion (World Bank Development Indicators, 2013)
- > GNI per capita (2012-PPP): \$11,780 (World Bank Development Indicators, 2013)
- > Literacy rate: 99.7%; male 99.8%, female 99.7% (2009 est., *CIA World Factbook*)
- > President or top authority: President Nursultan Abishuly Nazarbayev (since December 1, 1991)

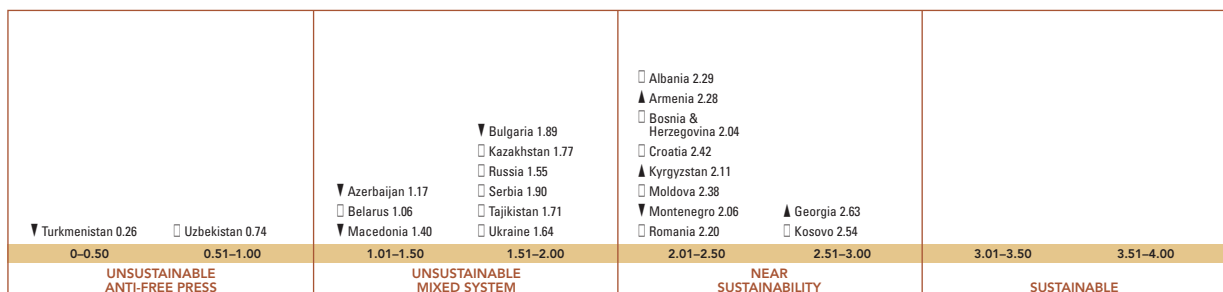
MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations: The state reports there are 2,740 outlets, including 439 state and 2,301 private (2,494 print media, 233 broadcast companies, 13 news agencies)
- > Newspaper statistics: top 4, by circulation, are *Karavan* and *Karavan-Class* (private, weekly) circulation 570,000 combined; *Yegemen Qazaqstan* (state), in Kazakh, 5 times weekly, 171,216; *Kazakhstanskaya Pravda* (state), in Russian, 5 times weekly, 100,000; *Vremya* (private, weekly) in Russian, more than 100,000; *Ekspress-K* (private), in Russian, 5 times weekly, 100,000
- > Broadcast ratings: top 10 television: First Channel Eurasia (80% state ownership and 20% Russian government), in Kazakh and Russian; Channel Commercial TV (KTK) (private), in Kazakh and Russian; Channel 31 (private); Channel 7 (private); Kazakh TV (state), satellite, in Kazakh and Russian; Astana TV (state), Khabar TV (state) cable/satellite news channel; Tan TV (private), Russian and Kazakh, Rahat TV (CTV) (private), Russian and Kazakh. Top 2 radio: Retro FM Kazakhstan, Russian Radio Asia
- > News agencies: 13; top 4: Kazakhstan Today, Interfax Kazakhstan, KazakhstanNews.com, Kazakh Information Agency (Kazinform, state-owned)
- > Annual advertising revenue in media sector: According to TNS Gallup Media Asia and Video International, whole advertising market is \$235 million (62% TV, 16% audio, 5% print, 4% Internet)
- > Internet usage: 5.299 million users (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: KAZAKHSTAN



MEDIA SUSTAINABILITY INDEX 2014: OVERALL AVERAGE SCORES



CHANGE SINCE 2013

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

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.

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

OBJECTIVE 1: FREEDOM OF SPEECH

Kazakhstan Objective Score: 1.60

Without protective laws, journalists in Kazakhstan continue to face great risks. Kazakhstan's failure to make significant changes to the Law on Mass Media Information and to pass a draft of the Law on Access to Information are particular sore spots for the media community. Frustrated journalists and civil-rights activists called for passage of the information law, as well as softened penalties for libel and slander, and organized a coalition with the aim of passing and implementing the legislation. At the Media Kurultaye conference in 2013, a coalition from the NGO 20-Shy Bap, working in the area of defense of freedom of speech, and journalists gathered more than 100 signatures in favor of abolishing criminal penalties for slander.

However, attempts by journalists and society at large in this regard have yielded no significant results to date. The members of the government listen and nod their heads, but nothing changes, said Diana Medvednikova, director of the North Kazakhstan Legal Media Center in Astana. In fact, laws related to the freedom of speech in Kazakhstan's constitution, and in additional legislation passed in Kazakhstan each year, further restrict journalists, said Olga Groznaya Kaplina, a project manager of Internews Network Kazakhstan.

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.

For example, a new law passed in November 2013, the Law on Identity Protection, requires written permission from an individual to publicly disclose his or her personal data. It is difficult to imagine what kind of permission would be granted during a journalistic investigation related to a corruption scandal, Kaplina pointed out. As before, journalists and publishers still struggle to obtain information from government bureaucrats, who demand written requests.

At Media Kurultaye in 2013, Sholpan Zhaksybayeva, executive director of the National Association of Broadcasters of Kazakhstan, described key disadvantages for consumers within the new Law on Television and Radio Broadcasting. He concluded that it violates constitutional guarantees on free access to information and offers a limited selection as a result of monopolies. Summing up the government's recent policies in the sphere of electronic media regulation as first and foremost a form of "aggressive ideology," Zhaksybayeva said, "They force television companies out by limiting frequencies and attacking private businesses in the television field, instituting the encoding of free broadcast signals, mandating sky-high prices for small digital attachments, and requiring registration of foreign television channels. Moreover, the legislation to protect children from harmful information imposes strict guidelines on broadcasting content and punishes broadcasters and operators for any proven violations. It seems as if all of these policies have been specifically thought up in order to discourage the population from traditional television viewing and, as a result, encourage them to turn to the Internet for information."¹

Authors of the Open Society Foundations' Mapping Digital Media project concluded: "The media environment in Kazakhstan is distinguished by a lack of pluralism and dominance of state media, particularly in the area of television and radio broadcasting. By and large, television channels either are owned by the government or bureaucrats, or affiliated with state business authorities. Critically oriented news media receive pressure from the authorities. Kazakhstan is home to several opposition weeklies that often times are accused of violating legislation. Fines effectively act as a pressure on the media and also lead to closures by court decision."²

Kazakhstan requires a two-step registration process to receive a broadcast license. A television and/or radio broadcaster must apply to a state licensing agency and

¹ Media Kurultaye website, 2013: <http://mediakuryltai.kz/2013/11/30/prezentacii-cifrovoe-tv-kak-moment-istiny/#more-2940>

² "Mapping Digital Media, Kazakhstan," Open Society Foundations, May 2013: Available at <http://www.opensocietyfoundations.org/reports/mapping-digital-media-kazakhstan> (Accessed March 2014)

“Unfortunately, the law does not protect the editorial independence of the media. Pro-government media have become a mouthpiece for the authorities, while independent media struggle for their very survival,” said Medvednikova.

prove that it meets a list of criteria related to content (such as prohibitions on the broadcast of pornographic material), broadcast language (ensuring adequate content in the official government language), the amount of broadcasting of locally oriented programming, and the amount of rebroadcasted material and advertisements. Noncompliance with the requirements invites punishments that may include administrative fines, temporary blocks, or prohibition to broadcast a program.

After obtaining a license, electronic media must gain permission to broadcast through a competitive selection process, in compliance with article 42 of the Kazakh law “On Television and Radio Broadcasting.” In 2013, the Kazakh Ministry of Culture and Information rejected 10 applications for failing to meet rules of the distribution of radio frequencies. However, in 18 regions, there were winners tied to the Elorda Tynysy media company that many in the media community had never heard of before. A journalistic investigation by *Respublika* tied these media to the holding company Alash Media Group—rumored to be owned by Karim Masimov, a well-known politician and director of the Kazakh Presidential Administration.³

As usual, the panelists said, the voting on the competitors for the radio frequency channels was predetermined by pro-government forces, and they do not believe that regional radio and television channels face a fair playing field for licensure. Zhaksybayeva noted also that the state media’s privileged position in the free-of-charge OTAU television package strengthens the system of state dominance in Kazakh media.

The political influences over the licensing process, and other political regulations in the media market, create unequal conditions for entry into the market for media companies, compared with other services. Kazakhstan has no separate laws, or legal norms or mechanisms, to regulate the media’s economic development. Therefore, there are

³ See coverage on the *Respublika* website: <http://www.respublika-kz.info/news/politics/33917/> and <http://www.respublika-kz.info/news/politics/33882/>

no tax incentives to encourage their development, and the taxation of the media is indistinguishable from tax laws for businesses in other areas of the economy. In fact, tax audits are often used as a tool to penalize the independent media, with the aim of paralyzing their activity during a tax inspection.

On the other hand, pro-government media benefit from an array of economic advantages. One instrument to ensure the economic stability of pro-government media is the state contract procurement procedure. On a number of occasions last year, the state issued contracts for the press to share government-sponsored content. The number of such contracts grows each year, according to Medvednikova. In 2013, the total government budget for media was KZT 36 billion (approximately \$195 million). By 2014, that number is expected to increase to KZT 40 billion. The government is funneling money into media with one goal in mind: to create loyalty to it and its policies and to hide behind the guise of independent information.

In February 2013, the newly reappointed Minister of Culture and Information, Mukhtar Kul-Mukhammed, recommended reviewing the criteria and procedures used in state contract procurements for media information. “In order to attract a large number of nongovernmental media, rates (for news programs) must be increased, said Kul-Mukhammed. At the present time, the government spends KZT 120,000 (approximately \$765) for one hour of television programming, which, according to Kul-Mukhammed, does not completely cover the production expenses related to the content of the national television channels.

Attacks on journalists over the past several years have grown more common. Furthermore, investigations rarely make it to the courts, and when they do violators are rarely punished. Monitoring reports by the free-speech organization Adil Soz describe a number of incidents. For example, in June 2013, *El Birligi* journalist Dauren Mustafin was attacked near the Al Farabiysky Court in Shymkent amid a conflict between deputies of the Ordabasinsky Maslikhata District and village residents. When Mustafin attempted to interview the deputy, several people attacked him, damaged his video camera, stole his flash drive, and violently shoved him into a car and kidnapped him. In the car, unidentified men threatened Mustafin and inflicted minor bodily injuries. A criminal lawsuit was filed against Abdraman Turmagambetov, an Ordabasinsky Maslikhat District deputy, and his aides in regard to the incident. In September, Adil Soz reported that the court decided to throw out the lawsuit. However, a senior district attorney later admitted that the criminal lawsuit was legal and should have been heard in court.⁴

⁴ Mapping Digital Media, p. 106.

In December 2013, one year after an attack on journalist Lukpan Akhmedyarov, the editor-in-chief of *Uralskaya (Ural Week)* and a MSI panelist, the accused were found guilty in a criminal lawsuit. However, Akhmedyarov said that the mastermind of the crime was never found, despite a great effort by the police, which was in great part due to protests by journalists and international organizations.⁵

In another case, out of a five-man group that attacked *Svoboda Slova* journalist Igor Larra with a crowbar, causing head injuries, only one, Mirbolat Sultanov, was convicted and found guilty. Larra had written material criticizing the governor of the Aktobe region,⁶ and the attack prompted calls for investigations by Human Rights Watch and the Organization for Security and Co-operation in Europe (OSCE). The OSCE representative on issues related to media freedom, Dunja Mijatović, oversaw the lawsuit related to the attack on Larra and called on the local police to investigate. Mijatović said, "I am upset by the fact that another attack has occurred on a representative of the media. Continued violence against journalists is a direct threat on the freedom of expression of opinions, and it must be stopped."⁷

Two months after the beating, Larra died. However, the court failed to acknowledge that the beating was the cause of his death or to address the possible involvement of local authorities in the attack on Larra. Sultanov was sentenced to five years and three months in a prison colony and was ordered to pay KZT 544,000 (\$3,100) to Larra's family as compensation.⁸

Crimes without convictions against journalists have become the status quo in such cases and exemplify why investigative reporting is so rare in Kazakhstan. In 2012, there were more than nine incidents of attacks on journalists in Kazakhstan, but only one case was successfully filed as a criminal lawsuit. Of more than 40 incidents of interference in the professional work of journalists in 2012, not one case was successfully filed as a criminal lawsuit in accordance with the Kazakh Criminal Code.⁹

⁵ Udovychenko, Zlata. "Lukpan Akhmedyarov, Journalist." *Time-Kazakhstan*, July 12, 2013. Available at <http://www.time.kz/articles/territory/2013/07/12/lukpan-ahmedjarov-zhurnalyst-mne-zhal-moih-obidchikov> (Accessed March 2014)

⁶ Sadykov, Murat. "Kazakhstan: Watchdog Urges Astana to Investigate Another Journalist Attack." *Eurasianet*, August 25, 2013. Available at <http://www.eurasianet.org/node/67430> (Accessed March 2014)

⁷ "OSCE representative on media freedom condemns beating of journalist in Kazakhstan." *Internews-Kazakhstan*, August 22, 2013. Available at <http://www.internews.kz/newspage/22-08-2013/2970>

⁸ "Monitoring violations of freedom of speech in Kazakhstan in December 2013 (Digest)." *Adil Soz*, December 2013. Available at <http://www.adilsoz.kz/wp-content/uploads/2014/02/monitoring-12.13-digest.pdf> (Accessed March 2014)

⁹ Mapping Digital Media

State media cannot be described as independent, according to the panelists. Political Party Media has actively strengthened itself and developed over the past several years in the Kazakh media landscape, in large part due to an editorial hand aimed at enhancing party members' public images.

The Nur Media group, tied to the president's Nur Otan political party, is a strong player on the market. Nur Media includes *Dala men Kala*, *Country and World*, the television channel Astana, radio stations RDV and NS, *Turkestan*, *News-Kazakhstan*, and *Nur Astana*, as well as *Liter* and *Ayikyn* (with their publishing house). It benefits from healthy distribution, thanks to subscriptions (government entities prefer to subscribe to official publishers) and state contract procurement. Nur Media aims to become profitable and popular while reflecting and defending the party's interests, but the panelists agreed that Nur Media's outlets, particularly its primary assets—*Dala men Kala* and *Country and World*—are not very popular among the people.

Meanwhile, the media climate for opposition publishers is one of repression and obstacles. There are a small number of non-parliamentary opposition parties; some are on the verge of extinction. A former presidential advisor, Ermukhamet Ertysbayev, acknowledged that the Nur Otan Party had a competitive advantage during the most recent parliamentary elections. "I would not negate the fact that the party of the president had a significant advantage on the information playing field. At the start of the election campaign, Nur Otan already had a distinct lead over other political party contenders. Moreover, Nur Otan is the only political party in Kazakhstan that has its own media holding company that includes television stations, newspapers, magazines, and Internet sites. From the point of view of equal opportunities, I cannot imagine how it would be possible to create a situation where all party contenders would have a level playing field."¹⁰

In 2013, a number of journalists associated with opposition media outlets were in essence denied the opportunity to work. In a case regarding the opposition's *Respublika*, prosecutors went after employees of the media outlet; the authorities confiscated property from the publisher and warned the employees against working together or publishing.¹¹

Ashyk Alan was temporarily shut down for three months and fined KZT 173,000 (\$960) by a Special Interdistrict Administrative Court decision. The official reason for the

¹⁰ Mapping Digital Media

¹¹ "Embattled *Respublika* journalists targeted in Kazakhstan." Committee to Protect Journalists, February 6, 2013. <https://cpj.org/2013/02/embattled-respublika-journalists-targeted-in-kazak.php>

closure and fine was the newspaper's decision to close for a one-month holiday without providing proper notice to the appropriate government agencies. In yet another example, twice in 2013 court orders blocked *Pravdivaya Gazeta* (*True Newspaper*) from publishing, allegedly for violating circulation announcement obligations. Kazakhstan's Communist Party newspaper, *Pravda* (*Truth*), was punished for noncompliance and ordered to withdraw issues for a similar offense.

In this hostile climate, it is impossible for opposition media to pursue their editorial policies. "Unfortunately, the law does not protect the editorial independence of the media. Pro-government media have become a mouthpiece for the authorities, while independent media struggle for their very survival," said Medvednikova.

Zhumabike Zhunusov, an opposition website journalist, was even more critical, commenting, "It's funny that a number of media are being cited for their independence. From whom and from what are they free? The most honest answer to this question is decided at election time. Government channels live off taxpayers' money, and as a result spend money more freely, but the so-called independent media draw from lists of pro-government and opposition sources and depend on the media czars to allow or prohibit critical material to be published... To take one's work to heart means to live the rest of life being 'blacklisted.'"¹²

Furthermore, the media community's efforts to decriminalize libel have been unsuccessful. The number of lawsuits filed against journalists on behalf of Kazakh bureaucrats has grown with each passing year. Courts frequently hand down decisions in favor of bureaucrats and level fines against journalists. Adil Soz noted that in 2013 alone, 14 guilty verdicts were reported in cases related to libel and slander, and 79 complaints with lawsuits were filed to protect a defendant's honor, dignity, or business reputation, demanding a total of KZT 2,471,515,102 (\$14,492,266) in damages collectively. Officials seemingly lodge libel lawsuits on the slightest pretexts, regardless of the fact that the journalists in question were using officially disclosed documents to cover court cases or were writing exposés on corruption with documentation in hand. For example, information on the website *Insiderman.kz* related to the rape of a young girl led to a search of the apartment of the website's director, Valeriya Surganova; his colleagues were also investigated, and their computer equipment was confiscated. As Surganova refused to disclose his sources or the authors of the stories, a lawsuit was filed against

"unknown parties," leading to convictions of up to four-year prison terms under the Kazakh Criminal Code.¹³

"Journalists continue to work in a climate of fear—that their media outlet may be closed, that they could be sent to jail, or fined significant sums following lawsuits served by offended bureaucrats. During the year, more than 60 lawsuits related to libel were filed, and in the majority of the cases the plaintiffs were bureaucrats," Medvednikova said.

Journalists also struggle to obtain access to official information. At a conference in Astana related to this subject, Rozlana Taukina, the director of *Journalists in Danger*, said, "It is very difficult to find valuable information related to ecological consequences for Kazakhstan from the launches of proton-rockets. There is no valuable information related to labor conflicts and protest movements at the Arselor Mittal and Kazkhmys companies. Information related to money transfers from the exploitation and export of various natural resources is concealed. The incomes of top officials of Kazakhstan are undisclosed. And there are a number of other such examples."¹⁴

Strict accreditation requirements to print or broadcast information are also used to block requests for information. Access to information by journalists is restricted, and as a result is also restricted from their audiences—based not only on the subject matter, but also on whether it is "sanctioned" by authorities. In the past year, all media covered the disgraced politician and former member of Nazarbayev's family, Rakhat Aliyev, in the sanctioned murder of Altynbek Sarsenbayev, a public figure and politician. However, it was possible to cover only the material from the official government position. Any investigations or any interpretations of the murder were sharply restricted. For example, on the website *Zakon.kz*, the website host ordered information about Sarsenbayev's murder to be removed; only official information related to Aliyev's implication in the murder was allowed. Kaplina noted that she saw a growing trend in 2013 of removing material from media outlets after it had been published.

Journalists attempting to fulfill their professional duties face obstacles, ranging from groundless refusals to violations of terms for provision of publically significant information. Bureaucrats, whether unaware of their legal obligations or fearful of reprimands from their superiors, frequently refuse to grant interviews. For example, in December, officials of

¹² "Paradox of a 'free' press." *Insiderman*, May 5, 2013. Available at <http://insiderman.kz/?p=891> (Accessed March 2014)

¹³ "Apartment of Astana journalist Valeriya Surganova searched." Adil Soz, December 19, 2013. Available at <http://www.adilsoz.kz/news/proizveden-obysk-v-kvartire-astaninskogo-zhurnalista-valeriya-surganova/> (Accessed March 2014)

¹⁴ Glushkova, Svetlana. "Activists call for adoption of Law on Access to Information." *Radio Azattyk*, February 27, 2013. Available at <http://rus.azattyq.mobi/a/24914438.html> (Accessed March 2014)

the Department of Internal Affairs (DVD) for Sayramsky District of the Southern Kazakhstan region refused to allow journalist Marina Nizovkina and cameraman Yevgeny Sergiyenko, from KTK television station, to shoot video of an accident in Karasu involving a passenger bus. The journalists explained to the police that they were not required to await permission from a police director to shoot video and continued their work.

On a positive note, digitalization provides journalists and media outlets with more opportunities to receive information from various sources, including foreign ones. In fact, even the occasional blockage of individual websites in Kazakhstan cannot cut off journalists, media outlets, or consumers from the wide range of foreign information. Most Kazakh media companies do not post their own correspondents abroad and therefore depend heavily on the Internet.

Conditions have changed regarding foreign television channels, and there are now new procedures and requirements. Previously, it was adequate for local cable operators to submit lists of foreign media rebroadcasts to the local mayor's office. However, starting last year, the local cable operators had to complete lengthy registrations at the Ministry of Culture and Information.

At the beginning of 2014, just over 200 foreign television and radio broadcasters were registered in Kazakhstan, slightly fewer than the registry indicated before the new rules. However, in terms of quality, there is a difference. Previously popular foreign television channels, such as Disney, TB3, Foxlife, AXN, RTR-Cultura, and others, have become less accessible; new Kazakh channels that offer far-lower-quality programming have emerged in their stead. A number of Russian channels offer higher-quality programming than the new Kazakh channels. However, they still differ markedly in content from the popular foreign channels that were previously accessible, such as the Chechen government television and radio channel Grozny, the religious (Orthodox) channel Spas (Savior), the Chelyabinsk regional channel Bulat, and Dagestan satellite television.

In Kazakhstan, there are no strict requirements to become a professional journalist. Seemingly anyone, regardless of knowledge or ability, can become a journalist. However, there is a certain inequality between legacy media journalists and bloggers. Accreditation and requirements that journalists be affiliated with an organization make it very difficult for bloggers to access publicly significant information from government sources.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kazakhstan Objective Score: 1.81

According to the panelists, not all journalists in Kazakhstan observe professional standards. For example, Kaplina said the media often fail to represent both sides of a story, for example. In Mapping Digital Media, Kamilla Zhusupova said that journalists take less care to verify their facts, as well. "Previously we needed to verify one or two, or at a maximum three sources, but today there are significantly more sources of information," she said.¹⁵

Ayzhan Tugelbayeva argued in Mapping Digital Media that requirements of operational information and a journalist's daily workload make it difficult to observe professional standards. The workload for journalists, especially those in new media, has increased dramatically. He further explained that he feels that the speed at which journalists are required to work increases the likelihood of mistakes.¹⁶

The panelists said that the Ethics Code, passed in 2012, has not significantly narrowed the gap between ethical standards and current practice in journalism. Deceptive material paid for by undisclosed sources, plagiarism, and biased material are all fixtures of contemporary media in Kazakhstan.

"Since last year, a new Ethics Code for journalists has been in effect in Kazakhstan. However, in practice, this code is not being observed. In fact, many journalists do not even

¹⁵ Mapping Digital Media, p. 63

¹⁶ Mapping Digital Media, p. 62

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).

For Askarov, “Self-censorship is prevalent because owners, top managers, and a number of journalists are trying to avoid not only negative reactions from the authorities, but also the negative reactions of businesses and individuals, since Kazakh legislation makes it easy to create claims of moral and material damage from media.”

know it exists,” said Esengul Kapkyzy, director of Minber, a media NGO.

Tulegen Askarov, an instructor with KIMEP and a freelance journalist, expressed an even more critical stance, commenting, “In Kazakhstan, up until now, there have been no standards of ethics for journalists that have been approved and recognized by Kazakhstan’s community of journalists. As a result, media have clearly been inundated with subjective, poor-quality journalism. As before, media continue to publish paid, hidden public-relations material as news, and corruption among journalists is rife. The commercialization of news has significantly changed the media landscape in Kazakhstan, particularly in television, radio, and on the Internet.”

Gulmira Birzhanova, a lawyer for the North Kazakhstan Legal Media Center, shared her view that Kazakh national media and media products are created in an environment far removed from ethical standards. “Several channels, in order to increase their audiences or for other unknown reasons, broadcast content with a significant amount of violence and as a result violate the principles of journalistic ethics and the right to violence-free content for children,” she said.

The growing number of libel lawsuits, and the exorbitant amounts of the associated fines, has resulted in both self-censorship and censorship by editors. When the attention of high-level public officials increases, self-censorship worsens. For Askarov, “Self-censorship is prevalent because owners, top managers, and a number of journalists are trying to avoid not only negative reactions from the authorities, but also the negative reactions of businesses and individuals, since Kazakh legislation makes it easy to create claims of moral and material damage from media.”

Birzhanova added, “The media sector is becoming more dependent on state contract procurements for material, and approximately 90 percent of media publishers receive

government financing to some degree. This situation eliminates competition and encourages the practice of self-censorship, and makes it difficult to distinguish between the content of commercial media and that of government media.”

Tamara Kaleyeva, the director of Adil Soz, said that the practice of self-censorship by journalists and editors has become so pervasive that it has become an institution in its own right. At an OSCE conference in Bishkek in June 2013, she said, “On April 23 of this year, the first issue of *Pravdivaya Gazeta* was released; however, it never reached its readership. The editors failed to indicate how often the newspaper was issued, as required by Kazakh legislation, and as a result, on the morning of April 24, the entire circulation of the newspaper had been confiscated. In the withdrawal procedure that was signed by the head of the Department of Internal Politics of the mayor’s office, the official reason for the confiscation of the circulation was a violation of the rules for publication related to disclosure of newspaper issuance data. From where did the orders for such an operation come? No one had ever seen the newspaper, besides typography employees. It must be the result of censorship or, as is delicately phrased in the Ministry of Culture and Information, ‘monitoring’ by new and uncertain employees, driven by politics, and that begins in the typographies. In the epoch of the predominant Soviet censorship, this function was completed by what was called a *Lito*; now it is performed by officials in the local mayor’s office that report to and receive their instructions from the Ministry of Culture and Information.”

She added that for the period of 2013 to 2017, the government announced a plan to increase the amount of monitoring of print and Internet content—all justified by the government as necessary under the aegis of the fight against extremism and terrorism.

A secret list of taboo topics in media coverage continues to exist, according to the panelists. Corruption, ethnic conflicts, and any negative events involving the higher echelon of government officials in Astana are thought to be included on the list. Only recently did it become possible to even discuss publically the possibility of a post-Nazarbayev future, but in 2013, that topic did emerge in the news—albeit limited, for the most part, to speculation over Nazarbayev’s likely successor. At the beginning of the year, Nurlan Nigmatulin, a parliamentary speaker, even attempted to set limits on media chatter regarding potential successors.

Birzhanova noted that there is a difference in coverage between the print media and television. Television practically does not cover, or offers only one-sided coverage, of political topics with significant consequences. Television

journalists generally avoid a number of topics, such as sexual orientation and religion.

A number of topics that are considered taboo in mainstream media may be found only in opposition media outlets, which are officially prohibited from distributing their information in Kazakhstan. These topics include compensation for the use of the Baikonur Cosmodrome space station, as well as where Russian money is laundered, etc.

Journalists' pay, as indicated in previous MSI studies, depends on the region and on the type of media. Furthermore, government journalists are generally in a much more advantageous position than the private media. Overall, journalism incomes are not high and are considered average, compared with other professions. Regional journalists, however, are considered some of the lowest-paid professionals.

Another issue is that private media outlets often record payments to journalists as lower than they actually are, as a form of tax deception. Journalists incur great risks in this regard, because editors and owners can then review the amount of money paid to journalists and withhold the real payment amount if journalists leave the position.

News and entertainment programming differs depending on the type of media. Radio media in Kazakhstan tend to be dominated by musical entertainment programming, punctuated by very short news items. Television programming is very different, though. According to the authors of *Mapping Digital Media*, some television media prioritize production of news content over entertainment. For example, the television channel KTK, rated second in Kazakhstan, produces a relatively high-quality news program. In addition, television channels Astana and Channel 7 have positioned themselves as producers of quality information programming. Meanwhile, government television channels Khabar and El Arna have invested significantly in purchasing licenses for the production of comedies and entertainment shows in order to increase their audiences. In style and manner, these channels are becoming more like commercial television stations.¹⁷

In terms of the media's access to proper facilities and equipment, Kaplina noted that electronic media are undergoing technical development that includes the purchase of new equipment to improve the quality of programming. "Government television channels have purchased new equipment to improve the quality of informational graphics in programming, a number of regional television channels have updated video and editing equipment, and Internet sites are purchasing additional equipment to broadcast on the Internet," she said.

¹⁷ *Mapping Digital Media*, p.31

Birzhanova believes that Kazakh legislation is the main obstacle to the development of investigative journalism, because the law mandates penalties of up to five years in prison for "illegal intervention in the private lives of citizens and officials."

A number of media events were held throughout the year to showcase technological advancements in television, such as Kazmedia Ortalygy in Astana. Media Expo 2013 was another. At these events, participants could listen to theoretical discussions and also take part in hands-on journalistic exercises.

In terms of niche journalism, few journalists are able to successfully pursue investigative reporting, as illustrated by the Larra case, which was discussed earlier. In another case, the special investigative journalism format used on Channel 31 for the program *Benditsky Hour* was canceled by the station management, officially due to low ratings received from TNS Gallup Media.

Birzhanova believes that Kazakh legislation is the main obstacle to the development of investigative journalism, because the law mandates penalties of up to five years in prison for "illegal intervention in the private lives of citizens and officials." Furthermore, international principles related to protecting a journalist while working on behalf of the public good do not hold up as a valid defense in Kazakh courts. The KZT 5 million (\$31,900) fine levied against Akhmedyarov, the *Uralskaya Nedeli* editor, is a case in point.

The danger involved, combined with interference by the authorities, has made investigative journalism extremely rare in Kazakhstan. A new website, Ratel.kz, shows some promise to be an exception. Well-known Kazakh journalists Gennady Benditsky, Marat Asipov, and Sapa Mekebaev, who previously worked for the newspaper *Time* and Channel 31, launched the news site in December 2013.

Other forms of niche journalism are developing. Business journalism continues to show strong growth in Kazakhstan, compared with other types of journalism, due in large part to Kazakhstan's fast-growing economy. Court reporting is another form of journalism that is growing in Kazakhstan. Erzhan Suleymenov, an established Kazakh journalist, created a website called Sotreport to help develop court reporting. Suleymenov's mission is to help journalists understand their role to inform society of the truth.

OBJECTIVE 3: PLURALITY OF NEWS

Kazakhstan Objective Score: 1.72

According to official statistics, Kazakhstan has about 2,150 registered media outlets. Over half are newspapers, and almost 80 percent are private media companies. There are 233 operational electronic media outlets, including 50 television stations that broadcast on private channels, 43 radio stations, 134 cable television stations, and six satellite broadcast operators. Out of 50 television companies, only eight are state-owned; 42 are private. All television stations broadcast in the Kazakh and Russian languages. Of 43 radio stations, only six are state-owned; 37 are private. All radio stations also broadcast in the Kazakh and Russian languages. All 134 cable television stations are privately owned. Of the six satellite broadcasters, one is state-owned, and five are privately owned.

Kazakh print and electronic media are not only distributed in different languages, but they also address different problems and reflect different ideologies. Kazakh- and Russian-language media exist in “parallel universes,” according to the international journalist center MediaNet, with the exception of cases where specific print media are published in both Kazakh and Russian.

There is no lack of diversity or choice among Kazakh electronic media today, although there have been reports that people are sometimes coerced into subscribing to government newspapers. There have also been

broadcasting interruptions and other problems related to the digitalization of television in Kazakhstan. In fact, for three days in September, one Almaty television station abruptly stopped broadcasting digital programs, including news programming, due to poor weather conditions, and lost millions of tenge in advertising revenue as a result, Zhaksybayeva said in Mapping Digital Media.

Furthermore, in 2013, the government continued to block several websites and blog outlets, including WordPress and Lifejournal, for undisclosed reasons. Akhmedyarov explained, “These instances are clearly related to political content. The current political regime in Kazakhstan is extremely authoritative and aspires to total control over information. Furthermore, a majority of media outlets, including television, radio, and print media, are owned by people with a direct relationship to the president. Therefore, it is impossible to say that traditional media provide the citizens of Kazakhstan with objective information. Furthermore, more independently minded media outlets, including television stations, are most often found in the regions and are more of an exception, because they do not influence the Kazakh media market.”

Kazakh legislation does not officially limit citizens’ access to information. However, as a result of new registration requirements in 2012, foreign television and radio broadcasters, including relatively popular television stations, such as TV-3, Okean (Ocean) TV, NHK, and Ariran, became inaccessible. Overall, though, there does not appear to be a significant reduction in access to foreign television channels, although the government and domestic television industry leaders are interested in limiting growing access to foreign media and foreign media products and in continuing to develop growing Kazakh media products and channels. The Ministry of Culture and Information announced in 2013 plans to halt purchases of foreign television media products, beginning with Korean and Turkish television programs.

That decision came after Nazarbayev criticized the work of several government channels for being too similar and lacking content and material. Officials reacted with a number of policy changes in addition to discontinuing the purchase of Korean and Turkish television programs later in the year. According to Kaplina, who attended a briefing held by the Minister of Culture, Kulmukammed, the changes also included plans to merge the television stations Bilim and Medeniet, greater support to Kazakh TV and 24kz, and significant increases to the value of a state contract. The cost of one hour of airtime increased to KZT 120,000 (\$650).

The panelists underscored some positive changes as well. For example, the Russian television channel Dozhd (Rain) has become accessible in Kazakhstan. Previously, its Russian

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.

opposition-driven political agenda and programming had scared away many cable television operators.

Traditionally, foreign investors have looked at the Kazakh media conservatively; that continues. Askarov argues that this conservative view does not correspond to the spirit of the times in Kazakhstan, and particularly the globalization of the country economically and politically. However, there may be legislative reasons for the conservative view of foreign investors: “The Kazakh law on national security restricts foreign ownership of media to 20 percent, in spite of the fact that the country is planning to join the World Trade Organization in the near future,” noted Askarov.

In the absence of media that offer true public broadcasting or content in the interests of citizens, consumers are moving to media sources where there is more free and diverse content—especially the Internet. Birzhanova said, “In Kazakhstan, if you want objective information, then you can only receive it through the Internet or from some regional media outlets. In regards to print media and television, they broadcast almost nothing on significant political topics. On the Internet, you can find diverse points of view. Also, there are various groups on Internet social networks—for example, human-rights groups, media experts, lawyers, and groups devoted to specific topics, such as Zhanaozen. Moreover, there are Internet channel outlets—for example, the 16/12 channel K+ broadcaster that had been closed by a court decision. There is a lot of information that cannot be distributed in traditional media but can be found on YouTube.”

Kaplina also commented, “Audiences in Kazakhstan are turning more often to social media when they need to receive alternative information. It is almost impossible to find alternative points of view in government-sponsored media, which is overloaded with statements without analysis or commentaries by government officials.”

In 2013, a new, less formal style of media emerged as well. This media includes the new Radiotochka (Radio Point) online radio station, which broadcasts a humorous, relatively open talk show.

There are 10 information agencies and news portals, as well as several aggregate agencies that provide news feeds to the media. In spite of the fact that large media have their own news services, practically all media outlets also use information agencies. Despite repeated requests by the government to directors of information agencies to observe copyright laws and indicate the authors of materials in news feeds, copyright violations are commonplace.

Almost all agencies are attempting to transform themselves into convergent editorial offices, and information agencies

However, there may be legislative reasons for the conservative view of foreign investors: “The Kazakh law on national security restricts foreign ownership of media to 20 percent, in spite of the fact that the country is planning to join the World Trade Organization in the near future,” noted Askarov.

in Kazakhstan are actively developing. Some agencies, such as Tengri news, offer packages of direct television and radio broadcasting, site photography, and multiple services, including information graphics and mobile apps, and engage in a competitive struggle with Russian and other foreign agencies for market share.

Sergey Vlasenko, a lawyer for the National Association of Broadcasters of Kazakhstan, confirmed, “Private media produce their own news, and in many instances this news surpasses the national channels in terms of professional news content—even though there is limited journalistic potential and limited technical and financial opportunities.”

According to Kaplina, no local programming was blocked in 2013 on local channels. In fact, television channels that rarely, if ever, produced their own news before began to air news regularly. For example, Novoye Televideniye in Karaganda began airing a Kazakh-language news program. Perviy Severniy in Petropavlovsk, Orken-media in Balkhash, and Ridder-inform all began to broadcast daily news.

As before, media owners primarily remain concealed. In 2012, Gulnar Asanbayeva, an instructor in the Department of Mass Communications, KIMEP, researched a number of websites of popular national Kazakh newspapers (*Vremya*, *Zhas Alash*, *Novoye Pokoleniye*) and newspapers published in the regions in an attempt to obtain information related to the ownership of the media companies in question. However, she concluded that while the websites she studied had “formal” owners, the actual owners were not clear.¹⁸

Concealed information related to media ownership has become grounds for pressure by the authorities. For example, Taukina, commenting on the judicial decision to halt production of the *Pravdivaya Gazeta* program on Radio Azattyk, said, “In this case, they are being prosecuted not

¹⁸ “In search of development of journalistic standards.” *Toward a Free Press*; UNESCO, p. 264 <http://www.unesco.kz/ci/2013/a+20/Towards-Free-Press-A+20-Russian.pdf>

Kaplina also commented, "Audiences in Kazakhstan are turning more often to social media when they need to receive alternative information. It is almost impossible to find alternative points of view in government-sponsored media, which is overloaded with statements without analysis or commentaries by government officials."

for the inaccuracies in the circulation data, but rather for political reasons, although the media outlet covers primarily social topics." According to Taukina, this stems from rumors that the newspaper is financed in part by a disgraced politician and oligarch, Mukhtar Ablyazov, and therefore the newspaper is seen as fulfilling his agenda; Taukina denied the charges.

Birzhanova believes that although there is no law that obligates media outlets to provide citizens with information related to the ownership of media outlets, by and large the overwhelming majority of the people believe that media outlets are predominantly owned directly or indirectly by the government. However, with the growth of the Internet, the population is gaining access to alternative sources of information, making this less of an issue.

Up until recently, the Russian language has continued to be the primary language for news content. However, in the past year, the Kazakh government has invested a significant amount in the development of Kazakh-language news content, including the development of Internet resources (Wikipedia, YouTube, etc.).

The media community is divided on whether the government should invest in Kazakh-language news programming. One camp, lamenting the dearth of strong Kazakh-language media, supports the idea of government subsidies for Kazakh-language media. Others see a need for financial support on a priority basis to ethnic minorities, to help fulfill political promises in a diverse country that espouses equality among ethnic groups. In Kazakhstan, the media continue to work in the national languages; ethnic minorities own about 32 print media outlets. These outlets publish in 13 languages of the ethnic groups of Kazakhstan, and the larger government newspapers of ethnic groups operate with financial support. The media outlets include *Deutsche Allgemeine Zeitung* in the Russian and German languages, *Ukrainski Noviny* (Ukrainian News) in the Ukrainian

language, *Koryoilbo* in the Korean and Russian languages, *Vatan* in the Azeri, Russian, and Kazakh languages, *Akhyska* in the Turkish, Kazakh, and Russian languages, *Uyghur Abazi* in the Uyghur language, and *Aziya Bugun* in the Uyghur, Russian, Kazakh, and Arabic languages.

Mapping Digital Media confirmed, however, that broadcasting in the languages of ethnic minorities has significantly decreased in recent years. For example, in 1998 the Kazakh government television channels broadcast in the Uyghur language three hours per week, but in 2010 that number dropped to 15 minutes. And while Russian Orthodox and local Arabic television channels freely broadcast on cable networks, other religious minorities do not have airtime. According to Prashkevich, the public's mood determines the discussion on the issue of ethnic minority groups in Kazakhstan.¹⁹

Topics related to ethnic minority groups appear relatively frequently in the press and on television. However, issues surrounding social minorities are not well covered. After the prohibition of homosexual "propaganda" in Russian, a similar process began in Kazakhstan, for example.

As mentioned earlier, national media frequently cover international topics using news feeds from foreign news and information agencies and online platforms, while local news in such media outlets is rarely covered. However, regional media outlets have increased the amount of local news coverage that they broadcast, including news emanating from nearby cities. Beginning on September 1, with the support of USAID, regional media began broadcasting "Novosti Regionov" (News of the Region) in both the Russian and Kazakh languages. The news includes original material that cannot be found on Kazakh national news, but is interesting for residents of other cities. At present, the project unites 15 television channels of Kazakhstan that receive material from abroad. Otyrar, in Shymkent, even has a freelance journalist based in Turkey. However, a number of national channels in Kazakhstan have turned down local news due to budgetary constraints, and therefore more often than not, news programs cover events from Astana and Almaty.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kazakhstan Objective Score: 1.51

In 2013, some young media professionals completed government-supported training programs abroad, designed to help them develop important skills, including media

¹⁹ Mapping Digital Media, p. 71.

management. One graduate of the program was appointed manager of Kazmedia Ortalygy, one of the larger media centers in Kazakhstan. In this way, media professionals are beginning to understand that effective media management is one of the key factors needed to increase the reliability, and as a result the profitability, of media companies.

Private media are actively searching for ways to increase profits and salaries—by offering more services and maximizing the use of multimedia technologies. Over the past few years, for example, *Lada* in Aktau, *Nasha Gazeta* in Kostanay, and the Otyrar television station in Shymkent all created strong Internet presences, merged their editorial offices, and actively developed their work using multimedia technology. According to Kaplina, in 2013 the website portal Zakon.kz, which previously hosted only news, appointed a team of journalists to develop an information strategy, indicating that the owners of zakon.kz see potential in developing online media. On the government side, Channel 1 Yevraziya has become a successful model of a government media enterprise. It is able to live off the income from advertising sales and is taking steps to broadcast its documentaries and television productions in other countries.

And yet, Vlasenko is not especially optimistic regarding media's economic independence. "Many media outlets have become economically self-sustaining companies, but the tendency remains to depend on the government to purchase content through a system of state procurement contracts," he said. Akhmedyarov added, "According to the Northern Kazakhstan Law Media Center, an NGO, more than 90 percent of all media outlets in Kazakhstan receive financing from the government, and this includes direct government financing of private media outlets as well as

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.

indirect government financing of the press through the state contract procurement system. In 2013, government financing of the press totaled KZT 40 billion (\$255,200). However, the trend to increase government financing of the press has negative consequences."

The state contract procurement system has significantly changed the media environment in Kazakhstan, and as a result of agreeing to these contracts, media outlet structures have completely changed. The negative side of the government contract procurement system is that recipients of such subsidies are often disinterested in ratings or circulation figures to demonstrate their effectiveness. Kaplina said that given the level of government orders, media companies have begun to primarily rely on government financing just as they would rely on an advertiser.

This year, the dependence of media outlets on state contracts and their negative effects on the media outlet structures provoked criticism from high-ranking government officials, including Nazarbayev, his daughter, Dariga Nazarbayeva, and a government secretary. They criticized media outlets for their ineffective investments, a lack of criteria in granting social contracts for information, and insufficient monitoring to verify that news has been broadcast.

However, media outlets are starting to become less dependent on the government for revenue as the advertising market continues to return to its pre-crisis size. However, some advertising revenue is being siphoned off by "new" media. Furthermore, advertisers are making it a priority to require stations to broadcast some advertisements for free or at reduced rates in order to secure their commitment to purchase more ads at a higher rate. Since the number of experienced advertisers and public-relations consultants declined after the economic crisis, leading journalistic NGOs and press clubs have begun to take their place.

The level of organization of work with advertisers in media is relatively low, due to a lack of revenue to maintain well-equipped advertising agencies.

The advertising market in Kazakhstan, according to the JWT Kazakhstan advertising agency, is valued at approximately \$350 million, and it is expected to grow to \$400 million by the end of the year. Television continues to be the most sought-after market by advertisers for a number of reasons, including large audiences; it garners 60 percent of the advertising market. Correspondingly, the advertising budgets of Kazakh television are the largest (\$190 million in 2013). Print and external advertising maintain 15–16 percent of the market, radio pulls in less than 10 percent,

and Internet advertisements account for just 3–5 percent of the market. However, the Internet is the fastest-growing information medium in Kazakhstan; according to analysis by Oksana Rizanenko, managing director of JWT Kazakhstan, the Internet’s share of the advertising market will soon grow to 10 percent. The first advertising agency in Kazakhstan to sell advertisements on the Internet in the Kazakh language was formed in 2013.

Major advertisers in Kazakhstan during 2013 included KaR-Tel, (TM Beeline), Kcell, Mars, Tele2, and also international companies such as Coca-Cola, Procter & Gamble, Kraft Foods, Henkel/Schwarzkopf, Samsung, and Unilever. Companies based in the Almaty region account for 83.5 percent of the marketing budgets; their share accounted for KZT 93 billion (\$505 million). Astana is next with KZT 4.6 billion (\$25 million), followed by the Karaganda region with KZT 3.7 billion (\$20 million) and the East Kazakhstan region with KZT 1.6 billion (\$9 million).

Far smaller advertising budgets are found in the Kyzylordinsky, Akmolinskaya, and Atyraskaya regions. Akhmedyarov added that in the regions, it is impossible to speak of diversity in advertisements or advertising agencies themselves, but nevertheless advertisers are beginning to demand higher-quality advertisements on the air and in newspapers.

State contracts with media outlets had become the dominating source of financing for the majority of media and as a result had curbed their desire to attract commercial advertising. The government’s information system prioritizes state media. Medvednikova said, “Unfortunately in Kazakhstan, there is almost no media market, except for the state procurement contract system, which accounts for 95 percent of all media revenue. Media outlets that want to survive on government financing compete for it. Government media outlets that have state procurement contracts and subscriptions are not motivated to better develop management or increase their audiences or readerships. And yet, all media outlets participate in the advertising market, independent of whether they are completely publicly financed or not.”

Many nongovernment media outlets compete for government subsidies, but there are a number of nongovernment media outlets that have different sources for their revenue and receive less government financing.

There is also little financing for the study of public opinion, market research, television viewership, or print media readership. There are approximately 15 to 20 companies actively involved with market research in Kazakhstan. Although the market is not large, the quality of services provided is developing; the market for advertising and social

research is growing. All the major international market research organizations operate in Kazakhstan, including TNS, AC Nielsen, GFK, and Ipsos.

Research and monitoring in all areas of the media, the effectiveness of advertising, and readership or audience sizes is conducted in Kazakhstan by Gallup Media Asia, Komkon-2 Yevrazia, BISAM Central Asia, and the Prognoz information analysis center. The market leader is Gallup Media Asia, which uses People Meter technology to conduct its research.

Kaplina noted that representatives of Internet media criticize the system of market research measurements of site visits. It is suspected that many websites purchase traffic from other Internet resources to increase the appearance of their effectiveness for the site owners and advertisers. Up until now, to determine the number of Internet users in Kazakhstan, one had to rely on contradictory data of market research companies, such as ICT-Marketing and Profit Online. Experts are hopeful that Gemius, a market research company that measures Internet usage and entered Kazakhstan’s market in 2013, will provide more consistent information.

Print media circulation figures are unregulated, with the exception of opposition print media, which have on a number of occasions violated Kazakh legislation by not providing accurate and complete information related to circulations—a situation that twice led to the closure of *Pravdivaya Gazeta*. Government media and private media that do not falsify their circulation information run no risks in this regard. However, the Kazakhstan Association of Newspaper Publishers reports that nine out of 10 publishers heavily cushion their circulation data.²⁰

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kazakhstan Objective Score: 2.21

Kazakhstan’s media community includes trade associations that represent the interests of media owners and managers and provide member services. One such association is the National Association of Television and Radio Broadcasters of Kazakhstan (NAT)—a professional and social union of television and radio broadcasters of Kazakhstan that lobbies for the creation of prosperous and equal conditions for all participants in the market of television and radio broadcasting in Kazakhstan. The Kazakhstan Association of Television and Radio Broadcasters, not to be confused with NAT, unites television and radio broadcasting companies of

²⁰ I.K. Mambetova. “Condition and development of print media market of independent Kazakhstan (1991-2013).” VGU register. Series: Philology. Journalism. 2013. No. 2.

Kazakhstan and represents the interests of the industry in its interrelationships with legislation, elected officials, and Kazakh society at large.

The National Telecommunications Association, a voluntary union of companies that are leaders in the telecommunications market, focuses on the development of the telecommunications market by reducing administrative barriers and influencing legislation related to the media. The Kazakhstan Association of IT Companies aims to protect and lobby for the interests of members of the association in government agencies, structures of authority, and in international and social organizations. Other IT-related groups include the Association of Kazakhstan Legal Entities on the Internet, the Center for Exchange of Internet Traffic, and KazRENA. KazRENA focuses on the development and use of one unified national scientific and educational computer network in Kazakhstan, to boost the development of education, science, and the principles of an information society.

There are a couple of print media associations as well. According to its new charter, the Kazakhstan Association of Printers and Suppliers (ALE) aims to serve as a legal advisor to members, represent the interests of branches in the Ministry of Culture and Information and other government bodies, and organize training seminars. Unfortunately, the panelists said, the Publishers Association has recently ceased to operate actively. The Kazakhstan Association of Publishers and Distributors of Print Media Products is a noncommercial, voluntary union of national publishers and distributors of periodical print media. It aims to preserve and balance

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.

interests among and between the publishing houses of Kazakhstan—ML Publishing Company, K-Press Company, and ML Press Company.

Other trade associations related to the media world include the Kazakhstan Association of Professional Market Researchers (KAPIOR), which unites agencies from the leading marketing and social research organizations of Kazakhstan, as well as organizations that are interested in conducting professional research and effectively using the results of such research. The National Media Association focuses on conducting and promoting understanding of media measurements. There is also an Association of Advertising Agencies of Kazakhstan, which works to create favorable conditions for development of the advertising industry.

In evaluating the trade associations, many media experts have been very critical. They claim that most of the associations listed above do not have relationships with media associations or are no longer functioning. Kaplina said that among business associations that support the media, only NAT Kazakhstan effectively protects the rights of regional television companies and cable operators.

The development of professional associations of journalists and media employees in Kazakhstan has proved problematic. Despite trying for more than five years, journalist and organizer Ludmilla Ekzarkhova has been unable to unite journalists and employees of various media outlets into one professional union. On the Radiotochka website, she underscored that many journalists work in extremely depressing conditions. She described the results of an online survey conducted by a Kazakh journalist, revealing that approximately half of surveyed journalists indicated that they worked without an employment agreement, and many had not even heard of the idea of a collective bargaining agreement. Three-quarters said that they do not feel protected by society, and over 80 percent are uninsured and lack medical insurance. Furthermore, 80 percent of journalists and media employees agreed that the journalism profession is "a dangerous occupation."²¹

Without labor agreements, journalists who lose their jobs have no recourse. This trend is happening across the field—in television, radio, and print. Many journalists believe that the only solution is to create a professional union of journalists and media employees. Although most journalists are in favor of having their own union, at the same time they are afraid that advocating too vocally for a union will cost them their employment. Ekzarkhova also emphasized

²¹ "Trade unions for journalists in Kazakhstan: Myth or Reality?" Radiotochka, December 26, 2013. Available at <http://www.radiotochka.kz/news/full/1406.html> (Accessed March 2014)

that Kazakhstan does not have the same mentality toward unions that exists in Europe; the idea of unions still conjures up thoughts of the professional trade unions of the Soviet Union. But the panelists noted that journalists must overcome this mentality and work together to have any hope of reaching their goals, including employment agreements, observing structured work times, and receiving adequate compensation. If journalists leave, others simply come and take their places, so employers have not been forced to make changes.

The panelists were very critical of two main professional associations that exist for Kazakh media: the Union of Journalists of Kazakhstan and the Kazakhstan Club of Media Publishers and Editors. According to the panelists, the Union of Journalists of Kazakhstan is politically dependent on political elites and the regime. Although the Kazakhstan Club of Media Publishers and Editors is not politically dependent on the authorities, the panelists feel it is ineffective because it does not operate on a full-time and systematic basis. The panelists also mentioned that in 2013, two new media associations were created with government support and began working actively: the Club of Head Editors and the Kazakhstan Association of Television and Radio Broadcasters. It remains to be seen whether they will be effective.

In 2013, the issue of professional trade unions became more relevant as the Ministry of Employment and Social Wellbeing drafted a Law on Professional Trade Unions. Employees who belong to the old and new professional trade unions agree that the law is reactionary and violates a number of normative pieces of legislation, including international documents related to international trade organizations (MOT) and ratified by Kazakhstan. The purpose of the new law is not to create a partnership and working relationship between the government and professional trade unions, but to make trade unions absolutely subordinate to government authorities. However, the media seem to have missed opportunities to cover the draft law as a story. Only one media outlet, Radiotochka, informed the public on development of events related to this law.

Among NGOs working to support media and journalists, the International Fund for Protection of the Freedom of Speech (Adil Soz) has conducted monitoring of violations of the freedom of speech since 1999. The Open Society Foundations (London) traditionally funded this work, but the monitoring project has not received any funding since January 2013.

Media law centers operate in practically all the regions of Kazakhstan. These centers were originally branches of Adil Soz but later acquired autonomy from it. Each center

provides legal expertise and support in courts and also conducts analytical work related to legislation and practice. It also trains journalists and other media employees.

Akhmedyarov noted that there are organizations that engage in professional education for practicing journalists, including the application of new technologies. For example, Internews Network–Kazakhstan and MediaNet both offer paid and no-charge, short-term seminars and trainings for journalists and media. Kaplina added that in 2013, the Center for Media Service in Shymket, which was created in 2011, entered the field of NGOs and conducted several trainings.

Overall, though, the quality of higher education for journalists has not improved; journalism programs are widely criticized for turning out inadequately prepared individuals who lack technical skills and professionalism. The Ministry of Culture and Information has decided to help institutions of higher education by helping to secure positions for journalism students in media outlets. The government also specifically promoted legislation to secure internships in media outlets (private agencies as well as government organizations) for students of higher-education institutions.

Akhmedyarov summarized the shortcomings of academic professional education in Kazakhstan, noting that it is partly an issue of geography. As much as the country is vast with a low-density population, there are only three educational institutions nationwide that prepare journalists, and the graduates of these institutions cannot satisfy the needs of professional personnel in all the regions of the country. Therefore, many regional media outlets employ people without a professional education. Another problem is the relevance of the education offered. Almost all of the educational institutions preparing journalists in Kazakhstan teach primarily with outdated moral and ethical codes that do not provide knowledge or work skills for a career in Internet media, or for developing Internet technology skills.

Various media organizations periodically conduct topical training for journalists, such as the NGO MediaNet. By decree of the Ministry of Culture and Information of Kazakhstan in October 2012, with management support from Kasmedia Ortalygy, a center of professional development was created in February 2013 and later reorganized into a media school. The media school provides supplemental education, which aims to develop specialists in the area of mass media.

Media access to quality printing services and raw materials is generally neither politicized nor monopolized; editors have choices regarding printing facilities and equipment. However, there were a number of troubling incidents in 2013, including the pressure on *Respublika* and *Pravdivaya*

Gazeta (detailed earlier) and another case involving the journal *Gulzhan Ergaliyevoy*. Beginning with their 13th issue, all printers in Almaty and the regions refused to print the journal. The magazine shared the official responses of a number of printers, which hinted at political reasons for breaking off contract relations; verbally, printing directors were pressured by unspecified officials.

Gulzhan Yergaliyeva, the editor-in-chief of *Gulzhan Ergaliyevoy*, noted that for two days, access to the Internet site *nuradam.kz* was blocked without warning, as confirmed by Adil Soz. She believes the website was blocked due to its content, perhaps reporting on corruption in Western Kazakhstan and Southern Kazakhstan.²² According to a May 2013 report from Adil Soz, “The Ministry of Transportation and Communications and Kazkhtelekom denied any involvement in the illegal blocking.”

In an increasingly repressive Internet environment, the panelists also expressed dismay over the acquisition of the cable company Digital by Kazakhtelkom. The official version of the acquisition is that the cable operator did not have the means to purchase digital equipment, and therefore the cable operator was “for sale.” However, Zhaksybayeva believes that the acquisition is an example of the government’s unprecedented bid to strengthen its position and exert influence in the cable industry.

According to Zhaksybayeva, Kazteleradio—100 percent owned by the government—is continuing the process of broadcast digitalization. This is occurring through a transfer of the signals under the guidance of one technical operator. Television channels of independent operators that have their own frequency and receiving equipment are upgrading to digital (i.e., the digitalization of dependent content of producers). Zhaksybayeva elaborated on this: “We have criticized this state of affairs a very great deal, appeared before senators and members of the Madjlis, and have proposed the alternatives of including television channels by taking frequencies from the shareholders of Kazteleradio, or including television channels in the multiplexes on a perpetual basis. Or for the state to pay compensation for the value of the frequencies being taken from television channels. No one paid any heed to our proposals, and the bureaucrats got off with the minimum. ‘We’ll let you into the multiplex for nothing, but you’ll have to pay to stay there.’ But the problem has not gone away, and come 2015 it

²² “In Kazakhstan, for two days has been blocked access to the Internet project *nuradam.kz*.” *Zona-KZ*, April 23, 2013. Available at <http://www.zonakz.net/articles/67063> (Accessed March 2014)

will have gotten more acute, because there is an increasing understanding of what has happened.”

Fifteen years ago in Kazakhstan, the first call was made using the GSM cellphone standard. As of May 2013, according to the Kazakh Agency for Statistics, there are now 178 cellphone subscribers for every 100 residents. Meanwhile, the number of Internet users in Kazakhstan for the first quarter of 2013 was 65.6 users per 100 residents. Kazakhstan’s Internet penetration amounts to approximately 10 million people. Also, the number of websites and domain suffixes KZ and KAZ for the period from 2010 to 2013 doubled, to include 95,000 domain names.

List of Panel Participants

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Galiya Ibraeva, media expert, Al Farabi Kazakh National University, Almaty

Dina Baidildaeva, social network editor, *Azattyk.kz*, Almaty

Tulegen Askarov, instructor, Kazakhstan Institute of Management, Economics and Strategic Research; freelance journalist, Almaty

Sergey Vlasenko, lawyer, National Association of Broadcasters of Kazakhstan, Almaty

The following panelist submitted a questionnaire but was unable to attend the panel discussion:

Esengul Kapkyzy, director, Minber Foundation, Almaty

Moderator and Author

Gulnara Ibraeva, media analyst, Bishkek, Kyrgyzstan

The panel discussion was convened on December 20, 2013.