

MEDIA SUSTAINABILITY INDEX

2008

**The Development
of Sustainable
Independent Media
in Europe and Eurasia**



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The Development of Sustainable Independent Media in Europe and Eurasia

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In 2007 there was imperious rhetoric about reforming the media to bring it into compliance with OSCE guidelines. The Government of Kazakhstan declared its readiness to strengthen democratic achievements, including pluralistic media development. However, according to the MSI panelists, in reality the authorities created obstacles to strengthening the basic principles of democratic development, primarily regarding freedom of speech.



KAZAKHSTAN

In 2007 there was imperious rhetoric about reforming the media to bring it into compliance with OSCE guidelines. The Government of Kazakhstan declared its readiness to strengthen democratic achievements, including pluralistic media development. However, according to the MSI panelists, in reality the authorities created obstacles to strengthening the basic principles of democratic development, primarily regarding freedom of speech. Kazakhstan's Ministry of Interior and Ministry of Culture and Information initiated a number of draft laws that would trespass upon such freedoms if passed. The Ministry of Interior's draft law on libel proposed civil liability for spreading inaccurate defamatory information about people's private lives; the draft law from the same Ministry, On Editorial Activities, proposed the introduction of legal norms on printing activities for producing periodicals that did not meet international legal provisions and the Constitution's guarantees on freedom of speech. The draft law drawn up by the Ministry of Culture and Information was an attempt to regulate information exchange on the Internet. Furthermore, the liberal draft law on the mass media developed by Kazakhstan's civil society and submitted to Parliament in April 2007 was ignored until the end of the year, when it was panned by the government.

The Parliamentary elections held in 2007 worsened the chances for private media to conscientiously and objectively cover events. Opposition parties' measures were extremely poorly covered. Even commercial material and advertisements from opposition parties could not be broadcast or published due to bans issued by the administration. Advertising agency owners were strictly ordered to only publish advertisements for the Nur Otan political party. Social Democrats prepared advertising clips on their platform, and they were ready to pay a number of television channels, including the government one, to broadcast them. They were refused because the advertisement producers filmed people, including President Nursultan Nazarbaev, without first getting their written permission. The government said showing these advertisements could infringe on these persons' rights. At the same time, clips shown by the ruling party also used pictures that showed the president and his family and other people without their permission, but all mass media were able to broadcast these advertisements very often. In the end, the media covered all the ruling party's events as actual news, but the opposition paid exorbitant rates just for reports on their events.

Overall, Kazakhstan's score changed little, increasing by a margin of 0.06. The overall score of 1.33 still places it in the bottom half of being an "unsustainable, mixed system," according to MSI definitions. Additionally, most objective scores remained essentially unchanged. Objective 3, plurality of news sources, experienced a small decrease and lost its place as the top-scoring objective; in fact, it's loss of 0.20 points placed it as the lowest scoring objective. Objective 5, supporting institutions, experienced a significant improvement of a half a point, bringing it more in line with its 2005 score and returning it to the top spot.

KAZAKHSTAN AT A GLANCE

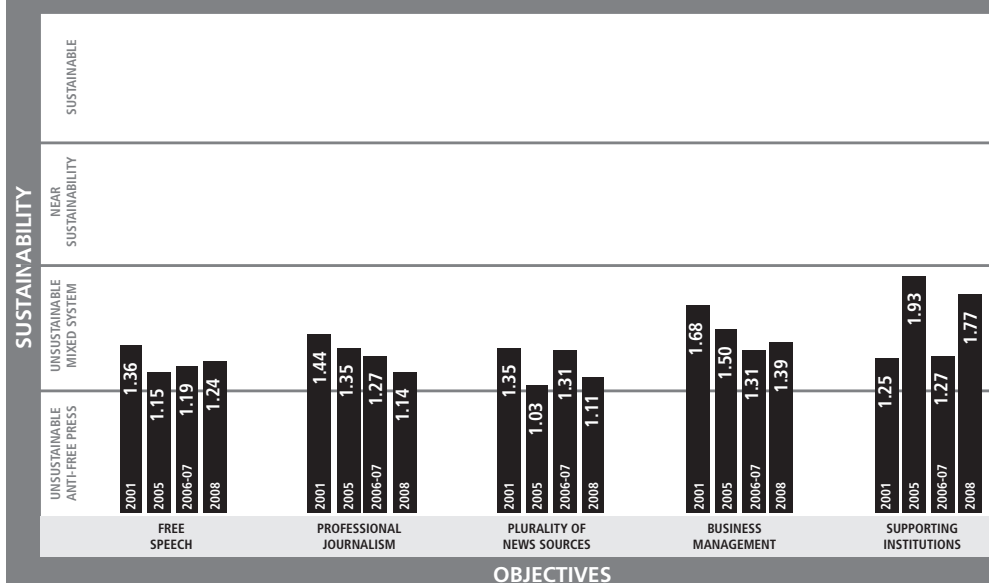
GENERAL

- > **Population:** 15,340,533 (July 2008 est., *CIA World Factbook*)
- > **Capital city:** Astana
- > **Ethnic groups (% of population):** Kazakh 53.4%, Russian 30%, Ukrainian 3.7%, Uzbek 2.5%, German 2.4%, Tatar 1.7%, Uigur 1.4%, other 4.9% (1999 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim 47%, Russian Orthodox 44%, Protestant 2%, other 7% (*CIA World Factbook*)
- > **Languages (% of population):** Kazakh 64.4%, Russian (official) 95% (2001 est., *CIA World Factbook*)
- > **GNI (2006-Atlas):** \$59.18 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$8,700 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 99.5% (male 99.8%, female 99.3%) (1999 est., *CIA World Factbook*)
- > **President or top authority:** President Nursultan A. Nazarbayev (since December 1, 1991)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 5 main daily papers, 2 other main weeklies; Radio: 4 main stations; Television stations: 6
- > **Newspaper circulation statistics:** top 3: Kazakhstanskaya Pravda (state-backed, Russian language), *Yegemen Qazaqstan* (state-backed, Kazakh language), *Ekspress-K* (private, Russian language)
- > **Broadcast ratings:** top 3: First Channel Eurasia (44.44 %), KTK (11.19 %), and N K (10.13 %) (TNS Gallup Media Asia, January 2008)
- > **News agencies:** Kazinform (state-owned), Interfax Kazakhstan
- > **Annual advertising revenue in media sector:** Television: \$180 million (VI-Kazakhstan)
- > **Internet usage:** 1,247,000 (2006 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: KAZAKHSTAN



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

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

Near Sustainability (2-3):

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

Sustainable (3-4):

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

OBJECTIVE 1: FREEDOM OF SPEECH

Kazakhstan Objective Score: 1.24

The score for this objective remained nearly unchanged, with an increase of only 0.05. Indicator scores varied widely, with only a few scoring near the objective average. On the high side, Indicators 8 and 9, media access to international news sources and free entry into the journalism profession, scored more than a point higher than the average. Indicator 3, market entry, also fared better than most indicators. However, several indicators received scores well below the average. These include Indicator 2, broadcast licensing, Indicator 5, preferential legal treatment for state media, and Indicator 6, libel laws.

In general, the country's legislation contains basic provisions to support freedom of speech and access to socially significant information. Kazakhstan's constitution and a number of special provisions guarantee freedom of speech and creativity and prohibit censorship. Provisions that help promote freedom of speech include international treaties and conventions ratified by Kazakhstan. However, the existing legislation contains a number of limitations and prohibitions. For example, lawyer for Adil Arka Mass Media Support Public Fund Helen Kuzmina noted, "The administrative legislation alone contains 11 articles covering journalists' liability, including influence on the courts concerning infringing on the procedures for providing control copies and so on."

"Legislation on the mass media does not meet international provisions and puts national security and the state's interests higher than freedom of speech and applies restrictions that do not meet accepted limitations on human rights," said Yevgeniy Zhovtis, director of Kazakhstan's International Bureau on Human Rights and Legality Observance. Putting the laws into practice is also problematic. Even laws forbidding censorship are flouted. For example, regional authorities are in no doubt that they have the right to censor the mass media and dictate media content. The deputy governor of the Sandyktau Area, Balym Izbasarova, demands that newspaper articles be shown to her before they are sent for printing.

Also, other laws are applied selectively in order to harass media. At the end of the year, representatives from the Ministry of Justice and the Public Prosecutor's Office visited all production and private television studios in Pavlodar to check on their use of licensed software. It turned out that over 90 percent used pirated copies and they had to pay large fines. While such laws should be enforced, it was interesting that no government media were checked during this unannounced inspection.

During the panel discussions, Olga Didenko, lawyer with the Mass Media Support Center, reported the following, "In 2007, freedom of speech was the subject of trade." Recent legislative initiatives to "more efficiently" regulate the mass media were suspended (though not removed from the agenda) in view of their negative assessments by international organizations, the OSCE in particular. Panelists felt this was done to promote the country's image, as it is a candidate for the revolving OSCE chair. This was also based on statements by government officials, such as those by Minister of Foreign Affairs Marat Tazhin, who noted at a government conference that steps were being taken to "promote Kazakhstan's positive image in the country and abroad." Local authorities quite specifically understand they must promote the state's positive image. Thus, the Interior Policy Department in the Southern Kazakhstan Region issued directions on actively covering Kazakhstan's chairing the OSCE to all media bosses.

When commenting on the recalls of draft government laws, Minister of Culture and Information Ertysbaev declared in public that the laws that regulate Kazakhstan's Internet and publishing activities were necessary for the country and they would be approved later on.

Public opinion has little influence on the authorities, panelists thought, and referred to the example of journalists uniting against the draft Law on the Mass Media. The minister of culture and information was the only one who responded to

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 of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > 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 accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

this protest, saying he did not depend on journalists and so he was not worried about their discontent.

According to the panelists, society's understanding of the concept of freedom of speech is often perceived as a specialized interest for only one professional group, namely, journalists. In general, the numerous cases of attacks on freedom of speech have had no real high profile in society. "Legal protection of the freedom of speech is declarative and society is not much inclined to publicly protect it," said Zhovtis.

The process for issuing of broadcast licenses in Kazakhstan involves two important steps. The Ministry of Culture and Information issues licenses based on technical requirements. Allocation of frequencies is the more arduous step.

In January 2007, the Tender Committee on the Allocation of Frequencies held a conference where it admitted gross violations of Kazakhstan's legislation. As a result, six tender participants, including three members of the National Association of Television and Radio Broadcasters (NAT) members, were barred from competing for the right to provide terrestrial television and radio. Era-TV and 31st Channel, which were among those barred, published a letter demanding that the Ministry of Culture and Information cancel the tender results and hold a new tender in compliance with the legislation. This public declaration did not help restore fairness; moreover, it resulted in a number of repressive sanctions against the Era-TV television channel by the Ministry. NAT also sent a letter to the president asking that the results of the tender be annulled and a new transparent and legal tender be organized.

In August 2007, the Regulations for Licensing and Qualification Requirements for Organizing Television and/ or Radio Broadcasting came into force. They regulate the procedure and conditions for issuing licenses, re-registration, and issuing duplicate licenses. Compliance with the government's resolution on qualification requirements borders on censorship, panelists felt, because many substantial requirements are made of applicants. These requirements include a wide range of loosely formulated indicators, including production conditions that provide for the security of society, the environment, citizens' life and health, and guaranteed quality of output. It also establishes obligations on all the mass media, regardless of type, to represent the state's interests in broadcasts.

Panelists said that money and politics determine the result of licensing. In spite of the fact that, according to the procedure, officials and government bodies must reply to applications for frequencies within 15 days, in reality some entities have been waiting for their applications to be considered for several years.

The decision to refuse or allow broadcasting depends not only on the supposed loyalty of the mass media owners but on their financial situation and proposals. For example, Irbis TV won a tender for a frequency in January 2007. The minister for culture and information personally commented that this television company submitted the highest bid. In spite of the fact that this company did not start broadcasting in the six months following its award, as it needed to by law, the committee did not recall the frequencies. According to the panelists this shows bias and even corruption.

The taxation structure for the media is absolutely identical to other types of business. There have been no tax privileges for the mass media since a VAT exemption for the printed press was cancelled three years ago.

New entrants find it difficult, however, to enter the market because of monopoly-like conditions in the market. The draft law on the mass media initiated by the state contains a line, "monopolization of the mass media is prohibited." At the same time, the acting law, On Monopolistic Activities, identifies a monopoly as an entity that has 35 percent of market share in its sector, after which the state should start regulating the sector by providing equal opportunities to other market entrants. However, there is still no precedent in the media sector for application of this anti-monopoly legislation.

According to Adil Soz PA, which monitors crimes against journalists and the media, in 2007 alone three journalists were killed in suspicious traffic accidents, five were seriously injured, one was abducted and never found, 12 journalists were threatened, and 10 were assaulted. As a rule, the crimes are not investigated and the guilty are not found.

In 2007, an unprecedented case arose. Journalist Oralgaishi Dzhabagtaikyzy, director of the Anti-corruption Department of the republican newspaper *Zakon I pravosudie*, was last seen by her friends on March 30. According to the newspaper's representative in Almaty, the day before her disappearance she had received a threatening phone call concerning her latest investigations. She was thought to have been working on a special investigation concerning corruption. Criminal proceedings were instituted but there has been no trace of her yet.

Beatings of journalists and cameramen are commonplace events that cause little stir in society. Many go unreported and journalists do not file charges. A typical example happened in January 2007 when a camera crew from TBC 31 channel was badly beaten by market security guards. Serzhan Dzirenbaev, a cameraman, and Galiya Idoyatova, a journalist, went to film the results of a fire in the market but were obstructed by security guards, who smashed their video camera and tried to beat up the cameraman.

Arson attacks on media offices are not uncommon, either. The printing office of the Aktaus newspaper *Lada plus* was set on fire in three places simultaneously in April 2007 and a computer was stolen from the office. Employees linked the arson attack to critical articles published in the newspaper and criminal proceedings were instituted over the arson.

Last year representatives of law-enforcement bodies committed acts of violence against journalists as well. In May 2007 police officers arrested an employee of the Kazakh television company KTK, Ivan Likhouzov. Questioning carried out at the Department of Domestic Affairs in Almaty the day after the arrest resulted in the journalist being taken to the intensive care unit of a hospital. The journalist was taken to the Department by force directly from KTK's offices by police officers wearing masks. According to *Kazakhstan Today*, another employee, Vitaly Piskunov, was arrested and beaten. Neither doctors nor lawyers were allowed to visit them and the reasons for the arrest were not given. It was ascertained later the journalists were "witnesses" to the disappearance of the ex vice-president of Nurbank, Zholdas Timraliev.

Legal advantages exist for state media. Simply the practice of financially supporting the government mass media puts private media at a disadvantage. Local authorities make residents subscribe to the government publications. The NGO Coalition monitored subscriptions in five regions of the country in an effort to counteract compulsory subscriptions. Many cases of compulsory subscriptions to a number of government publications were identified. Government publications, such as *Egemen Kazakhstan* and *Kazakhstan Truth* or regional publications such as *Northern Kazakhstan* and *Soltystik Kazakhstan*, survive in the market mainly due to compulsory subscriptions. There is a cause-effect relation here, as the circulation increases due to compulsory subscriptions, it increases the advertising attractiveness of the publications.

There is no guarantee for editorial independence enforced at state media. In fact, the government interferes in non-state media as well. Such was the case behind the "re-organization" of the media that were part of the Alma-media holding company, jointly owned by Rakhat Aliev. At the end of May the television channel KTK and *Caravan* newspaper, owned by Aliev, were shut down at the request of the Prosecutor General's Office based on an accusation of hampering the Nurbank investigation. At the same time, it was known that sanctions were applied to the newspaper and television channel because Aliev (the former son-in-law of the president) wanted to publish damaging information about high ranking officials collected in the course of Aliev's work with the authorities. A month after the newspaper and television channel had closed down, they reappeared, however, the content had changed completely: there were

no news or analytical programs in the KTK schedule. KTK also had a new boss, Arman Shuraev, who was a senior aide to the president. *Caravan* was gagged by a court order, forbidding publication of information concerning the Nurbank case.

The other advantage granted to state media is privileged access to information concerning the activities of major politicians and state agencies. A case in Akmola oblast exemplifies this. A journalist with the newspaper *Kurs* asked the head of the regional election committee for preliminary information about the results of the elections and received the following reply: "We only give information to the *Akmoliskaya Pravda* regional newspaper and you are nothing to me! You can get the information after it is published in the newspaper. Read the newspapers!" Moreover, the journalist was refused a copy of the list of candidates standing in the elections, which had already been published in the governmental mass media. Private media loyal to the government also receive preferential access to information.

The Criminal Code of of Kazakhstan still includes clauses concerning libel and slander and damaging and offending the dignity of officials. As a rule, court cases accusing journalists of libel and slander finish with journalists and media given a suspended sentence and/or having ruinous fines imposed on them.

Journalists consider the provisions of Kazakhstan's Criminal Code on libel and slander a significant problem in their professional activities. Use of the Criminal Code's article on libel presupposes a procedure in which the plaintiff should prove in court that a journalist deliberately and knowingly spread untrue information. In spite of this, courts often punish journalists in certain political situations. Material evidence and other clearly noticeable signs of journalists' correctness can mean nothing.

A series of examples serve to demonstrate the unequal chances for success in court cases of offending the honor and dignity of officials, libel, and slander where plaintiffs are well-known politicians and high ranking officials. The best example is the series of court cases between Minister for Culture and Information Ertysbaev and the *Vremya* newspaper. The reason for *Vremya* taking the case to court was an interview the minister had given to the *Respublika Delovoe obozrenie* newspaper, where the minister called *Vremya* journalists and other mass media "rascals, adventurers and impostors." The counter-claim made by the minister was the result of the publication of an article entitled "Seven baby-sitters cannot say why their only baby lost an eye," by a journalist with *Vremya*. "She offended the honor and dignity of a high ranking official and did irreparable harm to his business image" was the government's response to the article's phrase "if Minister Ertysbaev could remember that he

is responsible not only for information but also for culture, he would probably not delete surplus 'eyes' from the budget." The verdict handed down by the district court of Astana rejected the claim by *Vremya* whereas the counter-claim by the minister was partly satisfied. The judge decided that the minister's words were just him professing his own ethical opinion, which is debatable, whereas the phrase the journalist used was a statement harming the minister's image.

At the same time, the provisions that provide sanctions for preventing a journalist's professional activities (Article 155 of the Criminal Code and Article 352 of the Administrative Infringement Code) are ignored. One of the panelists noted, "The lack of the supremacy of the law, corruption, and political will create obstacles to how the laws on the mass media devoted to freedom of speech operate." Such methods of juridical protection, as filing a court case against those who violate freedom of speech are ineffective due to the courts' dependence on the authorities and as a consequence, are rarely used. Even when government officials at various levels break this law it is very difficult and almost impossible to make them answerable for their actions.

According to the constitution and the law About the Mass Media, state agencies are obliged to provide information to representatives of the mass media within three days regardless of the type, ownership, and political leaning of the media outlet. This does not apply to state secrets. However, officials consider that this law, which also includes many other provisions on the media, to be a tool to regulate the mass media, but that it does not apply to them.

There is a legal penalty for failure to provide information requested by a journalist during an established period of time but it is not a deterrent for noncompliance. However, a precedent was set in April 2007: the patience of the editorial staff of the *Vecherny Taldykorgon* newspaper snapped. The journalists and editors were tired of persuading officials to do what they were obliged to do by law. The boss of the editorial office filed a case concerning the illegal refusal to provide proper information. The nine defendants were the heads of district and municipal Departments of Internal Affairs, representatives of the oblast Department of Internal Affairs and the Chair of the Traffic Police Committee of the Ministry of Internal Affairs of the Kazakh Republic. As of the time of the MSI panel discussion, this case had not been resolved.

In some cases officials give false information in spite of the fact that supplying misleading information to the media is a punishable offense. For example, on August 1, 2007 information was published in the media that the body of Anastasiya Novikova, a presenter on the NTK television channel who had disappeared in Vienna three years ago, had been found in a settlement in southern Kazakhstan. Dilyaram

Arkin, a correspondent for *Vremya* newspaper, asked the South Kazakhstan Department for Interior Affairs for details. The head of the Public Relations Department denied the rumors. "Anastasiya Novikova's body was not found in our oblast," she informed the public on August 3. The Ministry of Internal Affairs press service neither proved nor disproved the information. However, on August 5 an official report was made that Novikova's body had really been found and transported to Almaty.

Officials of various ranks set limits on access to information. In March, at a national meeting on implementing the president's vision for the future, a journalist from Era TV, Yulia Isakova, was gruffly and humiliatingly ordered to be removed from the meeting room by Minister Ertysbaev. Later on the journalist sued the minister for causing moral damage. The journalist demanded a token payment of one tenge to highlight the fact that a high ranking official had violated her rights and to show that it was possible to get fair treatment.

Refusing access to high-profile court hearings is a common practice. According to the panelists all the refusals are made clearly and officially. Usually court sittings are arranged in small halls and court officials occupy all the seats so that journalists and civil society representatives are not allowed in.

As a rule, only financial resources limit access for journalists or media outlets to various international information sources. The advent of new technologies severely weakens any intent the government may have to limit this access through legal means. Media do access international news agencies. Nevertheless, the use of the international information does not exempt the Kazakh media from liability, and some cases have been reported recently when Kazakh media have been accused of slander and punished after re-broadcasting information from international sources.

As in years past there are no restraints on entry into the journalism field. Any citizen who has sufficient ability and wants to master the profession can enter faculties of journalism or specially organized journalism training schools. Journalists are not licensed. At the same time, accreditation of journalists is undertaken by state agencies. In practice, most state agencies have no fixed procedures of accreditation; indeed, lists of invited media representatives and journalists are compiled for each event and very often the lists do not include journalists from the opposition mass media.

Adil soz PA recorded examples of this becoming a problem. On May 23, 2007 the Prime Minister Masimov visited Atyrau. A week before, journalists accredited with the Atyrau administration wanted to know if it was possible to be present at the sites where Masimov was going to visit. The head of Atyrau's Department of Internal Policy answered

that no journalists were accredited to report the visit except for journalists from two oblast governmental newspapers. Representatives of other mass media repeatedly tried to get accreditation and appealed to the head of the administration, but to no avail. The same applied in Taraz for Masimov's visit. There, to the question of why the media had not been invited, the head of the Department of Internal Policy said, "You always write inappropriately!"

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kazakhstan Objective Score: 1.14

The score for this objective fell slightly this year, and panelists' thoughts on media coverage of the election were one reason for this. All indicators but one scored near or somewhat above the objective average. The exception was Indicator 3, self-censorship, which scored nearly a point lower than the objective average.

In general, the government press uses multiple sources to talk about the authorities and their actions, as do the opposition media in showing the government's weaknesses. In both cases, journalists use selective approaches to cover the news.

"News broadcasts, especially in the regional mass media, are of low quality, as the news is mainly that passed on from local authorities. There is a need for quality news broadcasts for the most educated audience watching TV, as the majority of young people, pensioners, and others switch to other programs, including entertainment shows, serials, and so on," said Helen Kuzmina.

As far as consulting experts, journalists are quite often ordered to not use various information sources. There are blacklists of experts whom the government would not like to see in the media (the panelists gave financial expert Zhandosov as an example, as he is an opposition figure who is not given access to the leading printed media or allowed to broadcast).

There are no real ethical standards. They have been replaced by owners' leanings and editorial offices' direct economic interests. The issue of ethics for the profession is not a new one in Kazakhstan. In the early 2000s there were widespread discussions about ethics in professional circles. In 2002, at the Congress of Journalists, a draft Journalist's Professional Ethics Code was worked out. However, the Code could not be further developed. Later, the Moral Bases for Kazakhstan's Journalists Declaration was developed and placed on the Journalists' Congress website. Panelists commented, "This Declaration is still pending and no one touches it and it touches no one." There is a document that

is similar to this Declaration (it was created based on it), the Journalists' Charter.

However, none of these documents can be approved and used in practice. Panelist Tamara Kaleeva, president of the Adil Soz International Fund for the Protection of Freedom of Speech, said, "Concerning censorship, pressure, and control of journalists it is too early and even incorrect to talk about self-regulation and introducing ethical standards. When we have liberal journalism we will take care of ethical standards, as there will be a need for ethical self-regulation." Moreover, according to journalists, approval of the national code that was proposed by the state is impossible in principle.

The availability of any sort of written document does not promote the real practical introduction of ethical standards. Considerably more important is developing and adopting editorial offices' policies for specific mass media in which the owners of media include prohibiting journalists from receiving bribes. Ethical principles depend on the internal policy of editorial offices and the awareness of journalists' themselves.

Self-censorship is widespread and multi-level. The majority of journalists have "excellently" mastered the self-censorship rule in working with the media, as they can recognize in advance if the subject is suitable for publishing or not and they have become experts in how to "correctly" report any story. "Self-censorship in the mass media, especially government ones, is a widespread and normal event. Editors know in advance what subjects they should not cover, what they should not say about the local authorities and even in what light they should show the region's eminent people," said Diana Medvednikova

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.
- > 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 exists (investigative, economics/business, local, political).

In addition to the governmental mass media, there are media outlets of political parties and those controlled by business media representatives. It is clear that there is no independence of publication policy of both the political and business media and examples were given testifying to a number of prohibitions and preconditions hampering the professional activities of journalists. In particular, a mistake made by a journalist from Irbis TV in a report on an aluminum plant resulted in his dismissal since the influence of an oligarch on that particular media outlet meant it could not be treated in a more reasonable way.

"Self-censorship prospers due to repressive legislation, political control by the state, and mass media owners' interests. Thus for 99 percent of the media 'Kazakhgate' is taboo and for all government mass media 'Rakhatgate' is taboo," said Tamara Kaleeva

One panelist, who wished to remain anonymous, stated, "There are subjects that are taboo including economic crises, international relations, and nothing bad can be written about Astana; only good things can be written or nothing at all. Subjects depend on orders from above. All subjects are important but we cannot always write about them. For example, we cannot write that there is no heating, so we have to write that the radiators are cold and the most recent example is: at the end of 2007, an employee of the National Security Committee approached a journalist in his editorial office after he had asked the Ministry of Health about the increasing cases of Hepatitis B. After a detailed interrogation including the reasons for making such a request he was directly prohibited from writing on this subject."

Unfortunately, the obstacles to objective coverage of events appear not only during elections or on sensitive topics. High-ranking officials see the coverage of social and political information as exclusively in the domain of advocacy. Zhovtis wryly noted that it is not recommended to even report bad weather conditions in Astana.

When taking into consideration all these factors the panelists confidently declared that information is in reality linked to the interests of powerful political and businesspersons. In particular, some events can be given wide coverage whereas much more significant events are not covered at all. Any subject related to national security can be classified and covering this subject means undermining security. There is a list of taboo subjects, about which it "would be better not to write" in a specific political situation and, according to the panelists, this list is quite impressive. The list of prohibited subjects and undesirable personalities in the regional mass media is even larger.

Beyond self-censorship, other obstacles prevent coverage of key issues. In December 2007, reporters from Rika TV could not prepare a report on Chinese railway coaches that the Kazakhstan Temir Zholy Company continues using in spite of expert reports that they are dangerous. This very important subject was not reported because railway employees prevented the journalists from filming. Key political events may not be covered by the opposition media for reasons including limited access, as in the example of Prime Minister Masimov's trips to the regions. Panelists did not say whether opposition media purposely leave out coverage of key events that favor the government.

The salary levels of Kazakhstan's journalists vary, depending on many factors such as whether the outlet is national or regional; socio-political, entertainment, or specialized; broadcast or print; government or private, and; job divisions and a journalist's status. As the panelists noted, there are geographical variations, in particular, the cost of living and salaries are higher in the northern regions. Journalists from Almaty earn at least \$500 to \$800 monthly while ones from the provinces only \$100 to \$300. Part of some salaries is paid unofficially to avoid taxes. These salaries do not motivate people to stay in this profession and salaries are much higher when working at government level.

Because of the low salaries and the need to find additional income, journalists take part in advertising for firms and people. Panelists revealed that getting paid for various articles is a quite widespread practice among journalists. Panelists talked about drops in "illegal" fees in 2007 due to stricter monitoring by editorial offices of journalists' illegal revenues. At present, the majority of editorial offices have permanent advertising managers who are involved in centralized advertising. Nevertheless, monitoring by social organizations devoted to studying freedom of speech has revealed cases of corruption involving journalists. Sergey Vasiliev, a journalist from Ust-Kamenogorsk, was arrested in 2007, accused of extorting money from an entrepreneur. The case was dropped after the parties resolved their differences.

There is a trend of news and information losing out to entertainment in Kazakhstan. Entertainment magazines dominate the print market. In television, even those stations that had well established news broadcasts are dropping them in favor of entertainment programs. Since STS came into the television market the number of entertainment broadcasts has increased, although, according to many panelists really good entertainment broadcasts have not been produced so far. Rakhat TV, for example, does not include any news broadcasts after it was bought by a Russian firm, for example. The highly rated program presented by Yevgeniy Grunberg, *To Dot One's "I's" and Cross One's "T's"*, has ceased. The

31st Channel has stopped broadcasting business news and information and has taken a new course, entertainment. Despite this shift, according to numerous program ratings, Kazakh audiences prefer entertainment programs on Russian television channels.

“Technical equipment for the mass media is much better in the capital and regional centers than in the regions. Editorial offices do not have enough money to install modern equipment; as a result, audiences get information that is far from perfect,” said Diana Medvednikova. The national mass media are quite well equipped. Production studios have been developed and the level and quality of production for the majority of them are quite competitive with European and Russian standards, primarily due to advanced technical equipment. The regional mass media, on the contrary, experience serious technical equipment problems and the majority of journalists have neither a Dictaphone nor computers. The Machine Department Bureau still exists in the *Nedelya* newspaper, Northern Kazakhstan Region, where texts are typed on three computers and journalists write articles in longhand. Regional television and radio are technically limited in broadcasting live from events.

The low speed of the Internet also creates additional obstacles to journalists’ work, as it does not allow them to get information from online sources or send their reports to central offices. Articles from regional reporters are still often sent on cassettes by mail or special delivery.

The situation related to developing specialized journalism has not significantly changed in the past year. Journalist investigations are not common in the national mass media. As a rule, these are investigations in the style sanctioned by the authorities, i.e., either compromising documents are given to a journalist or access is given to information from closed sources. One of the panelists, who did not wish to be named, spoke about this happening in a newspaper. He was given authentic documents that irrefutably proved that the Energy Department’s leadership had been misusing money allocated to repair a heating main in the region. It is obvious government officials who were interested in replacing the enterprise’s leadership provided this information. There are well known investigators at *Vremya* and there are isolated investigations in the *Caravan* but this genre is not popular. In general, journalists, due to the high workload in their editorial offices, cannot specialize in special investigations or a certain theme. In reality, journalists have to be “jacks of all trades” to write about anything everything.

However, there is one exception. Business journalism is developing in the country due to the ongoing development of big business. Everything that is not related to government

policy estimates can be published in this specialized media environment, although in reality, the border between political issues and economic development is very shaky. A panelist, Askar Shomshekov spoke about developing business journalism. A number of seminars on business journalism were conducted with support from international organizations and there are some encouraging signs, including setting up the *Nasha Zhizn* newspaper with an emphasis on business news, particularly banking. Also, special business broadcasts are slowly developing on the 31st Channel and Khabar.

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Kazakhstan Objective Score: 1.11

Panelists gave this objective a slightly lower score this year: 1.11 down from 1.31. In particular they expressed concerns about media ownership and attempts to create more entrenched media conglomerates. As such, Indicator 6 scored more than three-quarters of a point less than the average. Indicator 3, state media reflect the political spectrum, also finished rather poorly. Only Indicator 2, citizen access to media, was appreciably higher than other indicators, although it did not exceed a score of 2.00.

“There are no independent television and radio channels in the country that reflect political pluralism and the variety of socio-political opinions in society,” said Yevgeniy Zhovtis. In the regions, local authorities pressure the leading media, especially private media. Pressure was so intense that some broadcast media decided not to broadcast news and analytical broadcasts during the pre-election period. For example, the 31st Channel’s studio in Pavlodar took a “break” and their employees were sent on holiday in order not to cover opposition events. The leadership of the Region Media network that has exclusive rights to run advertisements on KTK, NTK, Russian Radio, and cable television in the country’s regions decided not to run political advertisement at any price and they ignored politics.

Residents of rural regions have less access to various information sources. For example, connection to the Internet for an average rural resident is limited and difficult in spite of information that the number of Internet users using Kazakhtelecom is growing.¹ The quality of Internet connections is poor and the number of providers working in the regions is still small.

¹ Kazakhtelecom’s report states that the number of Internet subscribers increased by 50 percent in the regions in 2007, however, in reality this growth was only possible due to all employees of Kazakhtelecom’s regional branches being forced to connect.

Larger numbers of villagers started installing satellite dishes last year. In general, people living near the border with Russia are saturated with Russian media. A panelist declared these villages are vague about details of current government policy or who was elected in the last presidential elections.

However, at least Khabar and Eurasia broadcast to the regions in order to provide informational unity in the country. Also, small private cable television studios with various names have been set up everywhere in the regions and are part of the unified corporation Alma TV. Nevertheless, due to the large landmass of the state there are some "islands" where the Kazakh mass media do not reach or they reach these areas with significant delays. For example, Galiya Azhenova said that there had been no Kazakh television and newspapers were delivered a week late and in limited quantities to the Kastalovskiy area until recently.

In spite of the fact that due to forced subscription rural intellectuals and civil servants are obligatory receivers of government print media, they do not have free access to opposition press. Moreover, the forced subscription often comes to 25 percent of civil servants' salaries. In general, the panelists reckoned prices for print media are accessible for the majority of families.

It is not difficult to subscribe to a foreign newspaper in Kazakhstan, as it is only a question of affording the subscription, but delivery times (together with language limitations) probably makes this unrealistic for the majority of Kazakhs, although, getting foreign newspapers is

sometimes easier in the regions than getting opposition mass media there.

As mentioned above, the government has no policies in place limiting access to existing media. However, in total four news related Internet sites were blocked in Kazakhstan in 2007: www.zonakz.net, www.kub.kz, www.geo.kz and www.inkar.info. Moreover, support was refused to the domains www.kub.kz and www.geo.kz, which had been housed in the Kazakh segment of the Internet. KazNIC (the Kazakh Center for Internet Information) blocked support to the domains in the KZ zone after receiving a letter from the Information Dissemination and Communications Agency.

The list of news agencies has not changed in the past year. The leading news agencies are still Kazakhstan Today, Interfax, and Kazinfo. Even the private Kazakhstan Today is linked to the ruling party. The News Factory News Agency was set up on the initiative of regional television studios and with support from Internews in an effort to organize international-standard information exchange between the regions. The enterprise is unofficial and was set up based on membership and paying membership fees principles. Currently, it is experiencing serious obstacles. Local authorities are pressuring television studios that have become members, and as a result KTK-7 has refused to supply news and continue participating in the project after three months. Further, receipt of material from and to independent television studios is often problematic due to technical problems, such as poor Internet access.

The majority of independent television channels and radio stations, both regional and national, produce their own news, but control by local authorities and self-censorship by journalists ensure that the news is similar and basically reflects the state's interests. Rare informative and analytical programs on the leading television channels are gradually being forced out by entertainment programs, however. As a rule, the same news is covered in the various media, as they have a unified agenda. News programming is not outsourced.

"The Minister for Culture and Information has been trying for several years to get information on who owns the main mass media resources in the country but it is just words. No one will allow him to, even if he, indeed, wants to publish such a terrible truth," said Tamara Kaleeva.

Panelists had no idea how far news is monopolized, as there are no real and reliable data and no one investigates this. Generally, rumor and common sense prevail when trying to identify media ownership.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge 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.

Until very recently, any who publicly mentioned Rakhmat Aliev's media assets was doomed to court proceedings and losses. However, due to his conflicts with the ruling party in 2007, Aliev had to talk about his assets in the media sector. In February 2007, Aliev announced he intended to amalgamate a number of mass media into a holding company, as he had shares in them. In particular, he reported, "I previously had friendly and family ties to the managers of these resources, including Khabar. I was involved in other business interests and worked in government positions. From now on, we have decided to diversify our assets and, in addition to sugar and banks I am also in the media sector.... We bought packets of shares of several leading brands in the national media market including the KTK television channel and minority holdings in Khabar, *Caravan* Newspaper, and the Kazakhstan Today News Agency." Aliev said he was interested in "creating a unified, efficient media holding company that would manage various information resources ranging from Internet portals to national television channels. There are media conglomerates throughout the civilized world and their experience can be useful for us as well. We want to create competitive mass media in the CIS."

In 2007, the president issued an order to create a new government holding company, Samgau, that includes 12 information and communications companies including Kaztelradio, Kazpochta (the Kazakh Post Office), and others. The holding's future task includes developing the infrastructure for digital television in the country. It is quite probable that the existence of this government holding may result in significant changes next year in both starting broadcasting and developing a competitive media environment in general.

Due to the media's specific characteristics and based upon legislation, the media have limited opportunities to attract foreign investments compared to other types of business. According to Item 2 of Article #5 of the Law On the Mass Media, "foreign natural persons and legal entities, as well as persons with no citizenship are prohibited from directly or indirectly dealing in and controlling over 20 percent of the shares of a legal entity that is a mass media owner in Kazakhstan or is carrying out activities in this sector."

Information resources written in minority languages are worse than poor. Some papers that get insignificant donations do not even have ambitions to be topical and write critically about national minorities in Kazakhstan. When Adil Soz PA conducted its monitoring not a single publication devoted to minorities could be found. Those that do exist, printed press in Uigur, Korean, Uzbek, and other languages, are not significant as they have tiny circulations.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kazakhstan Objective Score: 1.39

This objective scored essentially the same as last year, with a minor increase of 0.08. All indicators scored very close to the overall average, with none appearing much high or lower.

The majority of nationwide print press and television channels are profitable, mainly due to advertising. Kaztelradio, which is part of the renationalized Joint-Stock Company Katelko is not a successful business, however. In the opinion of the panelists the leader in advertising is Khabar TV, which belongs to and is managed by Dariga Nazarbaeva, a daughter of the Kyrgyz president; panelists did not comment on how this might contradict the law, as noted above. As a rule, successful, financially sustainable print media are advertising newspapers, some with circulations of 300,000 to 350,000 copies, and in the regions, 30,000 to 50,000 or more. In Pavlodar the most popular newspaper is the *Free Ads Newspaper*.

The majority of regional TV stations and channels are not capable of becoming profitable and financially stable. For example, according to Shomkenov Askar, in Pavlodar only Rakhmat TV is profitable, although there are also successful print media there, which manage to survive and be independent thanks to advertising. The *Golos Ekibastuza* newspaper is unique in that its shared ownership has resulted in a stalemate. Half of the shares belong to the local administration and the rest to the editorial team. Owing to the solidarity and professionalism of the journalist-shareholders, the local administration cannot change the editor of the newspaper or dictate policy. The newspaper is very popular locally and publishes mainly advertisements. Overall, however, in the opinion of the panelists, the biggest problem contributing to unprofitability is the low quality of media management.

Advertising revenues are the main source of income for private media. All printed media try to increase their circulations to get more money from advertising. However the problem is just that: focusing on collecting ads results in poor content of the non-advertising part and this in turn puts obstacles in the way of increasing the circulation and collecting new ads.

The last year was successful for developing and extending advertising agencies. Today, besides the state advertising agencies, the market includes chain agencies such as the Leo Bernet Agency and Video International Projects. VI-Kazakhstan sells advertising on the two national television channels of the country: 31 Channel, whose shareholders are

STS Media, and Astana. It is the second attempt by the mass media-seller to enter the Kazakh market: at the end of the 1990s the company had to leave under pressure from the local authorities. According to estimates of the VI Analytical Center, in 2007 the value of the television advertising market \$180 million; this year 25 percent growth is expected.

Production studios in Kazakhstan are developing very quickly. Some of them have already turned into powerful television agencies, for example, Sattai Film and Mark 2 Productions. Whereas several years ago commercials for Central Asia were adapted in Eastern Europe or Russia, nowadays the lion's share of the world's brands adapt their commercials in local studios. Now western directors are more often engaged in creating commercials, video clips, etc., in Kazakhstan instead of Russia.

There are limits on advertising. According to the Law on Advertising, citizens have guarantees that the volume of advertising in the mass media will not exceed 20 percent, however in practice the percentage in pro-state or state mass media considerably exceeds this volume. In May 2007, the country's Parliament approved the draft law On Making Changes and Additions to Some Legislative Statements on Advertising Issues, which has identified the newly admissible limits for advertising in the electronic mass media; in particular, advertisements on television should also not exceed 20 percent of the total broadcast.

The majority of the independent mass media do not receive state grants. However, last year the Ministry of Culture and Information declared that it was necessary to increase state support of the mass media and civil society. According to data obtained by a panelist, 700 million tenge alone was

allocated to civil society. The Ministry plans to increase the share of "state orders" for producing content highlighting certain subjects in the coming year. For private media, getting a state order means they are restricted in their freedom and there is stronger interference by the state in editorial policy. Moreover, if one outlet is a member of a media holding company and gets a state order the potential of the remaining media in the holding company to be critical is automatically reduced. Nevertheless, a lot of regional mass media go to any lengths to get additional sources of revenue to exist and develop.

By virtue of the undeveloped management of printed press and the lack of qualified personnel, a number of media outlets are compelled to enter into agreements with the authorities to receive grants by "state order." Some mass media enterprises have even refused grants from international organizations as they do not want to be put on the list of media disloyal to the authorities. At the same time the opportunity to get grants for developing independent media is very limited and the grants are insignificant. The major donors are the Soros Foundation and other international organizations via Internews.

Ordinary media do not order research into media audience and consumption. On the one hand, qualified and legitimate research services are expensive and on the other hand, under-funded media management cannot see from the research data how they can develop. Nevertheless, many of the media spend some of their own money or use their own resources to research public opinion and the structure of mass media consumption. For example, in Shymkent the *Rabat* newspaper called readers daily and analyzed the ratings of publications. Some of national and popular regional newspapers publish ratings of articles derived from calls and readers' letters. *Caravan*, 31 Channel, and other media have their own marketing experts who research mass media consumption.

Quite often the mass media order market research to sell advertising space as a public relations strategy for promoting their media brand. At the same time, the western advertising companies entering the market should change the situation. For example, the Gallup's Institute is working in Kazakhstan; serious market research is carried out in other sectors of the economy: trade, tourism, cargo and passenger transportation, etc. Panelists named a number of companies (both private and state), which are engaged in market research in Almaty: Reputatsiya, Media Center, Renaissance and the Marketing Department of the Republican Research Center.

Techniques for conducting mass media research are changing too. For example, the entry of VI into the Kazakh market has been marked by a change in keeping records

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > 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 at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

on peplemeters. According to Alexander Rodnjansky, the president of STS Media, "the telemarket of Kazakhstan is very dynamic and a lot of companies/sellers have been working in the market for a long time. Now the market of Kazakhstan is opening up to foreign companies. VI will have to be at its very best to stay in this market."

Ratings are measured in large cities when ordered by advertising agencies. In particular, the Gallup Institute measures ratings for Region Media. However, the results of these rating surveys are not available to communities, as they are used exclusively to work out the pricing policy for placing advertisements.

In Kazakhstan estimating and calculating the circulation of printed media are traditionally done in cooperation with the Kazakh Association of Newspaper Researchers and the Chamber of Commerce. The problem of "exaggerated" circulations was solved in the country long ago. However, in 2007 the work of the independent assessors weakened, and distorted information on circulations occurred. A typical example is the *Caravan* newspaper, which in 2007 underwent a lot of changes and reorganizations but still claims a circulation of 200,000; in the opinion of the panelists this is untrue.

Owners of Internet sites and domains also lie about the true number of Internet users. Advertising experts think that many popular sites wind the 'hit' meters to increase the attractiveness of the sites for advertisers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kazakhstan Objective Score: 1.77

The score for this objective increased a great deal in the space of a year, moving from 1.27 to 1.77. Panelists in particular pointed to the work being done by NGOs as positive, and therefore Indicator 3 received a much higher score. However, this score still signifies an "unsustainable, mixed system." Holding back the average were Indicators 6 and 7, access to printing facilities and newsprint and apolitical access to distribution networks.

A number of associations exist only on paper, the Association of Television and Radio Broadcasters of Kazakhstan and the Congress of Journalists of Kazakhstan among them. They infrequently hold events and do not operate on a day-to-day basis.

The most active organizations are the NAT and National Association of Newspaper Publishers. NAT has actively assisted in developing and proposing to Parliament the Law

on the Mass Media; at the beginning of the year it helped three members who had applied for radio frequencies and been rejected prepare legal documents to appeal against the result of the tender. During the year it has run a total of 12 seminars for its members: six on improving the professional skills of production staff and the other six for mass media managers, advertisers, and public relations managers. One of the main objectives of the seminars for the mass media managers and production workers was to strengthen legal security and develop a strategy to avoid legal claims. NAT also actively helped settle a dispute in the Association of Cable Television Operators. The National Association of Newspaper Publishers traditionally monitors the circulation of the print media and ensures fair competition in the advertising market.

NGOs supporting the media and developing freedom of speech in Kazakhstan continued working in 2007. They give legal advice, research issues under litigation, develop educational programs, and monitor violations of the law in the sphere of the media. Positive results of their activities can be seen by the fact that, in the face of certain conservative tendencies in the sphere of freedom of speech, these organizations have been able to unite and have progressed. In 2007, thanks to the activities of NGOs a number of laws, which would have resulted in limits on the freedom of the media, were not passed by the Parliament. NGOs' activities in protecting freedom of speech and the media influence public opinion, since society considers the struggle to be mainly a professional issue.

There remain a number of problems in developing the NGOs that support freedom of speech, however. There are a few new organizations and not as many international organizations give financial, organizational, and advisory assistance as they once did. As a result these NGOs are poorly represented in some regions of the country and are non-existent in others.

Despite the impressive graduations of journalists from higher education institutions, professional media education is not prestigious. The numerous specialists working in practical journalism have no special education and are convinced that recognition is more important in journalism than knowledge of techniques. On the other hand, a small number of graduates from journalism faculties have started working in practical journalism, preferring to settle down in the press services of state bodies, public relations jobs, and advertising agencies. At meetings of journalism teaching staff from leading higher education institutions, they point to the government paying less attention to the problem of training professional journalists and reducing practical training as a reason for deficiencies.

Every year, the number of opportunities to improve professional qualifications with good training courses decreases. Nowadays training courses for media workers is probably only available in one organization, Internews. There are also projects such as Videonet and The School of Journalism intended for young specialists. On the other hand, some NGOs offer educational services to journalists that are not always taken up. Panelists noted that the problem is not that people are “overfed” with seminars but the quality and subjects of the offered training courses. Subjects most in demand for training courses are: media management, advertising in the media, and technical specialties; there is a need to train specialized journalism, for example, blogging. Numerous inquiries to various organizations about arranging professional seminars in Kazakh cannot be met because of the distinct lack of Kazakh-speaking professional trainers.

Panelists pointed to a number of examples of access to printing facilities being used to pressure the media. *Uralskya Nedelya* newspaper in northwestern Kazakhstan was nearly driven to extinction because the local authorities forced all the printing presses to cancel printing contracts with the newspaper at the beginning of the year. Sergey Ilyin, the director of one printing house, privately informed Tamara Eshyamova, the editor-in-chief of the newspaper, that he had been pressured by the regional administration into taking this step. At the end of January 2008, the employees of the newspaper started a protest called, “Corruption, Hands Off Our Newspaper!”

Kazpochta has a monopoly on deliveries of newspapers and magazines to villages, unlike in the cities, and so consumers incur all the expenses of the monopoly plus inefficient management and services. In February 2007 the roundtable organized by the Aimak Group of Parliamentarians expressed

its displeasure with Kazpochta. Because of the company’s high charges, regional printed media are forced to close as they cannot afford to pay such high delivery prices. Large printed media are unhappy that deliveries to the regions are greatly delayed in spite of the company’s high tariffs. Having listened to Daurena Moldagalieva, the chair of the board of Kazpochta, the MPs advised the management of the post office to allocate grants for distributing printed media in the regions by reducing the salaries of the 1100 workers of the central department who earn \$2,246 a month on average.

The basic retail press distribution network is run by the state and frequently used as a tool by local authorities to apply political pressure. For example, Shuhrat Hashimov, an acting editor of the *Taraz Times* city newspaper reported that in 2007 their newspaper was repeatedly removed from the newsstand of the regional administration. According to Hashimov, he learned from a reliable source that the newsagent had been forbidden to sell the *Taraz Times* as a result of a series of critical articles. Large holdings such as Kazpress or AiF (part of the Ravan media holding) are the entry points to the supermarket distribution system, which opposition print media cannot access.

In the course of monitoring carried out by the Adil soz PA it was been revealed that direct pressure has been applied to undesirable, disloyal mass media using the delivery system. On May 28, 2007 after the arrival of the Almaty – Atyrau train, policemen searched the mail coach and checked all the bundles of newspapers. The distributors who came to collect their goods were told that the police were searching for *Caravan*, (during its three month suspension by the courts). Bundles of newspapers were ripped open and the search was conducted on the porch of Kazpochta in the presence of four newspaper distributors. Men in civilian clothes made sure that only new issues of *Vremya*, *Komsomolka* and some other magazines remained. According to the newspaper distributors, they were verbally warned against selling *Caravan* in the city’s markets, even old issues published before the court’s decision.

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

List of Panel Participants

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Olga Didenko, lawyer, Mass Media Support Center, Almaty

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Sholpan Zhaksybaeva, executive director, NAT Kazakhstan, Almaty

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