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## KAZAKHSTAN

The beginning of 2012 was marked by snap parliamentary elections following the self-dissolution of the Majlis, the lower chamber of parliament. The newly-elected Majlis was multi-party, fulfilling the stated desire of Kazakhstan's first and only president, Nursultan Nazarbayev.

Political analysts believe that the early election was motivated by the growing dissatisfaction of the population, as well as the social protest movement that culminated in violent clashes between oil industry workers and police forces in Zhanaozen, in the country's far southwest, in December 2011. The subsequent changes in the some political appointments, a new development program, replacing Kazakhstan 2030 with Kazakhstan 2050, as well as a series of legal actions against opposition figures and select corrupt officials, were all aimed at stabilizing the regime and preventing a "revolutionary spring" in Kazakhstan.

Mass media were in the epicenter of this social and political turbulence. The expansive conviction of three domestic opposition figures also described a number of non-state mass media outlets as "radicalized media projects controlled by and affiliated with [Mukhtar] Ablyazov," a former minister and prominent opponent of the regime wanted on embezzlement charges, making the media one of the key subjects of the political lawsuit. Several media outlets were banned by prosecutors on the eve of the first anniversary of the Zhanaozen events, including satellite TV channel K+, the Stan TV Internet video news site, *Respublica* (Republic) and *Vzglyad* (Viewpoint) newspapers and *Respublica's* website, *Respublika-kz.info*. A total of 8 newspapers and 23 internet media sites, essentially all independent media in the country. By tying the outlets to the convicted and wanted opposition, the government effectively criminalized the leading non-state press. A panelist from *Respublica* cancelled his participation after being called to court on the day of the discussion. As such, many of these events occurred at the end of 2012 and were only partially considered by the panel.

According to data provided to the panel by Sofia Lapina of the free speech NGO Adil Soz (A Just Word), 68 legislative acts that regulate certain aspects of media activities were passed by Parliament in 2012, and several new draft laws important for mass media were put forward for parliamentary discussion. The transition to digital broadcasting alone required the adoption of several new legal regulations, including a new broadcasting law and 21 other statutes adopted in 2012. In general, active lawmaking is often associated with these or other aspects of media activities.

# KAZAKHSTAN at a glance

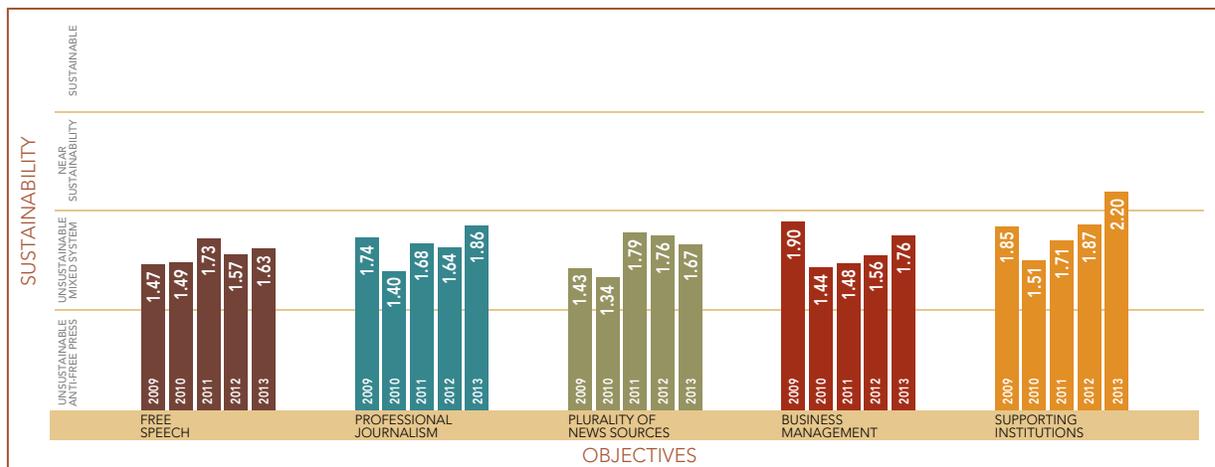
## GENERAL

- > Population: 17,736,896 (July 2013 est., *CIA World Factbook*)
- > Capital City: Astana
- > Ethnic Groups (% of population): Kazakh 63.1%, Russian 23.7%, Uzbek 2.8%, Ukrainian 2.1%, Uighur 1.4%, Tatar 1.3%, German 1.1%, other 4.5% (2009 census, *CIA World Factbook*)
- > Religions (% of population): Muslim 47%, Russian Orthodox 44%, Protestant 2%, other 7% (*CIA World Factbook*)
- > Languages (% of population): Kazakh (state) 64.4%, Russian (official) 95% (2001 est., *CIA World Factbook*)
- > GNI (2011-Atlas): \$136.72 billion (World Bank Development Indicators)
- > GNI per capita (2011-PPP): \$11,250 (World Bank Development Indicators)
- > 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, internet news portals: According to state registration, 2765 outlets, including 439 state and 2326 private; 1666 print media, including 20 dailies; 51 TV firms, 48 radio firms, 133 cable TV operators, 6 satellite TV operators
- > Newspaper circulation statistics: top four, by circulation, are *Karavan* and *Karavan-Class*—private, weekly, circulation 320,000 combined; *Yegemen Qazaqstan*—state, in Kazakh, five times weekly, 175,000; *Kazakhstanskaya Pravda*—state, in Russian, five times weekly, 100,000; *Ekspress-K*—private, in Russian, five times weekly, 100,000.
- > Broadcast ratings: top 8: Kazakh TV—state, in Kazakh and Russian; Khabar TV—state cable/satellite news channel; El-Arna—state; Kazakh Commercial TV (KTK)—private, in Kazakh and Russian; Eurasia 1—private; Channel 31—private; Channel 7—private; Caspionet—external satellite unit of Khabar TV, in Russian, Kazakh and English
- > News agencies: 13 news agencies, top four: Interfax-Kazakhstan, KazakhstanNews.com, Kazakh Information Agency (Kazinform), Kazakhstan Political News Agency
- > Annual advertising revenue in media sector: Advertising agency statements vary widely. National plus Almaty television—\$131 million in 2011 ([vik.kz/news/125/](http://vik.kz/news/125/)). All advertising—\$984.2 million in 2011 (49% television) ([brif.kz/blog/?p=2255](http://brif.kz/blog/?p=2255))

## MEDIA SUSTAINABILITY INDEX: LEBANON



## MEDIA SUSTAINABILITY INDEX 2013: OVERALL AVERAGE SCORES



### CHANGE SINCE 2012

▲ (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](http://www.irex.org/system/files/EE_msiscorers.xls)

## OBJECTIVE 1: FREEDOM OF SPEECH

Kazakhstan Objective Score: 1.63

Panelist Diana Okremova-Medvednikova defined this year as a “real a leap year” in terms of consequences for the mass media. In January, the government adopted the law “On TV and Radio Broadcasting,” which contained terminology frequently criticized by media experts and media organizations. According to Sholpan Zhaxybayeva, Executive Director of the National Association of TV and Radio Broadcasters of Kazakhstan, “the law is imperfect, it is at odds with international laws and, most important, it is not a direct law but requires quite a few statutory instruments.” Attempts are currently being made to introduce a so-called “conditional access” to broadcasting, which will result in paid television being inaccessible to a large portion of the country’s population. The new TV legislation may also significantly restrict the presence of foreign TV companies in Kazakhstan. Specifically, the statute on foreign media registration adopted in October 2012 demands that all foreign television channels carried by Kazakhstan’s cable providers be registered with the Ministry of Culture and Information by March 2, 2013. Zhaxybayeva predicted that major international channels such as Eurosport, Discovery, Nickelodeon, BBC, and others will likely forgo the trouble of registration to stay in the rather small market. As such,

### 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.

“Criminal liability for any infringement of the good reputation of state officials at all levels is expected to be preserved and even increased,” said Lapina.

the laws will serve to strengthen the government’s effective control over the television market.

In addition to the new TV broadcasting law, changes to national security law identified such threats as “the impact of information on public and individual consciousness related to deliberate distortion and spreading of unreliable information to the detriment of national security,” suggesting ominous consequences for reporters. Amendments to the mass media law ended the prohibition of monopolization in the sector, and introduced the possibility of suspension for outlets found have violated copyright.

New versions of the criminal code and criminal procedure code drafted by the Prosecutor-General’s Office to simplify criminal cases were widely discussed throughout the year. Opinions on these moves varied widely among media professionals. Lapina, for instance, claimed that “Although Kazakhstan had accepted recommendations of the United Nations Human Rights Committee in 2010 and expressed its commitment to decriminalize libel and insult by 2014, the new version of the Criminal Code just transferred defamation from the category of criminal offense to the category of transgression, without decriminalizing it, because criminal prosecution for defamation is considered to be ‘a strong deterrent’. Moreover, criminal liability for any infringement of the good reputation of state officials at all levels is expected to be preserved and even increased.” Her sentiments were seconded by Olga Groznaya. “The draft of the new Criminal Code threatens journalists with imprisonment and will demand that they reveal their sources,” she said.

Unlike her colleagues, who view the changes in a negative light, Diana Okremova-Medvednikova considers the new version of the Code to be “The most liberal of all versions that have ever existed, since it eliminates probation and replaces it with detention for libel and slander. Moreover, libel will now be considered an administrative transgression and not a crime.”

Lawyers from Internews in Kazakhstan summarized the nature of changes proposed in the draft of the Criminal Procedure Code. “The radical change concerns

According to Adil Soz monitoring, 190 cases of refusal and restriction of access to socially significant information were recorded in Kazakhstan from January to September 2012.

the initial stage of the criminal procedure wherein the pre-investigation stage and institution of a criminal case are to be omitted; the investigator shall not indict the suspect in the process of investigation; pre-trial procedure will be radically simplified; the concept of 'prejudicial inquiry' is being introduced. All inquiry activities affecting constitutional or other human rights and freedoms can be conducted only upon the prosecutor's approval; courts shall not send cases for re-investigation; the number of investigative actions that involve attesting witnesses is considerably reduced; the concept of the 'plea bargain' is introduced; the investigating magistrate is established, i.e. a judge shall approve preventive detention, its extension, or the compulsory transfer of a non-detained person to a medical institution for forensic psychiatric examination."

In general, as Sofia Lapina described it, "Recent changes in legislation result in a priority of privacy protection over other human rights, including the freedom of speech. For example, an article addressing the non-disclosure of private information stipulates up to 5 years in jail for infringement while Kazakh law does not make any distinction whatsoever between a private citizen and public official."

Until the Criminal Code and Criminal Procedure Code articles concerning libel are changed, lawsuits in which journalists receive real penal terms for libel will be far from rare. For example, Sergey Bukatov, editor of Kazakh-Zerno (Kazakh Grain) news agency, was charged with libel by the Petropavlovsk City Court and was sentenced to one year of imprisonment. Valery Surganov of Guljan.org was convicted and sentenced to probation for 18 months. That site was one of the many closed in December.

Even former Minister of Information Ertysbaev, now an advisor to Nazarbaev on political issues, admits the absence of positive legal changes concerning the freedom of speech. In an interview with RFE/RL's Kazakhstan service, he said that he believes that there have always been, and there always will be, people eager to restrict freedom of speech in every possible way.

In general, parliament's legislative activities have increased the number of "risk zones" for mass media producers and consumers. Even the most benevolent intentions end up

in attempts to censor mass media. The panelists illustrated this trend by naming several draft laws accepted for parliamentary discussion or those already passed, including the draft law On Informatization, which will enhance the role of the National Security Committee in classifying information, the draft law On Protecting Children from Information Harmful to their Health, which may label any content on television as such and ban its broadcast. The anti-terrorism law defines terrorism as an ideology has, in fact, limited people's access to the Internet by compelling users to register to obtain access, and requires Internet clubs to register their users and the websites they have visited. Anonymizers and other tools for indirect access to websites have been banned.

Since media registration in Kazakhstan is the only way of receiving a license for publication, registering an independent media outlet is quite problematic. Adil Soz monitoring recorded a number of red-tape cases concerning the registration of print media. For instance, registration problems were faced by the *Zdravstvuite* (Hello) newsletter in Pavlodar, *Agrorynok.KZ* (Agricultural Market) newspaper in Kostanay, *Ardager-Veteran* (Veteran) newspaper in Pavlodar and many others.

Registration for broadcast media is even more troublesome. In her speech at the Majlis committee for social and cultural development, Zhaxybayeva reported that in contrast to numerous state-owned or state-affiliated channels, no independent private TV channel had been launched in the past six years. Although the TV Development Committee includes seven civil society representatives out of 23 members, all the decisions concerning TV and radio broadcasting are made behind the scenes, without being discussed by the Committee and without open access by the general public to information.

The 2012 changes in regulations concerning TV and radio broadcasting have only begun affecting the government's interaction with media. For instance, private TV and radio broadcasters, who had received permanent licenses or purchased long-term (often up to 49 years) rights to their frequencies, are now on tenterhooks. Companies that paid millions of dollars to the state for their frequencies and licenses now depend exclusively on the decisions of the TV Development Committee under Ministry of Transportation and Communications. There are some precedents already: the only Kazakh music channel Hit-TV was not included in the cable TV package, which means that millions paid for its broadcasting have been lost. The state does not compensate losses incurred by private companies. Hit-TV's case demonstrated the arbitrariness of decisions by the state monopoly, and the damage it can create.

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At the same time, huge sums from the state budget are being invested into uploading the signal of state TV channels to satellite, which makes competition unfair from the very beginning. This is in addition to funds allocated to the leading national channels. According to Okremova, more than 20 billion tenge (\$133 million) were invested into three national channels—Khabar, Kazakhstan, and Mir—while the total amount of funds allocated to media by the government, including city and regional *akimats* (local authorities), is about 25 billion tenge (\$166 million).

Increasing diversion of state contracts to state-owned media led MP and daughter of the president Dariga Nazarbaeva criticize these results at a Majilis hearing. “The mass media and communications market is being more and more dominated and monopolized by the state. It would not have been so evident had this monopoly resulted in a higher quality of services. But when a huge monopoly spends unlimited funds with minimal outcome... We see the same in the broadcast media today when the public is forced to watch so many channels, including regional ones. We should try to find some compromise in this issue so that both state-owned and independent media outlets have a chance to develop, plan their businesses and not to shiver each time they come to the Ministry expecting to be deprived of their frequency, license and so on.”

The government’s method of regulating the media is still based on both direct and subtle interference in the editorial policy of media outlets and pressure on journalists. One of the most vivid examples illustrating such practices was the situation with the Almaty TV channel, whose personnel came out with a declaration that the mayor’s press secretary has dictated the channel’s policy, censored news and communicated with the channel’s staff in a humiliating way. This ‘escalation’ caused a whole group of journalists (from 26 to 50 according to different sources) and two deputy general managers to quit the channel. Answering journalists’ questions about the case, the press secretary bluntly responded, “Let me remind you that 100% of Almaty TV shares belong to the city Akim’s [Mayor’s] office, and all state procurement contracts with the channel are issued here. Therefore, I consider ourselves to be authorized to control the information policy of this media outlet.”

The government has “leverage mechanisms” for each journalist, including the ones who work in private media outlets and do not receive state funds for coverage of certain topics. For example, journalists for the Astana *Megapolis* newspaper were not allowed to enter the Parliament with voice recorders and other recording equipment; a judge forbade a journalist for *Uralskaya Nedelya* (Uralsk Weekly), to use recording devices during court hearings. Journalists working for non-governmental

media outlets are often banned entrance to socially important events; for example, the Zyryanovsk town Akim saw Alve TV journalists off the premises during public hearings on the ecological impact of a mining project; there was allegedly “not enough room in the court hall” for journalists providing coverage on high-profile case of Vladislav Chelakh, a border guard accused of killing 14 comrades-in-arms and a ranger, because the room allocated for the process in Taldykorgan City Court was too small. According to Adil Soz monitoring, 190 cases of refusal and restriction of access to socially significant information were recorded in Kazakhstan from January to September 2012.

Access to information remains constrained by both law and practice. According to the lawyer Birzhanova, “The law On Access to Information, which was drafted several years ago, is still on paper. There are problems with de facto law enforcement of the issues that have been defined de jure. Take, for instance, access to information: the procedure and instruments are described in the Law in detail but, in fact, journalists face multiple problems, from unjustified refusals to rejected accreditation and selective attitudes towards certain media outlets. There is a lot of confusion concerning open-access and limited-access information, so officials often arbitrarily determine which information to reveal.”

Most court decisions are geared towards ruining media outlets and journalists economically. Courts suffer millions in financial claims against journalists initiated by government offices and officials, even when the revealed information about them or their deeds is correct. Just as last year, libel claims involved familiar names of such journalists and their media outlets such as Lukpan Akhmedyarov from *Uralskaya Nedelya* (Uralsk Weekly), Guljan Ergalieva from *Guljan.org*, Victor Miroshnichenko from *Kvartal* (Quarter) newspaper, and others. Akhmedyarov pointed out in an interview with Reporters Without Borders that damages awarded for libel convictions involving the government can exceed damages for murder convictions.

The possibility of protecting media outlets and individual journalists is limited by arbitrary behavior and the subjectivity of law enforcement authorities. This can be illustrated by series of cases brought by Almaty city prosecutors against newspapers and websites based only on the narrative of the court decision of Vladimir Kozlov. In it, experts noted that articles published in these outlets were evidence of stirring up social tension, tantamount to inciting civil unrest. The Prosecutor’s Office considered these claims as proven facts. As Lapina states, “All court investigations are full of procedural violations and mismatches. For instance, claims are not addressed to the owners of media outlets but to the outlets themselves, though the latter are not considered legal entities and cannot, therefore,

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act as defendants. Legal concepts are often replaced with arbitrary, judgment-based ones. Although this is done under the pretext of fighting against extremism in the country, it is, in fact, nothing more than an attempt to do away with plurality of opinions, the freedom of speech and political diversity enshrined in the Constitution.”

Although there are no prerequisites for engaging in professional journalism, and the journalistic career is open to anyone willing to pursue it, this occupation has not yet become popular. Journalists constantly risk being sued for libel and defamation; they may be victims of violent criminal attacks, and are not guaranteed any protection in the courts. The Adil Soz foundation recorded 15 attacks against media professionals and arson of the *Zerkalo* (Mirror) editorial office in Temirtau this year, but no one responsible for these crimes was apprehended or punished. The only exception to this rule was the handling of the crime against Lukpan Akhmedyarov, the journalist for *Uralskaya Nedelya* (Uralsk Weekly), who was attacked in April 2012. As a result of the attack, he was hospitalized with multiple stab wounds and bullet injuries. In an interview with RFE/RL, Akhmedyarov associated the assault with the absence of political freedom in the country as well as his professional activities and his position as a civil rights activist. One of the possible explanations provided by Akhmedyarov, was that the attack had been a contract hit for his article “Brother, Father-in-Law, and Nepotism” on a local official, who had been awarded 5 million tenge (US\$ 33,500) for libel from the journalist and his newspaper. Investigators had initially attributed the attack to accidental hooliganism and detained some innocent “suspects” within a month. It was only in December 2012 that news agencies reported on the detention of real suspects, whom Akhmedyarov recognized as the assailants. However, the person ultimately responsible for the hit remains unknown. Akhmedyarov was awarded the Peter Mackler Award for Courageous and Ethical Journalism from Reporters Without Borders in October, 2012.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kazakhstan Objective Score: 1.86

According to the panelists, the reliability of reports and compliance with international standards of journalism are still the weakest links of Kazakh journalism. “Irresponsible journalists, who do not verify information before publishing it face problems that lead not only to hundreds of court hearings on unconscionable coverage, but also to dozens of lawsuits that do not reach the courtrooms since many applicants’ claims are settled during pre-court hearings,” according to Olga Groznaya-Kaplina.

Some media experts claim that bloggers are often extremely irresponsible in presenting information. For example, during a bloggers’ tour in Zhanaozen, which was organized by the government after the violence there, the bloggers prepared their materials only on the basis of information they were provided with, without applying any balance to their reports. Bloggers, in turn, believe that journalists working for the broadcast media are the most biased and unreliable. Journalist Esengul Kapkyzy, who had worked both for traditional (newspaper) and new media, claims that according to her experience the blogosphere is a much more liberal zone, which allows open and honest reporting on topics that the editorial board of her newspaper would have either directly or indirectly forbidden her to write about.

The coverage of Chelakh’s criminal case was another illustration of prejudice and inaccuracy of published materials. Only a few media outlets did a decent job,

### 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).

according to the panelists, citing *Lada* of Aktau and *Novy Vestnik* of Karaganda.

Inaccuracy of materials produced by journalists can often be explained by political bias and sometimes by the very nature of the commissioned materials. The biggest trouble is the lack of experts. As one of the panelists described the problem, "We have always had one and a half economists and one political analyst; that is why Satpaev and Poletaev are our 'everything.'" Sometimes the problem is not the absence of an expert capable of providing a competent comment on a situation, but the fact that this expert cannot be quoted because he or she is unofficially listed as a political liability. Reliability problems may often arise since government officials do not provide journalists with timely information and because sources in governmental offices limit access to socially significant information.

A high level of censorship, persecution, and fear for life, has led to a decrease in the number of high-quality critical materials and journalistic investigations. The arrest, conviction, and pardon of Igor Vinyavsky, an editor of *Vzglyad* (Look) newspaper, may serve as a vivid appalling example of how an independently thinking journalist may be convicted for the gravest of crimes without committing any crime whatsoever. Although pressure exerted by media groups in the country and abroad helped Vinyavsky get out of jail, his detention, conviction and emigration did not spur his colleagues to conduct journalistic investigations.

Each year, more and more issues are added to the unspoken list of "taboo" topics. For instance, the traditionally restricted topic of inter-ethnic relations was joined by the economic consequences of joining the Russia-led Customs Union, the Zhanaozen situation, high profile criminal cases, religious issues, and political party formation and property.

The scope and level of information sensitivity hinges on the legal status of the media outlet. State-owned, especially regional media outlets continue to believe that mass media should only report on positive news, no matter what the topic is. One of the panelists, Esalieva Aynash, a journalist for *Egemen Kazakhstan* newspaper, illustrated it with her personal example: she was working on a critique entitled "Poor Relative's Wedding" concerning a recent theater festival, because she had evidence that the festival preparation was used for money laundering. She even had the support of theater critics and professionals as well as their request to write such an article. However, the editor did not allow the material to be published.

No wonder, as Saule Barlybaeva says, "There is a new problem in the capital city. Journalism there is called 'parquet' style, meaning that journalists run from one official event to another, often rewriting press releases

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without even making an effort to collect any material. Such articles lack any political analysis whatsoever."

One can also escape professional risks by engaging in entertainment journalism. In her presentation at the Alma-Ata +20 International Conference organized by UNESCO and devoted to the 20th anniversary of the Alma-Ata Declaration on Promoting Independent and Pluralistic Media in Asia, Internews Kazakhstan's executive director Elshibaeva showed diagrams illustrating the dynamics of social, political and entertainment programs. According to her data, in the 1990s, state-owned TV channels showed more social and political programs than entertaining ones, whereas private channels, especially regional ones, were dominated by entertainment content. Now the situation has reversed: entertainment content dominates national, state-owned channels, while private regional channels tend to show more political and social programs. According to the panelists, the trend towards more entertaining content in the national broadcast media is growing. Zhaxybayeva called it "A process of dumbing-down the audience by broadcasting lots of Kazakh-language comedy shows like "Nasha Kazasha" and "KZ Landia," with their low-brow humor and absolutely stupid scenarios."

Turkish, Chinese and Korean TV series have become extremely popular with the public, such that Dariga Nazarbaeva pessimistically assessed the low quality of local TV content and added, "We are learning Chinese and Korean."

Apparently, there is little correlation between the quality of media products in Kazakhstan and the amount of funding allocated to media production. The panelists as well as delegates of the 10th Media Forum in Astana repeatedly mentioned enormous sums of money that media outlets "do not benefit from." In addition to corruption that

“flourishes” on government contracts, these contracts lower the degree of freedom of expression and media independence while contributing to intensification of propaganda of the ruling regime instead of high-quality coverage of socially significant topics. Esengul Kapkyzy summarized her newspaper’s experience fulfilling government-issued social service contracts, which is essentially paid PR work. “It was torture for us and our readers. We had to write nothing but panegyrics. Moreover, editors demanded that almost every paragraph begin with phrases like ‘thanks to the wise domestic policy of *Elbasy*,’” referring to the president. Due to the government contract, the amount of work per journalist increased, and the volume of the newspaper grew from its usual 12 pages to 20-24 pages, though without any increase in salaries.”

At the same time, state procurement contracts create new opportunities for production studios and TV channels. Oleg Khe shared his experience in cooperating with Khabar, Kazakhstan, and other television channels. “The quality of TV is improving. The channel entrusts production to outsourcing. This enables it to reduce the staff and cut down on resources. The TV channel now has a choice of what to buy and who to buy from, which encourages competition among studios,” he argued. Cooperation between TV channels and production studios resulted in the proliferation of Kazakh-language programs, especially on national channels: NTK launched a franchise reality show, Channel 7 launched several projects such as “Escape from Aul,” “Dancing with the Stars,” and “The Bazarbaevs.” Despite the initial shortcomings of outsourcing TV production, Ruslan Nikonovich defined the resulting changes as positive for media business.

Many media outlets were also unable to upgrade their equipment without government support. The government allocated considerable budget funds to equip Astana State Media Center (*Media Ortalygy*) with state-of-the-art equipment. Many media outlets purchased universal backpacks with voice recorders, netbooks and photo cameras for their reporters; newspaper reporters were taught how to shoot video and take pictures properly, while TV reporters were trained to use voice recorders. According to the panelist Karlyga Musaeva, the state also funded technical equipment of the training studio of the journalism department of Al-Farabi Kazakh National University. The technical characteristics of its digital equipment are now even higher than those of some leading media outlets. Students and their instructors use this modern equipment for producing educational materials and broadcasting University TV programs.

In general, this year was marked by considerable technical development of the media, and the advance of multimedia

techniques became especially trendy in 2012. Some independent media outlets, such as *Lada*, *Novy Vestnik*, *Otyrar* in Shymkent, *Uralskaya Nedelya*, *Nasha Gazeta* in Kostanay, which continued their participation in the Internews project geared towards promoting regional print media on the Internet, purchased new equipment, and were able to get multimedia editorial desks up and running. New technologies have led to the success of the *Tengrinews* portal, *Forbes*, and some other independent media outlets that purchased new equipment at their own expense.

Interesting technological ‘shifts’ have taken place in business journalism which are, according to experts, the only growing specialized niche. Khe, of *Business Resource* magazine, considers this growth and development logical: “The financial sector in Kazakhstan is quite dynamic. There are serious motives for analysis and prediction, including prospects of Kazakhstan’s entry to the WTO and the Customs Union, and the People’s IPO program, in which more than ten thousand Kazakhstanis are engaged in purchasing shares of the country’s major enterprises. All these processes promote the development of business journalism, since the public needs specialized information. The quality of service and technologies in business journalism are improving fast because business-oriented media outlets are closer to business, marketing and management. For example, our media enterprise is actively published online, paper copies are being replaced with electronic versions. We are expanding pdf-based circulation, introducing hyperlinks. We have also ordered a special software application for the *Pro Finance* website and the newspaper’s adaptation for smart phones.”

In view of the growing technical possibilities for journalists, their incomes are far from a winning situation. According to the data presented at the panel discussion, it turns out that a complete or partial relocation of state-run media offices, especially television, to the capital Astana created a surplus of professional journalists in Almaty, the financial hub and largest city. This led to a reduction in salaries and massive outflow from the profession. The panelists have estimated salaries as follows: An average experienced journalist working for a national TV channel in Almaty or Astana earns about 150-180 thousand tenge (\$1000-1200). Regional journalists earn up to \$700, and sometimes just \$400. This explains why there are so many young, inexperienced journalists in the field while high-ranking professionals cannot find work, as employers consider them overqualified and expect them to demand high salaries.

Aigul Aliyasova believes that, “There are no ‘stars’ with a high rating among journalists anymore. There are media practitioners receiving ‘special’ salaries once set in Dariga Nazarbaeva’s former media corporation but, both

then and now, such payment is based not on ratings and professionalism but rather on friendship, attitude and degree of ‘loyalty.’”

Migration of journalists to other professions, especially PR and press offices of government bodies, is the most widespread ‘career’ move for experienced journalists. Groznaya-Kaplina illustrated it with a vivid example: Why did KTK TV channel produce such wonderful coverage on the Chelakh case? Because one of the best KTK reporters, Evgeny Drobyazko, is now the head of the Supreme Court press service, which explains the fact as to how KTK managed to acquire all that data on Chelakh, even information which was unavailable to his attorney.”

The issue of professional ethics received an unexpected surge in 2012. Although a somewhat anemic discussion between the representatives of donor organizations, the journalist community, and media organizations on the necessity of drafting and adopting the Code of Ethics for Journalists lasted for several years, there were no specific achievements. Most media professionals were biased against it, as they suspected it would become just another tool restricting media freedom. However, once Nazarbayev mentioned that Kazakhstani journalists need a code of ethics, the Ministry of Information and Culture rushed to draft it. Birjanova believes that this legal code was drafted by pro-government media organizations and NGOs, and that its hurried adoption reflects a box-tick approach to the issue. Modern practice demonstrates an absolute willingness of most editors and journalists to serve the interests of any group. Groznaya-Kaplina illustrated it with her own experience as a manager for Internews in Kazakhstan. One of the regional companies produced an extremely optimistic, praising coverage of nuclear physicists for the TV-Exchange project. When she remarked that coverage on another topic had been requested as well, the journalists’ reaction was fast—the next day she received the coverage criticizing nuclear physicists!

### OBJECTIVE 3: PLURALITY OF NEWS

Kazakhstan Objective Score: 1.67

The Ministry of Culture and Information blog contains data on the number of media outlets registered in Kazakhstan, which purport to show thousands of media outlets, most of which are ostensibly private. While some of these outlets exist only on paper, the raw data, as presented at in the “At a Glance” section, is impressive, but it belies weaknesses. Most private outlets are controlled by allies of the government, or are strictly loyal. There are no community media outlets *per se* in Kazakhstan.

Okremova-Medvednikova reported, “Some regional media outlets have been forced to reduce the number of their own programs. For example, Alve TV in Zyryanovsk had to close all local programs except for news coverage.”

Despite the quantitative variety of sources, the access by the public to alternative information has been reduced. The panelists were unanimous in their opinion that the suppression of opposition media, along with prosecutor’s orders concerning 40 media outlets, detentions and arrests of journalists and public figures in 2012, were all crushing blows against plurality of media sources. The transition to digital broadcasting has made non-government media outlets even more vulnerable. According to Zhaxybayeva, the multiplex satellite package *Otau* adopted by a decree of the Ministry of Communications has led to the widespread predominance of state-run channels, with 13 of its 43 channels being affiliates of the national state channel Kazakhstan. It should be noted that such newly emerged state-run channels such as Bilim, Medemiet, Balapan, 24 KZ were included into the free access package right after their creation, whereas other channels, which had been struggling for their place for decades, fought their way into the package with great difficulty. In September 2012, media organizations, especially the National Association

#### 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.

According to Khe, “Media outlets are not transparent, even journalists themselves do not always know who stands behind them.”

of Television and Radio Broadcasters (NAT) of Kazakhstan, made an enormous effort to push two regional channels—TDK-42 (Uralsk) and ALAU-TV (Kostanay)—onto the Otau package. So, the whole palette of regional TV channels will be at least represented by two non-governmental ones.” At the same time, digital TV has expanded public access to local television. The residents of far-away villages could not receive Kazakhstani channels for an entire decade, and now these population groups are ‘rediscovering’ TV, that describes their own world in their native language. Since the digital project has not reached all the regions yet, there is a huge gap between the access to information in rural and urban areas.

Despite the proliferation of mobile telephony, the rate of access to the Internet is still relatively low. According to the *Global Competitiveness Report* on the World Economic Forum countries, just one-third of Kazakhstan’s population uses the Internet, placing 77th out of 142 countries. Most internet users are city-dwellers, since a low economic level of rural residents restricts their opportunity to connect to the internet. Furthermore, hardships with the delivery of non-government print media and absence of cable TV networks in most villages decrease the number of alternative sources of information available to rural residents. On top of that, the economic crisis had its impact on a variety of media sources, especially local ones. According to Diana Okremova-Medvednikova, “Some regional media outlets have been forced to reduce the number of their own programs. For example, Alve TV in Zyryanovsk had to close all local programs except for news coverage.”

Media organizations and the general public fear that the introduction of the so-called “conditional access system” will seriously threaten the free and equal access of the population to information. NAT Kazakhstan, Internews, and Adil Soz petitioned the president, prime minister, and speaker of parliament to cancel the competitive bidding for state contracts of the conditional access system for encoding TV programs, which is conducted by the state monopoly Kazteleradio. They also requested to put the activities of governmental bodies and business enterprises involved in transition to digital broadcasting under the parliament’s control, and to involve the business sector and civil society in systematic examination of the new broadcasting law.

Nikonovich said that the conditional access system had been launched in Karaganda in early December. “Until then, two or three types of receivers certified by the state had been offered in the city. One of those receivers, “Strong”, had been publicized by Kazteleradio, but people used to buy different receivers out of ignorance. And then comes December 4th, the TV screen turns blue and reads ‘The signal is scrambled’. People turn to Kazteleradio to have the signal decoded, but receive an answer that only ‘Strong’ receivers affiliated with Kazteleradio should be used. This is nothing but a monopoly.”

The panelists also described some positive trends in the media development, including a considerable increase in the amount of educational and cultural programs that reflect public interest, especially in state-run TV channels, which is due to state contract funds. One of the most interesting and successful projects is the initiative of the *Bilim* channel in cooperation with Wiki Bilim Kazakhstan foundation to show the TedX series on various topics—culture, economics, finance, education—dubbed in Kazakh. Another was the *Saigez* program, one of whose series was devoted to the elections and gave a floor to a range of political parties to discussing the development of electoral democracy. The project was sponsored by the EU.

Information agencies keep working according to the traditional model. Groznaya-Kaplina believes that they are not increasing video format, are oriented towards text, and face increasing competition. Since many media outlets have an online component, the demand for video content has grown considerably. In 2012, several new information agencies were launched, including DTK, Zhurik.kz, the new blog platform Gonzo.kz, and others, affording new outlets for information and expression.

Practically all media outlets in Kazakhstan prefer to produce their own news, irrespective of the outlet’s genre. The only exception is the radio, where brief news broadcasts are just a copy of news provided by information agencies. News content in various media is almost all the same in terms of topics and sources of information, and this ‘sameness’ has especially increased after the suspension of opposition media outlets in December 2012, a commonality among dictatorship.

Common citizens who receive information from different sources do not understand who this or that media outlet belongs to. According to Khe, “Media outlets are not transparent, even journalists themselves do not always know who stands behind them.” For example, in November, one journalist, Nazira Darimbet of RFE/RL’s Kazakhstan bureau, Azattyk radio, went public with allegations of wrongful dismissal and tribal attitudes at the organization.

The subsequent discussion gave birth to a hypothesis that Azattyk is backed by a leading politician, current Astana mayor Imangali Tasmagambetov. Azattyk makes no attempt to conceal the fact that RFE/RL and its affiliates are funded by the US government. However, the fact that this possibility was raised in a serious forum illustrates how little information is available on media ownership. No official data on media ownership, their affiliation with certain structures and their funds are available to the general public.

Mass media in national minority languages are mainly print media based at national cultural centers under the auspices of the Assembly of the Peoples of Kazakhstan. They are not sold at retail. According to Lapina, a self-financed newspaper in Ukrainian is barely surviving. Media outlets of other minorities, including visually impaired people, also face financial distress.

The share of international news in the overall news flow is still insignificant. For example, Kazakh media provided almost no coverage of the meeting in Bolotnaya Square in Moscow to protest fraudulent elections there. The Kazakhstani public could only receive this information from the Russian media or the Internet. As Karlyga Musaeva noted, "If we are cut off from the Russian media sources, we will not even know what our nearest neighbor is doing." On the other hand, news from Arab countries showing destruction and death of war and civil unrest are broadcast intensively. One of the panel participants noted that the state-run media were especially active in that, as if warning the public, "Do you see what revolution has produced there?"

#### OBJECTIVE 4: BUSINESS MANAGEMENT

Kazakhstan Objective Score: 1.76

The issue of the efficiency of state-owned media enterprises is not yet on the agenda. As Nikonovich reports, the impact of government is of huge concern. "No one evaluates the impact of this spending, whether they solve the problems, improve the state of being. Virtually no one cares about it. They just that the contract was fulfilled, the newspaper reports on the number of articles published, the TV channel reports on the time devoted to, say, the President's Address to the Nation, and so on. These are not market relationships, the goal here is to spend the funds, not to earn profits, so efficiency is not monitored."

Commercial media and publishing houses, on the other hand, are barely surviving in the difficult post-crisis situation as their main source of income, i.e. the advertising market,

"No one evaluates the impact of this spending, whether they solve the problems, improve the state of being. Virtually no one cares about it," Nikonovich reported.

has not yet recovered after its sharp fall in 2008, and the share of print media is not growing either.

Kraus described the success story of her media outlet, the *Novyi Vestnik* newspaper in Karaganda. "The enterprise has been in the market for 16 years already, and we have been #1 in the city in terms of circulation for the past 12 years—about 20,000 copies, more than [state-owned] *Industrial*. But we were and still are an exception in terms of cost recovery and management efficiency despite unequal conditions: unlike state-owned newspapers, we cannot force subscriptions and do not receive social service contracts." Some state institutions continue the Soviet-era practice of forcing their employees to subscribe to state newspapers. Non-state newspapers are often affiliated with some commercial media group, which includes TV, radio and perhaps its own printing house. For example, *Atyrau* in Shymkent is both a TV station and a newspaper, *Diapazon* in Aktubinsk combines a newspaper with business, and there is a combination of a newspaper with a printing house in Kostanay.

Another example of efficiency mentioned by the panelists is the *New Television* from Karaganda—the only regional TV

#### 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.

Kraus reported, “We were and still are an exception in terms of cost recovery and management efficiency despite unequal conditions: unlike state-owned newspapers, we cannot force subscriptions and do not receive social service contracts.”

station that managed to get to the national level, and was included in the free package not only in Karaganda, but also in Almaty and Shymkent. This TV channel entered the cable network of the IDTV national operator.

The discussion that followed concluded that a real picture of the outlets’ cost recovery is unavailable since private entrepreneurs often resort to a double-entry bookkeeping system in order to hide their real profits and expenses due to the ill-conditioned tax system. According to most experts, the low financial efficiency of print media can be explained by the absence of skilled media managers, which leads to unprofessional management. Groznaya-Kaplina illustrated this with the example of *Panorama* newspaper, which had to suspend its work and change owners as it was absolutely inefficient. She believes that media managers focus too much on content management and journalists’ work rather than commerce. They lack marketing skills, which is unforgivable in the modern market economy. Saule Barlyvaeva argued that the situation will change when media managers begin entering the market from the new program at the English-language Kazakh Institute of Management, Economics, and Strategic Research (KIMEP).

Khe shared his experience of efficient media management. “Rather than doing everything ourselves, we have taken an opposite approach. We optimized everything, removed undue departments and started to outsource a lot of things. For example, the design was transferred to the *Illustrated* in Karaganda, which employs a whole team of layout designers, and we get a better product and higher quality than from one in-house designer. Financial management was entrusted to a consulting company, also an outsourced. Thus, our company shrank but the quality of its service improved.”

New legal regulations enable TV channels and Internet media outlets to outsource work to production studios even if the latter are far away or even abroad. Such a freedom of choice will obviously lead to positive changes in the Almaty and Astana market, where service providers used to charge higher rates for lower quality. Khe and Nikonovich said that

the production studios from Karaganda turned out to be the most flexible and creative, so that they are already working for Astana, Channel 7 and other TV channels.

The economics of internet media are not transparent and apparently not cost-efficient yet. Some websites charge to post materials on the main page, such as Y-vision. The .kz domain is rapidly developing. According to the Kazakhstan Franchise Association, there were 81,175 registered .kz domain names as of October 2012, and the turnover in this segment was about one million dollars, with an average growth rate of 12 percent.

However, real revenues from the Internet remain in the future. Here is how advertising market experts estimate the distribution of the advertising in Kazakhstan: “Advertisers’ expenditures for internet advertising constitute no more than 3–4% of the media market. Even the most optimistic forecasts promise its share to become equal to that of the printed media only in 2016. TV is still a definite leader—its share of the advertising budget is 56%. Outdoor advertising comes second with 22% of the advertisers’ budget. Printed media and radio are gradually losing their former positions retaining 13% and 6% of promotional costs respectively.”<sup>1</sup>

According to Ruslan Nikonovich, the times of ‘parochial’ advertising distribution are coming to an end. Those media outlets that are still employing an advertising agent and are trying to work only with local advertisers would have already starved to death had they not been subsidized by state contracts. Such a narrow-minded local approach cannot compete with the possibilities of such huge complex service companies as Video International, Alma Media and Orange Point, which sell media services from Almaty.

Just as in the past, there is no standard distribution of the sources of media income. Newspapers are receiving less and less from sales and subscriptions since the amount of free Internet content discourages people from buying printed media. Nikonovich estimates the share from sales of regional printed media to constitute no more than 5–10%, but print media sales in densely populated cities may still be profitable. In fact, it has already become quite difficult to attract national advertisers, let alone foreign ones. Under these circumstances, state contracts have become the only way out of a difficult economic situation for both state-owned and private media outlets.

However, competitive bidding for state contracts is a matter of politics rather than economic efficiency, especially in the regions. The winners are not necessarily the most popular media outlets or the ones with the highest ratings,

<sup>1</sup> Interview available in Russian at <http://www.kursiv.kz/weekly/tendencii-weekly/1195234261-reklama-ne-vlipla-vo-vsemirnuyu-pautinu.html>

but rather the most politically engaged and loyal ones. In most cases, local authorities and government bodies know the winners in advance. The panelists illustrated it with the example of the *Kostanayskie Novsti* (Kostanay News) newspaper, which belongs to a business tycoon. This newspaper always receives the most handsome grants from the state budget. State contract funds allow the newspaper to lower its advertising fees, equivalent to offering dumping prices. According to Zhaxybayeva, the unfair distribution of the state financial support artificially makes the market noncompetitive and prevents the establishment of new media outlets and more efficient media firms.

Market research is becoming more widespread even in regional media outlets. Several prominent companies specialize in media market research, including TNS-Gallup, Brief, and others. Less affluent media outlets fall back on local sociologists and market analyzers. No matter who conducts the market research, each time the results look questionable, and do not satisfy media managers or editors. As for TNS-Gallup research, regional media outlets consider their data to be quite unreliable and not representative of their particular regions, as they argue that too few meters were allocated to their region. No panelist could recall any story illustrating the efficiency of research results and their impact on the subsequent activity of the media outlet. Groznaya-Kaplina said, "Constant questions on the reliability of such ratings arise because of the alleged (though unjustified) association of marketing companies with some media corporations."

No violations concerning circulation figures were detected in 2012, because in previous years several print media outlets had been suspended due to incorrect or unspecified circulation figures. Therefore, advertising agencies can safely rely on circulation figures. In contrast, Internet ratings are far from being honest. Extra traffic is often produced by manipulations of hyperlinks, when website visitors are promised some sensational material or pornography, the pursuit of which sends them on endless clicking circles. Each click on such a false link automatically adds visitors to the other websites as well. Media experts call such ratings 'shit traffic'. Nikonovich noted that many Kazakh websites have 'traffic bursts.' "50 visitors suddenly become five thousand a day, due to this 'shit traffic'," he said.

Business-oriented internet media outlets are usually interested in finding out who visits their websites and why, so they use local as well as international web counters, among which Google counter is considered to be the most reliable.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Kazakhstan Objective Score: 2.20

The year 2012 was significant for media associations and media NGOs as key organizations, such as Adil SOZ, NAT Kazakhstan, and Internews Kazakhstan managed to join their efforts in lobbying state authorities concerning the digital reform and development of television legislation.

As a membership-based organization, NAT worked to defend the interests of private regional television channels and cable operators. The whole year was devoted to multiple meetings with key politicians at various levels of authority, explaining the interests of TV channels and communications operators, examining laws, and promoting proposals concerning changes in draft laws. Ruslan Nikonovich, who represents one of the NAT member organizations, said, "Thanks to this association, two regional channels have been included in the satellite package, and thanks to that we are in the multiplex. It is just incredible how much the Association has managed to do."

These achievements became possible due to NAT's international cooperation with other business associations related to television and radio broadcasting. For instance, it was useful to study the experience of Russian colleagues, who had gone through the same process earlier. For example, NAT is now working on compensation for the loss of frequencies. In Russia, President Putin supported this approach, so NAT is lobbying to do the same in Kazakhstan. According to Nikonovich, "Ministers are still against such

### 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.

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a law, so we tell them: we are in the Customs Union and Single Economic Space; therefore, if compensations are paid in Russia, what about us? The Ministry replies: No funds. And we respond: You have 52 billion tenge (\$345 million) to upload the signal to the satellite but do not have the money to reimburse us for having maintained those frequencies? Either give us our money back or let us retain the frequencies.”

Sholpan Zhaxybayeva, executive director of NAT, sadly added, “Much more could have probably been attained with the journalists’ solidarity. When NAT, Adil Soz, and Internews Kazakhstan petitioned the president, prime minister and speaker of the Majlis, we asked the journalists’ organizations and individual journalists to back us, but did not receive any support. The journalist community seems not to care whether the citizens will have access to free television and alternatives to the state-run media. Our actions were met with silence, the country’s media outlets preferred not to inform the general public about these problems.”

The Pirate Party of Kazakhstan, which unites the most prominent Kazakh pirate websites, has become especially active after the adoption of a new law intellectual property rights. The association and the party representatives rightfully claim that most traffic in the .kz domain is generated by illegal content. As long as the Kazakh Internet is unable to produce legal content of sufficient quantity and quality, and the vulnerable population cannot access media products due to poverty and other limitations, the Pirate Party argued it would to close all pirate resources radically. The members of the association addressed the authorities with a letter signed by many users who want to download free songs, music and films because they just cannot afford to use paid sources.

Although media organizations do not always succeed in achieving their aims and converting public interests into real reforms, the state still relates to them as a serious force and even as a threat. In any case, the state authorities continued founding pro-governmental organizations, referred to by the Kafkaesque phrase government-organized non-governmental organizations (GONGOs). The panelists mentioned quite a few GONGOs that were established under the auspices of Ministries and Departments, such as the Guild of Court Reporters, the Association of Sports Journalists, and others. Having been initiated by the Ministry, and being 100% funded through the Ministry, such organizations fully support their founders’ policies. They become active on demand, support proposals voiced by officials, and create a silent ballast in discussions conducted by media organizations that try to protect the rights of the non-governmental media.

There are few media organizations that do work, especially in the regions. Most organizations are concentrated in Astana and Almaty. They provide media outlets with legal support, take part in drafting new laws, conduct actions and advocacy campaigns, conduct training sessions, and examine new laws. They mostly subsist on grants from international organizations. They would likely face closure, due to pressure or lack of funds, without significant foreign backing.

There is no single trade union in Kazakhstan, though the media community has lately raised the issue of its necessity because journalists need an organization that can consolidate them and provide them with real financial, legal and moral support. There are separate trade unions in media outlets, such as at *Vecherny Taldykorgan* and *Kostanayskie Novosti*.

A new trend noted by the panelists is an increased variety of training programs for journalists. According to Groznaya-Kaplina, “there were more training sessions devoted to launching Internet media, but it should be mentioned that many training sessions were taught by unskilled people who are not experts in the field.” She illustrated this with the example of an organization that came to teach journalists on how to write blog posts but failed to provide the participants with computers and Internet access, as such, they taught theory, not practice. Such an abundance of training programs is often explained by the trends set by donors rather than by real needs and opportunities facing the media.

The system of higher professional education of journalists is still lagging behind media market demands. The availability of new specializations and adequately-equipped classrooms did not affect the cadres of journalists. It is nice to see that the institutions of higher education, including state-run universities, understand the demand reforms and are ready to experiment and provide their students with the opportunity to compete in academic mobility programs, introduce new subjects, invite the most successful practitioners to teach specialty classes, and other initiatives. However, media experts are still quite skeptical about the higher education of journalists. For example, Aynash Esalieva from *Egemen Kazakhstan* claimed that their media outlet is trying not to employ graduates from the Faculty of Journalism at Al-Farabi University because they do not have mentors to train the graduates who are hired. Groznaya added, “Although KIMEP offers a lot of courses devoted to online journalism and applies it everywhere, each student has to register on Twitter and Facebook and do online assignments only on those social networks. On the one hand, the graduates are not afraid of technology anymore. On the other hand, these graduates lack professional skills:

they are unable to write properly, their Kazakh is not improving, and they cannot even speak properly. Young people have stopped reading books, even though books are the best way of learning how to write well. Media technologies are introduced at a rapid pace: a new service that is invented today will already be demanded in the media outlet tomorrow.”

Related businesses sometimes also experience serious pressure from the government. For example, there have been several attempts to initiate licensing for printing houses, though the printing houses are subject to political influence even without licensing. For example, state-run printing houses do not print opposition newspapers. *Respublica* first had to be printed on a risograph, and then in Russia, because local printing houses refused to print it out of fear for their own businesses.

Besides, the printing business itself is economically quite risky. Expendable materials for printing newspapers are becoming more expensive, especially due to high customs duties for the newsprint. The prices of energy and fuel are also growing. One of the key partners for print media, the postal service Kazpochta, is also becoming politically engaged and often refuses to distribute opposition newspapers. Also, the number of Kazpochta outlets shrinks from year to year. For example, it was announced that an additional 100 Kazpochta rural branches would be closed by the end of 2012 due to their unprofitability. There are no newsstands in villages, and retail distribution in the rural areas can only be provided by individual entrepreneurs on a private basis. That is, the situation in this aspect is not improving, and the trend toward the infrastructure degradation in the regions is only increasing.

In contrast, the infrastructure of information and communication technology significantly improved in 2012. According to the panelists, the fact that TV and radio broadcasting was under the auspices of the Ministry of Transportation and Communications has unexpectedly played a positive role. Today, according to Ruslan Nikonovich, and other panelists, the infrastructure is capable of satisfying the needs of media outlets and the public. The ministry’s Digital Inequality and Digital Divide Program improved Wi-Fi and 3G accessibility, audio and video streaming quality, improved information transfer via mobile networks, less expensive gadgetry and equipment, and a lower price for internet traffic. All these achievements facilitated development in the media sphere.

## List of Panel Participants

**Diana Okremova-Medvednikova**, director, North Kazakhstan Legal Media Center, Astana

**Olga Kraus**, chief editor, *New Herald* newspaper, Karaganda

**Sholpan Zhaxybayeva**, executive director, National Association of TV and Radio Broadcasters of Kazakhstan (NAT), Almaty

**Olga Groznaya-Kaplina**, *TV-Exchange* Project Manager, Internews Kazakhstan, Almaty

**Esengul Kapkyzy**, director, *Minber* media NGO, journalist, Almaty

**Sofia Lapina**, web editor, journalist, Adil Soz, Almaty

**Ruslan Nikonovich**, director, *New TV*, Karaganda

**Aynash Esalieva**, journalist, *Egemen Kazakhstan* newspaper, Almaty

**Saule Barlybaeva**, professor, Kazakh National University; member of Kazakhstan Communication Association, Almaty

**Karlyga Musaeva**, associate dean for science and international relations, journalism department, Kazakh National University, Almaty

**Vladimir Pavlenko**, editor, *Sovetnik.ru* Kazakhstan PR portal, Imaty

**Aigul Aliyasova**, blogger, journalist, former manager of *TV KTK*

**Oleg Khe**, director, *Business Resource* media corporation, Almaty

*The following participant submitted a questionnaire, but did not participate in the panel discussion:*

**Gulmira Birzhanova**, lawyer, North Kazakhstan Legal Media Center, Astana

## Moderator & Author

**Gulnara Ibraeva**, media expert; associate professor, sociology department, American University of Central Asia, Bishkek, Kyrgyzstan

*The panel discussion was convened on December 14, 2012.*