
Amendments to the television and radio broadcasting law were also adopted, prohibiting the broadcasting of foreign advertising on cable networks.



KAZAKHSTAN

Throughout the past year, Kazakhstan endured economic hardship, which in turn hurt the media industry. Key political events included presidential elections, entry into the World Trade Organization, declining oil prices, and the sharp devaluation of the Kazakhstani currency, the tenge. Amidst the economic downturn, advertising in the media declined by one third, many periodicals shut down, and some investors left the country entirely.

New Kazakhstani legislation tightened controls over the freedom of speech, and as the human rights situation declined social tensions heightened. These legislative initiatives were unquestionably influenced by the Ukraine-Russia conflict and the general intensification of conflict throughout the world. In 2015, a record number of journalists, bloggers, and citizen activists were prosecuted for provoking ethnic and religious conflict, distributing inaccurate information resulting in breaches of public order, and for separatism and terrorism. Many of those prosecuted received actual prison sentences.

Despite the president's appeals for general economizing and state budget reductions, the government has not decreased media funding. However, as before, the money is not being spent in a transparent or effective way and, instead, is often used for propaganda and funneled to pro-government media loyal to the authorities.

In late 2015, new legislation on access to public information was adopted, according to which Kazakhstan plans to join the Open Government Partnership, an international platform for domestic reformers committed to making their governments more open and accountable. Amendments to the television and radio broadcasting law were also adopted, prohibiting the broadcasting of foreign advertising on cable networks. Another new law, regarding the work of NGOs in Kazakhstan, strengthens the state's financial control: now NGOs must enter a special government registry.

In summary, the freedom to express opinions in Kazakhstan is in a perilous state. New legislation is directly promoting fear among citizens and media, and has an intimidating effect on realizing the right to freedom of speech. As a result, Kazakhstan's MSI score fell slightly, from 1.93 to 1.81. While all five objectives experienced some backsliding, it was Objective 1, Freedom of Speech, and Objective 2, Professional Journalism, which experienced the most significant losses in score.

KAZAKHSTAN at a glance

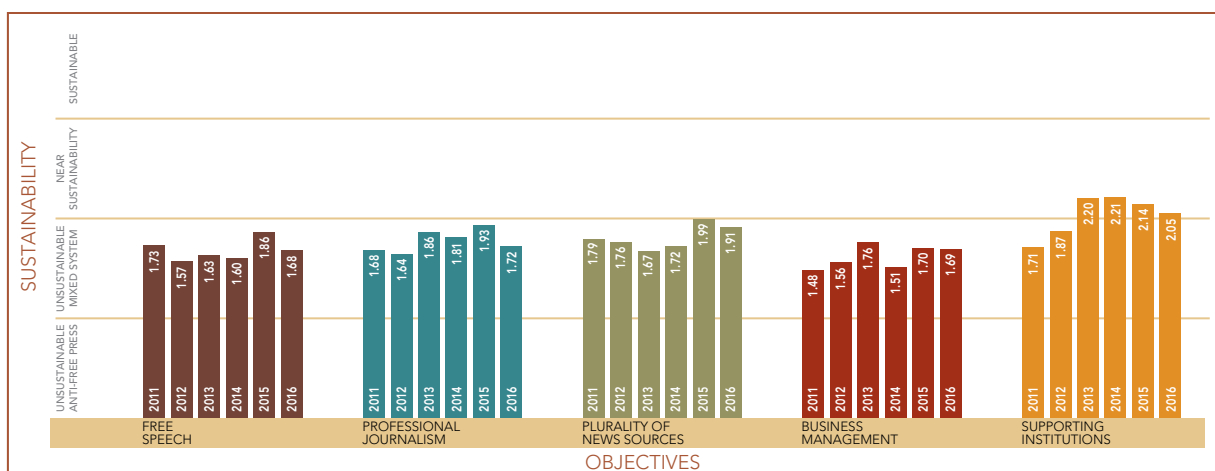
GENERAL

- > Population: 18,157,122 (July 2015 est., *CIA World Factbook*)
- > Capital city: Astana
- > Ethnic groups (% of population): Kazakh (Qazaq) 63.1%, Russian 23.7%, Uzbek 2.9%, Ukrainian 2.1%, Uighur 1.4%, Tatar 1.3%, German 1.1%, other 4.4% (2009 est., *CIA World Factbook*)
- > Religions (% of population): Muslim 70.2%, Christian 26.2% (mainly Russian Orthodox), other 0.2%, atheist 2.8%, unspecified 0.5% (2009 est., *CIA World Factbook*)
- > Languages: Kazakh (state language) 74%, Russian (official, used in everyday business) 94.4% (2009 est., *CIA World Factbook*)
- > GNI (2014-Atlas): \$204.8 (World Bank Development Indicators, 2016)
- > GNI per capita (2014-PPP): \$21,710 (World Bank Development Indicators, 2016)
- > Literacy rate: 99.8%; male 99.8%, female 99.8% (2015 est., *CIA World Factbook*)
- > President or top authority: President Nursultan Abishuly Nazarbayev (since December 1, 1991)

MEDIA-SPECIFIC

- > Number of active media outlets: Print: 1,367 newspapers, 531 magazines; Television Stations: 95; Radio Stations: 58; Cable Operators: 99; Satellite Operators: 8 (Ministry of Investment and Development, 2015)
- > Newspaper circulation statistics: Top four, by circulation, are *Karavan* and *Karavan-Class* (partly private, weekly) circulation 500,000 combined; *Yegemen Qazaqstan* (state), in Kazakh, five times weekly, 201,750; *Kazakhstanskaya Pravda* (state), in Russian, five times weekly, 100,000; *Ekspress-K* (partly private), in Russian, five times weekly, 100,000
- > Broadcast ratings: Top 4: 1 Channel Eurasia, NTK, KTK, 31 Channel (<http://www.tns-global.kz>)
- > News agencies: 65 news agencies, most-used include Kazakhstan Today, KazInform, KazTAG, Bnews, Business Resource, Interfax-Kazakhstan (Ministry of Investment and Development)
- > Annual advertising revenue in media sector: Advertising agency statements vary widely. Estimated annual revenue in media is \$154 million, distributed as follows: TV 67%, radio 12%, print 10%, internet 5%, outdoors 6% (TNS Kazakhstan)
- > Internet usage: 10.6 million users (2014 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: KAZAKHSTAN



MEDIA SUSTAINABILITY INDEX 2016: OVERALL AVERAGE SCORES



CHANGE SINCE 2015

▲ (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_msiscores.xls

OBJECTIVE 1: FREEDOM OF SPEECH

Kazakhstan Objective Score: 1.68

Despite Kazakhstan's constitutional provisions on freedom of speech and freedom of dissemination of information, national implementation does not guarantee the protection or respect of these freedoms. In 2015, media law became more restrictive, particularly for journalists and bloggers, distancing the country even further from the international standards on freedom of speech enshrined in the International Covenant on Civil and Political Rights (ICCPR).

Severe political control is exercised over media in Kazakhstan, including constant monitoring of media production, blogs, and Internet resources. "In such a suffocating atmosphere, Kazakhstan's journalists and bloggers are deprived of the ability to exercise their right to freedom of speech and the dissemination of information. For this reason, self-censorship and censorship by media owners is prevalent, particularly where state media are concerned," says Internews-Kazakhstan media-lawyer Olga Didenko.

State control is exercised over major television, radio and Internet media, which, through various channels, receive funding from the state as well as other pro-government domestic and foreign institutions. Government-funded

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.

"People do not view press as either official or independent press, but instead distinguish between government and opposition press. If media report that a journalist is attacked due to professional activities, the public reaction is, 'well, it's the opposition press,'" said Azhenova.

media also receives priority access to official statements and information. According to National Association of Broadcasters media-lawyer Sergey Vlassenko, society has forgotten the meaning of freedom of speech, and it instead has been replaced by the idea of access to information and Internet.

At the beginning of the year, a new Criminal Code came into effect that establishes liability for "dissemination of knowingly false information resulting in disturbance of the public order" and provides for sentences of up to ten years imprisonment. Further restricting freedoms, the phrase, "through the use of networks of information communication," meaning Internet and mobile communications, has been added to all articles. Similarly, the new communications law affords the general prosecutor the right to block websites on his own initiative without a court order, Birzhanova notes. Also in 2015, the court ordered a ban on the use of all anonymizers.

After several years of being shutdown, the blog LiveJournal was unblocked in 2015. Sites are blocked for various reasons, most often associated with the dissemination of information that authorities consider unlawful. All sites are subject to local jurisdiction, although some are blocked by court order in more extreme cases, such as pornography, advocating violence, extremism, and terrorism; no institution has taken responsibility yet for the blocked independent websites ratel.kz and zona.kz. Many popular online sites were blocked in Kazakhstan for showing the film *President* by Russian television journalist Solvyev, which shows Kazakhstani children undergoing military training and threatening to kill unbelievers in ISIS camps.

Nevertheless, the panelists consider Internet media much freer than traditional media, such as print media. In Kazakhstan it is easy to launch an online resource and distribute information on social networks.

There are very few independent Kazakh-language media, *Dat* and *Obshchestvennaya Positsiya*. Russian-language media tend to be prosecuted more than Kazakh-language

media. According to Profi-Azia media-trainer Asqat Yerkimbay, social- and economic- themed programming is becoming more common in Kazakh-language media. However, there is essentially no investigative reporting; instead some Kazakh-language publications may write extended news pieces. "This is a manipulation of social awareness and an attempt to divert attention from real problems," according to the director at Adil Soz Foundation Galya Azhenova.

Regarding licensing, the situation in Kazakhstan is unchanged for print media and television. The new information law, which enters into force in 2016, requires websites to register as online publications; however, many of the concepts and standards of the law remain unclear and inexact. Yet the absence of a license or tax registration certificate is used as a basis for shutting down media, which Birzhanova notes as excessive and in violation of international standards.

The media industry does not differ from other markets, and media receive no tax concessions. However, one obstacle to the development of the media market is the 20 percent cap on foreign media ownership, though BIZ-Media president Tulegen Askarov explains that many circumvent this prohibition. Additional limitations were introduced in 2016 on foreign broadcasting, blocking all Russian broadcasts channels on cable systems. Owner of *Tvoy shans*, Sergey Mirolubov, mentioned that the rules for conducting business are not the same for public and private media.

In the print media market, the authorities provide competitive advantages to the government press; certain publication subscriptions are required by state companies and implicit priority is given in their distribution. "State-funded media have guaranteed subscriptions and there is no market justice," the Mirolubov added.

Journalists do not feel protected by Kazakhstan laws, and the new legislation further foments fear. Mid-2015, journalist Bota Zhumanova was severely beaten outside her own home and the assailant was found only but only due to widespread publicity on the social media instead of police investigation. A total of nine attacks on journalists were recorded during the year. However, Kazakhstan authorities have never officially categorized such offenses as relating to the professional activities of any journalist. The public response to such event varies. "People do not view press as either official or independent press, but instead distinguish between government and opposition press. If media report that a journalist is attacked due to professional activities, the public reaction is, 'well, it's the opposition press,'" said Azhenova. "The public value freedom of speech, but fear makes people silent."

As to editorial independence, the situation in Kazakhstan is consistently bad. "Independence is a direct result of the conditions under which funding is provided, which makes state-funded media an instrument of government for propaganda and not a reliable and objective source," Didenko remarks. This practice creates serious problems; for example, during the election campaigns the political parties and candidates do not have equal access to government media to present their positions.

Throughout Kazakhstan, government media structures have complete control over some regional programming. Kazakh Press Club president Assel Karaulova adds that the content of public media is dictated by the Office of the President. As a result of efforts to privatize government assets, a number of regional media have successfully transitioned to private ownership, which is a progressive development. However, due to the current economic crisis, more private media, particularly regional media, are turning to the government for funding, sacrificing editorial independence. "In the regions, the fact the even basic local concerns are not addressed in the news is an issue," Karaganda general director Ruslan Nikonovich remarks.

Libel and defamation are criminal offenses in Kazakhstan; and in 2015, there were 52 cases, six of which led to convictions. Many received prison sentences between two to five years. In these six convictions, traditional press materials, Internet materials, as well as personal WhatsApp communications served as the basis for the verdicts. According to MEDIANET director Igor Bratsev, "Criminal punishment for defamation is a primary driver for self-censorship in the media." A particularly high-profile case was that of the Pavlodar journalist, Yaroslav Golyshkin, who conducted a journalistic investigation of a rape in which the son of a mayor was allegedly involved. As a result, the journalist was tried for extortion and sentenced to eight years in prison.

Lawsuits over the protection of honor, dignity, and professional reputation are common. In 2015, 91 cases were reported. The lawsuit brought by Kazkom bank against the website *nakanune.kz* is considered one of the most high-profile cases. In addition to the compensation journalist Guzyal Baydalinova was ordered to pay to the bank, criminal charges were also filed against her and several others for disseminating knowingly false information.

At the end of the year, the Access to Information Act, strongly supported by many Kazakhstan activists, entered into force. All of the panelists noted, despite containing several progressive provisions, the legislation is still lacking in certain areas. The law contains many exceptions to its scope and divides information into only two categories:

generally accessible information and information with limited access. The latter category includes sensitive government and legal documents, as well as state information marked “for official use only.” Also, no structures have been created to consider complaints and disputes.

In practice, journalists are regularly denied access to information. As Azhenova remarked, “Throughout the last 20 years, officials have become accustomed to thinking that journalists are interfering with their work. They have fought with them at all levels, attacked them, damaged their equipment, and threatened their lives. For this reason, one may speak of access to information only with great reservation.”

Access to foreign sources of information is practically unlimited; however, Russian content is the standard source of information. Due to the fact that it is largely propagandistic in content, it is unreliable, particularly in the coverage of conflicts. According to Nikonovich, “Foreign media are more interesting to listen to and read than our public media.” Kazakhstani media are able to reprint and cite other news agency reports and also have the right to rebroadcast, assuming that the media being rebroadcast has acquired the appropriate registration from an authorized government agency.

Entry into the profession of journalism is free. However, access to all events is not free, so in order to cover activities of the parliament or the government journalists must obtain specific accreditation and credentials.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kazakhstan Objective Score: 1.72

Despite the panelists noting that there is a large variety of media and sources of information in the country, media do not represent various viewpoints. Media is divided into public and private press. Because Kazakhstan has an opposition in the classic sense of the word, government propaganda is disseminated in the media and any contradiction to government policy is simply discredited as opposition opinion.

According to Azhenova, journalists seldom check their facts. “Content is superficial and rarely includes reliable sources and professional experts.” Stories are frequently written based on one source of information. In the end, these situations tend to turn out differently than they are originally reported. Azhenova notes that the Kazakh-language press is particularly subjective.

In the capital, “parquet journalism” or “lazy journalism” is practiced more and more frequently. Journalists do not engage in any analysis, but simply describe events or publish press releases. Public media typically makes no effort to develop reports, and instead merely praising authorities and reprint stories from the Internet. Media outlets are noncompetitive and, for this reason, Russian channels induce fear are more popular in Kazakhstan.

Private media are typically objective, specifically including such organizations as *Nasha gazeta* in Kostanay, *Diapazon* in Aktyubinsk, *Vecherniy Taldikorgan* in Taldykorgan and *Uralskaya nedelya* in Uralsk. As Birzhanova says, the only independent press is now in the regions, outside the capital.

Currently, the country has no general standard of journalistic ethics recognized by the entire community. As Askarov notes, a code of ethics was adopted by the Kazakhstan Editors-in-Chief Club, but this was primarily a gesture of support for the election campaign. This lack of ethical standards leads to nonobjective, low-quality journalism and publications that promote propaganda and corruption among journalists. Commercialized news coverage is widespread and particularly evident on television and radio, but also appears in Internet resources and in social media. Recently, “brand ambassadors” have been operating with certain bloggers to cover events on a commercial basis. Similarly, government agencies and large businesses are frequently organizing press tours in order to publicize their activities in exchange for trips and gifts.

Particularly notable are the ethical problems in coverage of children’s issues. Journalists reporting on instances of child

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

“The authorities do not have to review all the stories produced by mass media, since the reporters themselves know the limits that exist regarding the subjects that can be covered,” Bratsev remarked.

suicide, child abandonment, and pedophilia tend to focus on sensationalism and disregard moral principles.

As Bratsev explained, a recent survey revealed that self-censorship exists among Kazakh media experts. Reporters, editors, and owners agree that the problem is less censorship in the classic sense, but self-censorship by journalists and the owners of publications. “The authorities do not have to review all the stories produced by mass media, since the reporters themselves know the limits that exist regarding the subjects that can be covered,” Bratsev remarked. Employees of certain government-funded publications and television channels noted that they have a list of persons and subjects that are taboo. Furthermore, some editors report that they are in constant contact with authorities regarding corrections of stories. For example, evidence of the personal debts of the daughter of President Darig Nazbayev was publicized on one website, but this information quickly disappeared from the Internet.

In late 2015, a story involving the London correspondent of the television channel Khabar, Bela Kудaybergenova, became highly publicized. Kудaybergenova stated that she was fed up with not reporting the truth and accused her employer of disseminating knowingly false information. This was widely covered on the social networks. While, some considered her statement public activism, others suspected that the journalist was seeking a pay raise.

Editors have noted their fear of preparing stories on social and political issues. Reporting on these subjects can lead to complaints from officials, lawsuits with potential to ruin the media organization, and loss of work.

As a whole, only a handful of media cover citizen activists and protests. Therefore, the prosecution brought against activist Boltabek Blyalov for inciting ethnic unrest was covered by the website Azattyk and a few bloggers. Similarly, the protests against banks that occurred in December in Almaty received very little coverage. Anything related to national security, public protests, the president’s family, or events in Ukraine and Russia is a forbidden subject for the majority of the media. Information about such topics can only be found on the Internet. Birzhanova notes that

public media have almost no coverage of foreign politics and instead concentrate on domestic coverage.

Due to the current economic crisis, the pay level of journalists is declining, the number of reporters is has reduced, and certain publications have closed or are on the brink of closing. Journalists’ salaries depend on the region; the monthly pay varies on average between KZT 80,000 and KZT 250,000. The panelists’ note that experienced journalists are in high-demand and there is even a shortage, due to limited training opportunities in Kazakhstan. Journalists frequently leave for public relations jobs, where there is a greater possibility of financial stability and opportunities for press secretary jobs at large companies. Many journalists must work for more than one publication. This is particularly characteristic of the regional media, which are under both administrative and economic pressure.

Didenko believes entertainment content is becoming a higher priority. This is particularly characteristic of radio programming. According to Karaluova, journalism in the country is becoming less risky and more entertaining; the content is neutral and neither statements from experts nor opinions are supported by facts or statistics. However, in a society dissatisfied with a large quantity of entertainment, the people need current and important information, Azhenova remarked.

Large, government-funded television and radio companies are very well-equipped with technology, while this is only moderately the case for the others. Frequently, the editors recruit workers through the Internet at no cost. However, journalists do not use voice recognition applications and unlicensed software is frequently used.

Specialized or niche journalism exists in Kazakhstan, including focuses on business, medical, sports, and women’s journalism, among others. In 2015, a new economic website was published, Atameken Business Channel.

Specialization in social and political publications remains a problem. Askarov is certain that the majority of top media managers are not interested in this type of reporting, since it is more convenient to have journalists who cover a variety of subjects, even at the cost of quality. Moreover, specialized journalists are in great demand by the press as well as public relations departments of large companies, banks, and government agencies, where they are assured of higher and more stable pay as well as a benefits package. For this reason, the pool of specialized media is dwindling. For example, a whole chain of business publications actually operate without a journalistic staff. The migration of journalists abroad, and particularly to Moscow, also continues.

As for investigative journalism, this virtually does not exist in Kazakhstan and is dangerous both professionally and personally for the journalists. Moreover, the public does not demand investigative journalism. "High-quality reporting and analytical pieces are gradually disappearing," Karaulova observed.

OBJECTIVE 3: PLURALITY OF NEWS

Kazakhstan Objective Score: 1.91

More than 5,000 media outlets are registered in Kazakhstan, 82 percent of which are considered private. However, in reality, the number of operating media is much smaller and, in most cases, the private media are affiliated with the government in one way or another. Didenko believes that the government's information policies are not aimed at developing a large number of information sources that would enable people to compare information, draw conclusions, and make decisions on social and political issues. The intent of the government is to promote a political agenda and self-advertise.

All types of media are represented in the country, including television, online, print, and radio, but the majority of them publish innocuous analytical content or are simply transmitters of news. Considering the technical development of media, nearly all print media have Internet versions, presenting a variety of multimedia content, which respond to the varied demands of the user. Increasingly, online media

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.

are creating mobile apps. This is in response to the constant growth of the Internet audience, which reaches around 10 million users in Kazakhstan. Yerkimbay believes that information on the Internet is also more current than in the traditional media.

According to Askarov, in 2015, the rapid development of broadband and mobile access to the Internet, along with the growing popularity of social networks is resulting in the gradual exit of traditional media from the market. Significant reductions in mobile Internet service costs are also a contributing factor to the changing market. Print, television, and radio media cannot easily reduce production costs and, therefore, struggle to remain competitive. Newsprint and magazine paper, ink, and printing and telecommunications equipment are not typically produced in Kazakhstan; for this reason, their costs are tightly connected to the exchange rate of the U.S. dollar with respect to the Kazakh tenge. "Accordingly, advertising budgets are being redistributed of in favor of the online media and social networks," Askarov remarks. Allegedly, one of the oldest business publications in Kazakhstan is preparing to move solely to an online format.

Kazakh citizens experience some challenges in access to media; for example, distribution of the print press to remote regions is a problem. With the transition to digital broadcasting and the shutdown of analog, some rural populations are without access to television until they purchase and install a decoder. This represents a significant financial expense, which not every resident can afford, Nikonovich observed. The absence of public television access throughout the country significantly affects both the quality and quantity of information sources available to Kazakhstanis.

Access to foreign media is limited, unless one disregards blocked websites. One severe limitation to international media is a lack of knowledge of foreign languages among the population. As a result, Kazakhstanis receive information on the Ukraine-Russia conflict primarily from Russian media. Similarly, media have more access to foreign sources if they possess an understanding of English, Turkish, or Chinese. However, there are no high-quality Kazakhstani media published in foreign languages and even the leading Russian newspapers are also leaving the Kazakhstani media market. In 2016, legislative amendments are anticipated to prohibit international advertisements on foreign television channels broadcasting in Kazakhstan.

Media does not reflect the whole spectrum of societal and political issues since they are managed by the government. The Kazakhstani Media Law does not limit the ability of the government to create and own media resources. The majority of media, including the most popular television channel,

With the transition to digital broadcasting and the shutdown of analog, some rural populations are without access to television until they purchase and install a decoder. This represents a significant financial expense, which not every resident can afford, Nikonovich observed.

Eurasia Channel One, are government-funded, even though they may be managed by private companies or individuals. In the case of Eurasia Channel One, the owner of the channel is TOO Evraziya + ORT. Financing from the government budget, whether whole or partial, has a critical effect on the quality of the objective content and the presentation of alternative points of view. Government media presents only one perspective and avoids the publication of information that may be critical of or uncomfortable for the authorities.

Many Kazakh-language media are completely dependent on the government budget. However, as Yerkimbay notes, certain individuals are currently contributing to Kazakh Internet projects. Last year, for example, Bogiada held an open competition for improving their quality of content. A competition was also organized by Kazakiya, which is supported by the ruling Nur Otan party.

Interfax Kazakhstan, Kazinform, KazTAG, Reuters, and Bloomberg are the major news agencies with the most current information used by all Kazakhstan media. These major news agencies are fully accessible to many publications, some available at no cost and offering fee-based services. Bratsev notes that there has been a positive trend of referencing sources in reporting third-party information, although instances of content theft, particularly in online media, are still frequent.

Kazakhstan media produce their own programming content, particularly in the news format. Television channels are the most independent in this regard, creating their own news and analysis programming. Public media present the most innocuous content, while private media have a more critical approach to reporting but are often diverted to cover minor events.

International news and reports on conflict have extremely weak coverage in Kazakh's media and are not represented from the national perspective. Instead the content is based

on Russian information and may not be objective. However, it is high-quality, both from the methodological and analytical level, making this coverage of the news attractive for an uncritical audience.

In the area of media ownership, there is a complete lack of transparency. The law does not require that names of media owners be disclosed and no one does so voluntarily. The law only requires that the name of the media proprietor be indicated, without disclosing the ultimate benefactor. Frequently, the proprietor is a person or organization that is hired for the specific role, so that the real owners' identities remain concealed. For this reason, the audience does not actually know who owns and controls one media resource or the other, Birzhanova remarked.

Beginning in 2017, foreign media will be required to reveal their proprietor within Kazakhstan in order to carry on their activities. Otherwise, they will be prohibited from distributing their programming in Kazakhstan. According to Vlassenko, such conditions for foreign media are intended to not only limiting their activities, but also to create conditions that foster the development of domestic media and increase their competitiveness.

Kazakhstan has considerable media in minority languages, including publications in Uigur, German, Azerbaijani, and Ukrainian; and the policy of tolerance and multi-nationalism is well respected. However, each media organization approaches minorities and minority issues differently. Public funding is equally available to minorities as well, with the exception of sexual minorities.

According to Bratsev, private media cover these subjects more harshly, and frequently with the use of discriminatory language. This is particularly characteristic of the Kazakh-language media, which are subjective in their coverage of these issues and sometimes openly intolerant to sexual minorities. Karaulov emphasized that the issue of sexual minorities is taboo in many editorial offices. A journalist from one of the capital's publications stated that he was prohibited from doing stories on this subject. Difficult stories that cover religious and national minorities are also rarely covered in the media. Journalists are simply afraid of being accused of inciting religious hatred.

Regional media outlets report local events in newspapers as well as on the television and Internet. The practice of disseminating information by telephone and short message service (SMS) or text messaging lists is not yet developed in Kazakhstan, although mobile phones are commonly used for viewing news on the Internet.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kazakhstan Objective Score: 1.69

The Kazakhstan media market is evolving and the specific state of each media sector differs from the next. In business press, such as advertising publications, administration, management, and marketing processes are subject to the same general rules of any commercial Kazakh business. To build productive relationships with advertisers and effectively target audience preference, media must secure a certain level of viewership must also operate within competent management and organizational structures.

Askarov is confident that the sharp 2015 devaluation of the Kazakh tenge combined with inflation has negatively impacted previous business models media market as a whole. Domestic businesses have been similarly impacted, the cost of which growing continually as the value of the Kazakh tenge fluctuates. In such a difficult economic period, the main financial resource again becomes government funds, which, in turn, negatively impacts media management and, particularly, independent media. Independent media owners struggle to sustain their previous business models, and many cannot, by simply increasing contributions at a rate that counteracts the effects of currency devaluation and inflation. For example, the well-known journalist Vadim Boreyko resigned from his position as editor-in-chief of Forbes.kz when his employer failed to pay his salary at the adjusted tenge-dollar exchange rate.

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.

In challenging economic times, Bratsev is certain that media outlets often depend on owners for finance support to or to simply maintain the organization altogether. Based on annual results, some media are anticipated to close operations within the year, as was the case with the website headline.kz in 2015.

Karaulova remarks that the overwhelming majority of media do operate as a business. Although, not all organizations have business plans, conduct marketing studies, consider user interests, and strategize financially. Instead, many media are focused on owner and benefactor interests and serve their business goals; few media managers understand or have business experience.

There are also those companies which depend on government funds. In 2015, the state allocations for media totaled more than KZT 48 million. Depending on various circumstances, government contributions may cover anywhere between 40-100 percent of the outlet's publishing expenses. Government assistance is distributed on both a competitive and noncompetitive basis; however, this process is not transparent or objective, frequently has negative impacts on competitiveness, misrepresents the audience, and undermines editorial independence. Editorial independence largely determines the quality of the information that is disseminated. Many media attempt to diversify their sources of revenue; however, under the conditions that exist in Kazakhstan, this is not easy to accomplish. Alternatives to government-funding may include advertising, retail sales, subscriptions, service activities such as printing, Internet advertising, and photograph sales. Recently, bloggers are also turning to crowdfunding as a source of revenue.

Azhenova is not convinced that the media revenues are large enough for outlets to be independent of political influence. However, there are a few examples of self-sustaining private Kazakh publications, including the newspaper *Ak Zhayyk* (KZT 300 per issue) and the magazines *Anyz Alama* and *Zhuldyzdar Otbasy* (KZT 400 per issue).

The advertising market in Kazakhstan is in crisis. The panelists described 2015 as a "black year" for advertising agencies and the media, since the advertising market dropped 30 percent. New successful competitors of advertising companies include bloggers, brand ambassadors, and other Internet-based recipients of advertising budgets that are using online methods to promote goods and services. The influence of the latter is steadily increasing. For example, the blogger and brand ambassador, Alisher Yelikbayev, reported that on the basis of his call, the airline

Scat delayed a flight so that passengers prevented from getting to the airport due to a blizzard could make the flight. At the same time, there has been a transition in the other of relations between advertisers and the media; many advertisers are going directly to social networks, bypassing media and public relations companies.

Given the current conditions of economic uncertainty, the advertising market has become stagnant. Advertisers are showing frugality and intention in their annual budgets, focusing half of all funds on television advertising. This has negative impacts on other media, particularly for online publications whose share in the advertising budget is only 7 percent.

Vlassenko notes that foreign advertising is prevalent in both Kazakhstan's foreign and domestic media. In order to keep advertising money in Kazakhstan, legislation has been proposed to prohibit foreign television channels from advertising. However, this may increase the popularity of foreign channels since they will no longer have advertising interruptions.

According to Karaulova, advertising revenues usually constitute 10 to 20 percent of the total revenue of an organization. Media also carry paid stories that are not marked as advertisements or otherwise indicated. There is no division between editorial policy and advertising policy, and editors tend not to be independent. Advertising is well developed, but because the market is not transparent, advertisers are unable to identify and evaluate their specific audience.

Didenko notes that the media market is distorted by the mismanaged and nontransparent process of government funding. The presence in the market of companies that receive government funding and, at the same time, participate in the advertising market, creates conditions for unfair competition and deprives the media that do not receive government funding from a certain share of advertising revenues. Birzhanova added that, according to some media owners, they do not welcome government influence and would eliminate government finding if they could.

Surveying media distribution, reproduction, and advertising and marketing is complex. Thus, for example, only one independent measurement service operates in the country, TNS Central Asia, which measures the media market. There is not only a shortage of independent measurement services, but also of specialized institutes that assist in the development of media businesses. These would include, for example, an institute to measure circulation of the print press – a circulation audit bureau. Since there is no such

institute, publications frequently manipulate circulation data, misleading foreign advertisers and their own audience.

Many media do not conduct any regular marketing studies. This is particularly true of print and online publications. As a result, the media have limited understanding of their target audience. To a great extent, this is connected to the absence of means to carry out such regular studies. However, television channels are an exception. Many do carry out market research of their target audience. These studies are generally conducted by a professional research company that specializes in television and radio, and it is their measurements and ratings that media managers and potential advertisers rely on. The most popular sources of measurement for Internet hits come from zero.kz, Google Analytics, and sanaz.kz.

According to Askarov, distinct from developed countries and Russia, no full-service media researchers operate in Kazakhstan and no regular public opinion surveys are conducted. Also, there are no reliable circulation measurement services for print media, which results in a common practice of exaggeration. Similarly, online media, including blogs, frequently overrate their traffic in order to attract advertisers.

All of the experts noted that there are very few reliable studies conducted by independent companies and their data are seldom respected by advertisers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kazakhstan Objective Score: 2.05

The current list of business groups representing the interests of the media is quite small. One such group is the National Association of Television and Radio Broadcasters (NAT) of Kazakhstan, which is made up of regional television stations. NAT provides various consulting services for television development and generally influences the legislation regulating the media. The NAT is supported by association member contributions. One of the clear examples of the NAT's lobbying activities is their work against the amendments prohibiting foreign advertising on Kazakhstan channels. NAT attempted to prevent these amendments, arguing that this supports the interests of the cable broadcasters. However, the parliament adopted the proposed legislation. The Association of Cable Operators is also known for its effort to stop the amendments to the prohibition of foreign advertising. The Internet Association of Kazakhstan, made up of domestic providers, is also active. A new group was formed in 2015, The Association

of Bloggers of Kazakhstan; however, this association is still developing its mission and activities. Some business associations frequently benefit from government financing in the form of procurements and, therefore, cannot be described as independent of the government.

Participation in international organizations is weak and, according to Birzhanova, as is journalist trade union membership. Trade unions are more common within specific regional publications. At the end of the year, after many bureaucratic delays, the Media Workers Union was finally registered, Azhenova said. Journalist and founder of the Media Workers Union Lyudmila Ekzarhova was met with administrative resistance and, for an extended period, the Ministry of Justice denied registration, citing insignificant inaccuracies in the registration forms. Though they are finally registered, the union is still not popular due to the fragmentation of the journalistic community, the frequent turnover of staff in the media sector, and the low pay of journalists. As International IT-University senior lecturer Aleksandra Tsay remarked, the journalists working in editorial offices almost never arrange cooperative agreements, despite the fact that this practice is very widespread in other areas.

In Kazakhstan, there are many media NGOs that are committed to supporting freedom of speech and the media, primarily legally and through education. As Bratsev notes, despite the fact that these organizations operate primarily in large cities, such as Astana and Almaty, they also actively cooperate with the regional media. These NGOs engage in

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.

"In recent years, courses on modern technologies were taught as well as journalists' rights. However, many students prefer not to be involved with legalities and are more interested in issues of culture and society," remarked Azhenova.

regular monitoring of media rights and freedom of speech, represent journalists and publications in legal proceedings, conduct public campaigns and advocacy, and actively lobby for media legislation. Accordingly, several media NGO supported the development of the law regarding access to information, including Legal Media Center, Internews, and the Center for the Study of Legal Policy.

However, as Birzhanova notes, there are pro-government NGOs. These do not tend to offer services to journalists, but are created for the purpose of receiving grants from and promoting the interests of the government. For example, the Guild of Court Reporters, supported by the Supreme Court of Kazakhstan, was formed in 2015 to increase the professionalism of journalists covering court proceedings.

Most media NGOs are by grants from international organizations, such as the Organization for Security and Co-operation in Europe (OSCE), the European Union, and USAID, and from the embassies of foreign countries. NGOs actively cooperate with these international organizations to carry out joint projects directed at supporting freedom of speech, the exchange of experience, and effective practices. According to Kazakh Press Club president Assel Karaulova, media NGOs strive to make positive change, but they regularly encounter pressure and indifference from the government and the media market.

At the end of the year, amendments were adopted to the law on noncommercial organizations that may severely limit the activities of NGOs working to protect freedom of speech as well as business associations working to safeguard the interests of their members. The new legislation requires that NGOs submit additional accounting records and that grants be distributed through a single operator. The panelists note that these changes may negatively impact NGOs' activities, specifically to those that support freedom of speech and provide assistance to journalists and the media.

OSCE representative on issues of media freedom Dunja Mijatović issued a statement to Kazakhstan authorities regarding the amendments to the law on noncommercial

organizations. In her statement, Mijatović points out that “the adoption of the law, which may place the work of NGOs under strict government control, including control in obtaining foreign grants, is disturbing news for participants in civil society. Since the draft law opens the possibility for government agents to restrict the priorities of NGOs and remove freedom of the media from their scope of work, it may represent a serious threat to free media in the country.”

The panelists’ opinions regarding quality of professional training of journalists are quite diverse. The majority consider it low level. University teaching faculties include few practitioners and the majority of older-generation teachers do not have mastery of the necessary technological skills. According to Bratsev, “Academic education does not successfully adapt in accordance with the development of the market, neither at the technological level nor at the level of the teaching staff.”

Previously, curriculum was previously dictated by the government. Now, students can select course like photo journalism, investigative journalism, and financial journalism. “In recent years, courses on modern technologies were taught as well as journalists’ rights. However, many students prefer not to be involved with legalities and are more interested in issues of culture and society,” remarked Azhenova.

Kazakh National University deputy head of the journalism department Karlyga Musaeva notes that the Kazakh National University has student-run media, including television, radio, and newspapers, and there is a student press center specializing in public communication.

There is sufficient opportunity for entry to university journalism programs and the competition for admission is mediocre. However, the majority of graduates actually work in public relations since there is not always demand for qualified journalists.

Many short-term trainings and in-service courses are available to journalists. One noteworthy institution is Aegis Media School, the first tuition-free school in Kazakhstan for future media managers. The Aegis Media School was organized by Dentsu Aegis Network Kazakhstan and is carried out by the Kazakhstan Press Club with the support from the iMedia project of the Soros-Kazakhstan Fund. The Aegis Media School trains Kazakhstan journalists in the creation and comprehensive promotion of multimedia startups and projects, as well as the skills of media entrepreneurship and monetization of content. Trainers include practicing journalists from the New York Times, USA Today, CNN, the Huffington Post, Pro Publica and others, together with professors the School of Journalism of Missouri State University and the Grady College of Journalism and Mass Communication of Georgia State University.

This year marked the tenth anniversary of MediaShkola, the only alternative journalism education program in the country. The majority of students combine traditional university studies with MediaShkola or they have achieved higher education and want to learn specialize in a particular area. Instruction is led by practicing journalists, public relations specialists, analysts, and jurists, and is in both Kazakh and Russian languages.

For years, the Legal Media Center has been offering tuition-free training courses and seminars for journalists in legal literacy, Internet regulation, and specialized journalism. In a 2015 joint project with UNICEF, the center developed course curriculum on the rights of children in the media.

There is also a lack of competition in the market for distribution and delivery of print press due to monopoly AO Kazpochta, whose fees are quite high for subscriptions and delivery in remote regions. Publishers often must find alternative types of delivery. The absence of competition and limited development of modern technologies for the production, distribution, and delivery of information products undermines the media market. Although access to printing houses remains stable, all are subject to government influence and preference. Lastly, regarding access to equipment, professional training software for publishing activities is quite expensive and not every publishing house can afford such programs.

Regarding media distribution, public access to media through mobile phones and cable networks is increasingly common, but still not widespread in Kazakhstan due to the high charges, according to Didenko. The panelists note that authorities may exercise influence on the media through the distribution channels, in particular, by blocking websites. Information and communications technologies are monopolized and Kazakhtelekom is able to control and regulate the transmission of information by blocking sites, denying service, and using other instruments of pressure. There are also significant differences between the development of information and communications technologies in the cities and in the remote regions, where they may not have sufficient power.

Mobile apps are being developed to enable media and the public to obtain information in various formats. Confidence in social networks is higher among the educated public, but the general public is under the influence of the government ideology. Russian media also have influence to shape the information space and the public opinion of Kazakhstan’s population, particularly in the northern and eastern regions of the country.

List of Panel Participants

Sergey Mirolyubov, publisher, *Tvoy shans* and *Nasha Gazeta*,
Kostanay

Ruslan Nikonovich, general director, TV Art, Karaganda

Karlyga Musaeva, deputy chair, Journalism Department,
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Assel Karaulova, president, Kazakh Press Club, Almaty

Tulegen Askarov, financial journalist; president, BIZ-Media,
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Igor Bratsev, director, MEDIANET, Almaty

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

Olga Didenko, media lawyer, Internews-Kazakhstan, Almaty

Moderator & Author

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