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KAZAKHSTAN

It is a trying time for Kazakhstan. The economic crisis continues its dark course, and there are serious changes surrounding the transition of power following the 2016 special parliamentary elections, which resulted in a three-party parliament.

Kazakhstan experienced a series of terrorist acts, as well as non-sanctioned demonstrations that erupted throughout the country because of changes to land legislation. The new law permits foreigners to lease land for up to 25 years, allowing entities from neighboring China to rent long-term. The regime responded with the arrests of human rights activists and journalists. Several activists were sentenced to prison terms for instigating social discord, while others incurred administrative penalties.

Other high-profile cases include the criminal trial of the president of the Kazakhstan Union of Journalists, Seytkazy Matayev, as well as the arrest of a popular website's editor-in-chief, Bigelda Gabdullin; both cases caused a great furor. Furthermore, criminal charges were brought against some social media users for allegedly inciting religious and ethnic discord.

Although Kazakhstan's constitution guarantees freedom of speech, in practice it is actually limited by provisions of civil and criminal law. A trend toward further limitations on the freedom of speech has emerged with the formation of new ministries; the Ministry of Information and Communications focuses on mass media, and the Ministry of Religious and Civil Society Affairs focuses on NGOs.

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KAZAKHSTAN at a glance

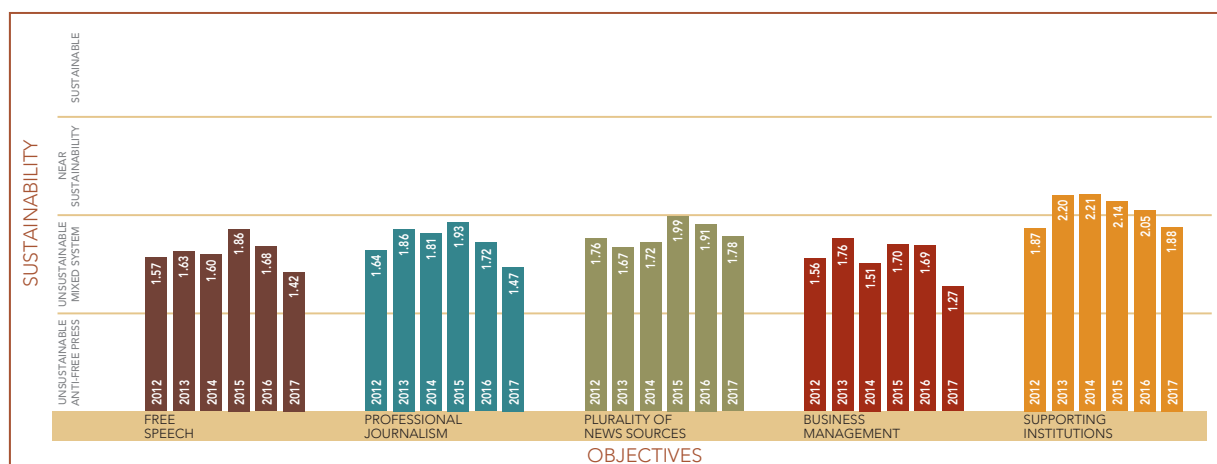
GENERAL

- > **Population:** 18,360,353 (July 2016 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%, 1.3% Tatar, 1.1% German, 4.4% other (2009 est., CIA World Factbook)
- > **Religions (% of population):** Muslim 70%, Christian 26.2% (mainly Russian Orthodox), 0.2% other 2009 est., CIA World Factbook)
- > **Languages:** (official Qazaq) 74% (understand spoken language), Russian (official, used in everyday business, designated the "language of interethnic communication") 94.4% (understand spoken language) (2009 est., CIA World Factbook)
- > **GNI (2016-Atlas):** \$119.8 billion (World Bank Development Indicators, 2017)
- > **GNI per capita (2016-PPP):** \$23,480 (World Bank Development Indicators, 2017)
- > **Literacy rate:** 99.8%; male 99.8%, female 99.7% (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: 1,156 newspapers, 1,169 magazines; Television Stations: 108; Radio Stations: 61; Cable Operators: 108; Satellite Operators: 8 (Ministry of information and communication, 2016)
- > **Newspaper circulation statistics:** Top four by circulation: *Karavan and Karavan-Class* (partly private, weekly); *Yegemen Qazaqstan* (state); *Kazakhstanskaya Pravda* (state), *Ekspress-K* (partly private in Russian, five times weekly)
- > **Broadcast ratings:** Top 4 Television: 1 Channel Eurasia, NTK, KTK, 31 Channel (<http://www.tns-global.kz>)
- > **News agencies:** Kazakhstan Today, KazInform, Bnews, Business Resource, Interfax-Kazakhstan (Ministry of information and communication)
- > **Annual advertising revenue in media sector:** \$154 million: TV 67%, radio 12%, print 10%, internet 5%, outdoors 6% (TNS Kazakhstan)
- > **Internet usage:** 13.23 million (July 2015 est., CIA World Factbook)

MEDIA SUSTAINABILITY INDEX: KAZAKHSTAN



MEDIA SUSTAINABILITY INDEX 2017: OVERALL AVERAGE SCORES



CHANGE SINCE 2016

▲ (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 <https://www.irex.org/msi>

OBJECTIVE 1: FREEDOM OF SPEECH

Kazakhstan Objective Score: 1.42

The state of freedom of speech in Kazakhstan is largely unchanging. However, according to some measures, it is declining. A milestone event is the creation of a new government agency, the Ministry of Information and Communications, headed by the president's former press secretary, Dauren Abayev. The appearance of this agency was no accident, preceded by the May demonstrations against the long-term leasing of land to foreigners. Following the demonstrations, President Nursultan Nazarbayev committed to work more effectively with citizens in terms of information and announced the creation of the ministry. The objectives of the Ministry of Information and Communications include: (1) monitoring the information space, such as the Internet and social media platforms; (2) coordinating and supervising information-sharing between government bodies; (3) planning and analyzing government funding of information and media; (4) developing media as a modern segment of the economy; (5) establishing crisis communication tools; and (6) assuring channels of cooperation with citizens and NGOs.

According to independent media expert and panelist Gulnar Assanbayeva, "The government is forced to openly admit the failure of its information policies after the mass demonstrations against land leasing. And, while the new ministry is engaged in controlling the information space, citing the propagation of

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

radical Islam and terrorism, repressive methods of limiting access to information in the country are continuing."

The Ministry of Information and Communications initiated amendments to media legislation that have been widely discussed among journalists, media experts, and media owners. Among the positive changes, experts note the easing of administrative penalties for interfering with the system of publishing output data, the right to information that is accessible to persons with disabilities, such a visual impairment, and a change in approval and authorization policies for evening alcohol advertisements. Negative measures include further limitations on the accreditation of foreign journalists in Kazakhstan, the requirement to publish a retraction of information in the media even without a court order to do so, and the extension of the period in which state agencies are obligated to provide information to journalists. Furthermore, new amendments require journalists to obtain permission before publishing any financial or business-related information about an individual or group, and amendments prohibit the rebroadcasting of foreign advertising on Kazakhstan's cable networks. A new article has also been introduced that would make ethical principles law, and, therefore, any journalism that is deemed unethical would also be illegal.

Amendments were introduced to the Kazakhstan communications law that require the establishment of a national safety certificate, which would primarily affect Internet users accessing foreign sites. Some experts consider this a means for the government to monitor Internet traffic, but the implementation of this provision was delayed.

As general director of TV Art and panelist Ruslan Nikonovich noted, it is easy to obtain a television license, but receiving a frequency is problematic. "At the commission meeting, all the members stated that my project was very good, but only a minority voted for it to receive a frequency. For this reason, I can assume that there is no honest and objective competition," he remarked. "The work of the agency that licenses broadcast media is not transparent. For a long time, public and professional representatives were not included among its members," noted journalist, independent media expert, and panelist Adil Nurmakov.

Registration of print media, however, is electronic and, in the opinion of journalist and panelist Ascar Aktleouv, "very simple." Aktleouv explained that print media registration requires only submitting documents and paying the fee. Currently, websites do not require registration.

Burdened by administrative regulations and taxes, print distribution needs reform, as it is unprofitable to distribute newspapers and magazines. Furthermore, regional print media subscriptions are impeded by high fees and mandatory

“The publication of material on the Internet is an aggravating factor in a trial, and not only the article, but also discussion in the comments section, is being taken into consideration in cases. There are also cases where people are being charged for posts, as well as re-posts,” according to Legal Media Center lawyer and panelist Gulmira Birzhanova.

subscriptions to state media, which places the private regional print publications in an extremely uncompetitive position.

In the opinion of financial journalist, president of BIZ-Media, and panelist Tulegen Askarov, the business environment for media does not differ from that of other markets. At present, there are no specific taxes or customs duties on media; the print industry is taxed in the same way as any other production.

A serious obstacle to the development of the media market is the 20 percent limitation on foreign media ownership established by the national security act. “Provisions have been adopted that limit the range of activities of foreign media in Kazakhstan. Now they are prohibited from rebroadcasting advertising on cable networks and also from operating without a representative registered in Kazakhstan,” media lawyer for the National Association of Broadcasters and panelist Sergey Vlassenko remarked.

Criminal and civil investigations of journalists and bloggers actively continued in 2016. The most widely used prosecutions were those on “incitement of ethnic discord,” among others. As before, defamation remains a criminal offense. Violations of journalists’ rights cause indignation of civil society, but, as director of the Public Center for Independent Expertise on Information Disputes (Adil Soz) and panelist Galya Azhenova remarked, “This is soon forgotten.”

Article 143 of the civil code, “protection of honor, dignity, and professional reputation,” continues to be a club used against disfavored media and journalists instead of an instrument to restore individual non-property rights. In the view of Nurmakov, “Frequently, the amount of compensation claimed by plaintiffs (who are often officials and other representatives of the government or oligarchic business entities) is inflated for the purpose of bankrupting and closing down media organizations.” This was illustrated in 2016 by a trial that an acupuncturist, Zhasan Zekey, brought against the longstanding independent Kazakhstani newspaper *Zhas Alash*. The plaintiff requested

moral damages in the amount of KZT 400 million (approximately \$1.2 million). Ultimately, the Supreme Court reduced the amount to KZT 5 million (approximately \$15,500).

One of the year’s high-profile cases was that of Guzyal Baydalinova, who was sentenced to a year and half in prison for knowingly spreading false information about one of Kazakhstan’s most powerful banks, Kazkom. Subsequently, the sentence was suspended.

Charged with stealing state funds and not paying taxes, the president of the Kazakhstan Union of Journalists, Matayev, and his son, Aset Matayev, were sentenced to six years in prison. Late in 2016, Bigelda Gabdullin, editor-in-chief of the newspaper *Central Asia Monitor* and director of the web portal Radiotochka.kz, was arrested for suspicion of extortion.

The trial of the Atyrau social activists, Maks Bokayev and Talgat Ayan, was unprecedented due to the severity of their punishment. They were found guilty of inciting discord and disseminating knowingly false information in their activism efforts for the land law issues. Bokayev and Ayan were each sentenced to five years in prison.

Along with journalists, bloggers, citizen journalists, and social media users are more and more frequently being charged in court. “The publication of material on the Internet is an aggravating factor in a trial, and not only the article, but also discussion in the comments section, is being taken into consideration in cases. There are also cases where people are being charged for posts, as well as re-posts,” according to Legal Media Center lawyer and panelist Gulmira Birzhanova. For example, the blogger Aidyn Yegeubayev had to pay KZT 100,000 (approximately \$300) to plaintiff Akim Saparbayev for publishing on YouTube material concerning the sale of land to citizens of China.

Blocking of sites continues to be a very significant problem. This can now be done not only by court order, but also by directive of the public prosecutor. Beginning in 2017, the National Security Committee also can block websites. According to Assanbayeva, the ministry has limited access to 31,000 web pages with anti-government content. After being warned, owners and administrators of websites themselves removed around 100,000 web pages. In the summer of 2016, Change.org was blocked in connection with a petition for the resignation of Masimov, the prime minister of Kazakhstan. Social media sites Vkontakt, Facebook, and Twitter, messaging sites WhatsApp and Viber, and the video hosting site YouTube became inaccessible on May 20, one day before the planned land protests. On December 16, access to many social networks, including YouTube, was limited for supposedly technical reasons—coinciding with the online broadcast of the speech by exiled dissident and businessman Mukhtar Alyazov. Livejournal, Ratel.kz, and Zonanet.kz were

also shut down in Kazakhstan; however, Livejournal was later unblocked.

Despite the 2015 adoption of the information access law, access to information has not significantly improved. An online survey of Kazakhstani journalists showed that significantly delayed responses, irrelevant answers, and statements that a question is not within the competence of the responder are the most frequent violations by government bodies.

In the opinion of MediaNet International Center of Journalism director and panelist Igor Bratsev, the law includes many exceptions to its application. For example, all information marked as “Official Use” is within the category of limited access, along with sensitive and secret government information.

Vlassenko believes that the situation has somewhat improved with the creation of e-government, where a large volume of information may now be obtained in electronic form. The Committee on Information Access, which includes NGO representatives, also has begun to operate. According to Vlassenko, “There is a trend for the journalist to become the usual transmitter of information. The journalist’s role is gradually coming down to passing on to the media, in unchanged form, the information that is received. There is no creative work with the information that is received. If the journalist wants to change the information received, he is obligated to clear the reworked information with the source.”

In the opinion of *Novaya Gazeta* journalist and panelist Vyacheslav Polovinko, the government itself differentiates information for the public domain and changes the conditions for access accordingly: “Clarifications of constitutional provisions or of some law can be found without any problem, but information, for example, on the assets of the presidential family (which is also in the public domain, since the people elect the president as the country’s chief manager) cannot be obtained anywhere (actually you can get a prison sentence for this).”

Much of the media depend both directly and indirectly on government funding. This can be seen by the increasing amounts budgeted for media outlets that broadcast according to the state’s information policy. Every year, more than KZT 40 billion (approximately \$120 million) are allocated from the treasury to the implementation of information policy. In Kazakhstan, the majority of the government budget for media is provided through direct funding to outlets. A small portion of the budget is then available through public procurement competition from the ministries and city administrations.

Askarov believes that “the government controls the leading online media that receive enormous financial support both from the government and from domestic and foreign investors loyal to it, along with a privileged position in the market and priority access to official information.”

In the print media market, the authorities engage in a measure of unfair competition in order to support the government press, employing compulsory subscriptions to official publications.

Access to foreign information sources is practically unlimited. However, Russian content continues to be the basic source of information. Since it largely has a propagandistic character, its use as an alternative source of information is problematic, particularly since it portrays a misperception of international events and conflicts. In Bratsev’s opinion, the reason for the low utilization of information sources is the language barrier. The overwhelming majority of journalists know the Kazakh and Russian languages or just one of these two languages. Thus, of the foreign information sources, only Russian-language resources are accessible.

The panelists agree that entry into the journalism profession is open to all. According to panelist Azhenova, in recent years, officials have been incentivizing bloggers: arranging tours throughout the country with food and lodging and gifting expensive professional technology, such as smart phones, tablets, and notebooks, so that their province will be shown in the best possible light on the social networks.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kazakhstan Objective Score: 1.47

The journalism profession meets only minimal quality standards and is not publicly recognized as socially responsible. Formally, the Kazakhstan Union of Journalists adopted a code of ethics, but in practice the standards are not observed.

In the opinion of Azhenova, there have been more reprints and blind use of press releases as news: “Credibility is suffering. Frequently, when there is no position from the other side of a controversy, journalists refer either to a lack of time or to opponents not wishing to explain themselves. They didn’t pick up the phone, didn’t answer, made a rude remark, or weren’t there.”

“The de-professionalization of journalism is taking place, with scandalizing and sensationalizing of the news flow, especially on television and in the news feeds of online publications, resulting in distorted news. In much of print media, the quality is declining because of decreasing popularity due to the digitalization of media. Information is often unreliable and does not include comments from independent sources and relevant experts. The analytical niche is in a deep crisis,” comments Nurmakov.

The particularly important subjects this year—the land demonstrations; the trial of activists Bokayev and Ayan; the trial of Matayev, the president of the journalists’ union; and

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

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

the arrest of Gabdullin, the editor-in-chief of the *Central Asia Monitor* and the web portal Radiotochka—were covered on government-funded channels exclusively from the prosecutorial perspective.

In the opinion of Polovinko, a significant number of Kazakhstani journalists do not abide by professional principles. In addition, publications tend not to keep high-quality, professional journalists on staff for an extended period due to their high salaries. To retain these journalists, outlets would need to reduce the salaries of other staff. The result of this system is that the majority of coverage in the Kazakhstan media consists of current events and less investigative reporting.

Furthermore, in the pursuit of rapid publishing, journalists rarely check facts. For example, a story published in Informbyuro reported that a woman tried to drown her granddaughter; however, it was later explained that, on the contrary, the woman saved her granddaughter.

In August 2016, editors-in-chief and directors of a variety of media came together in the city of Almaty to sign a joint agreement on the protection of copyright content; the represented media organizations include Kazakhstan media Radiotochka.kz, Kapital.kz, Informburo.kz, the newspaper *Vremya*, Abai.kz, RadioMM.kz, the newspaper *Central Asia*

“More and more, the concept of lazy journalism is in use, where the publications are engaged in reprinting press releases or rewriting news,” Askarov said.

Monitor, Szh.kz, JasQazaq.kz, and KazakhstanToday Media Group (KT.kz). However, “Plagiarism, graphic footage, absence of references, and reprints without the knowledge of the original source are frequent and widespread,” said Assanbayeva. In 2016, the northern Kazakhstan website Defacto.kiz, sued Nur.kz for reprinting a legal encyclopedia developed by jurists. Within this encyclopedia, more than 500 original articles were stolen from Defacto.kz without proper citation and, therefore, violated the copyright. Defacto.kz representatives sought KZT 537 million (approximately \$1.7 million) in damages. However, the court ruled that Nur.kz had not plagiarized, based on the fact that Nur.kz did not gain any commercial profit from reprinting the content.

Late in 2016, the annual media Media-Kurtay took place in Almaty, Kazakhstan, in which attendees came together to discuss trends and issues related to the media industry. During Media-Kurtay, media directors discussed their own tendencies to ignore generally accepted professional standards out of the need to compete for readers.

Askarov asserted that the absence of standards leads to the dominance of non-objective and low-quality journalism, publications of paid materials and advertising, and a high level of corruption among journalists. A glaring example was the broadcast on Channel One Eurasia of a fake interview between Aymira Shaukentayeva, editor-in-chief of news broadcasting and host of Channel One Eurasia program *Analitika*, with the well-known Russian television journalist and host of program *Pozner*, Vladimir Posner. The channel spliced clips to make it look like Shaukentayeva was appearing on the *Pozner* program as an invited guest—which, given the caliber of guests on the show would have been a coup for Channel One Eurasia. Senior editor and news presenter Ruslan Smykov quit after a wave of negative reactions to the fake interview with Pozner. “More and more, the concept of lazy journalism is in use, where the publications are engaged in reprinting press releases or rewriting news,” Askarov said.

Commercialization of news coverage in the media is widespread in Kazakhstan and is particularly seen on television, radio, websites, and social networks. On social networks, brand ambassadors now operate alongside several groups of bloggers who cover events on a commercial basis. For example, as reported by Tengri News, some Facebook bloggers have received gifts in the form of shares and securities for discussing the low bids on establishing electrical bus stops around the country, in an effort to increase the offers.

Kazakhstani journalists consider it acceptable to receive gifts and honoraria for their work from the subjects of their articles. As a result, in the opinion of media manager at Ertis-Media and panelist Ascar Shomshekov, the public does not have the

ability or knowledge to distinguish high-quality journalism from propaganda and advertising.

Journalists and editors subject their articles and stories to self-censorship, fearing administrative, civil, and criminal prosecutions. Journalists in state media are subject to “ideological” self-censorship, where their writing is checked for conformity in letter and spirit to various strategic documents (presidential messages, government programs, etc.).

State media formulate their editorial policy not based on their readership, but on their owner—the government. For this reason, state media consist of propaganda essential for carrying out the government’s information policy. This year, the ineffectiveness of Kazakhstan’s state media was again a subject of discussion, both at the Media-Kurtay event and in the news. However, the ministry again rejected media NGO proposals for reform

According to a study by MediaNet, an NGO founded by Kazakhstan journalists to strengthen independent media and support human rights, the majority of Kazakhstan’s media specialists believe that self-censorship exists in Kazakhstan. The authorities no longer need to review materials produced by the mass media prior to publication because the reporters themselves now know the boundaries that exist regarding persons and subjects that they can cover. “Some editors note that they are afraid when preparing articles on social or political problems since this may lead to complaints from officials, lawsuits that can ruin the media, or loss of their jobs,” said Bratsev.

“Self-censorship is total,” according to Azhenova. “The television channels have blacklists of persons unsuitable for airing and a list of forbidden subjects and names.”

In Nurmakov’s opinion, topics of interethnic relations are taboo and either must be written about favorably or not at all. If a journalist writes negatively about interethnic relations, it can provoke aggression.

The level of pay for journalists in the context of the economic crisis is decreasing. There are reductions in reporting staff, and several publications are closing or are on the verge of closing. However, some online media outlets pay five to six times more than print media. These thriving Internet-based outlets have highly successful founders in the business world. According to Aktleou, pay is higher in state media than in private media.

“Highly professional journalists are in demand. There is even a certain shortage of them, since as a whole, journalist training in Kazakhstan is low,” said Askarov.

Entertainment programs prevail over news programs. In the opinion of Assanbayeva, glamour and fashion journalism is thriving. Journalism in the country is becoming less and less

“Any attempt by a journalist to find out where government money goes and who was involved immediately comes up against civil and criminal statutes,” said Azhenova.

adventurous and more and more entertaining. Often, only content deemed safe is published, such as experts’ reflections on a subject and the opinion of journalists unsupported by facts and statistics.

Regarding media equipment, technology is professional, high-quality, and fully available. The largest investors in the media are the government and oligarchs loyal to the government; therefore, funding is available for the latest technology and equipment. Broadcasts sometimes even include nonprofessional video of amateurs, as it is also high-quality. However, not all traditional media have mastered the digital technologies for supplying information. Thus, the websites of some newspapers present only electronic-image versions of articles, which precludes interactivity and comments.

Specialized economic, analytical, medical, and ecological journalism exists in Kazakhstan. However, these are often quite problematic subjects. Typically, top media managers are not interested in these niche topics because it is more profitable to have journalists cover multiple subjects at once, which lowers the overall quality. Moreover, specialized journalists, particularly those covering business, are in high demand by public relations companies, banks, and government agencies, where they are assured of higher and more stable pay, along with benefits. For this reason, the quality of specialized media is deteriorating. In the opinion of Askarov, economists who write their own articles on social networks are taking bread from the mouths of journalists; these social media users have replaced journalists.

Investigative journalism is nonexistent. “Any attempt by a journalist to find out where government money goes and who was involved immediately comes up against civil and criminal statutes,” said Azhenova. Nurmakov noted that journalists rarely address special subjects and only when funded by grants from international organizations.

OBJECTIVE 3: PLURALITY OF NEWS

Kazakhstan Objective Score: 1.78

More than 5,000 media organizations are registered in Kazakhstan, 82 percent of which are private. However, in reality the majority are affiliated with the government.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

This year was more diverse than previous years with regard to the number of available news sources. Print media are declining; however, the rapid development of broadband mobile access to the Internet continues. As a result, social media—Facebook, Twitter, and YouTube—have gained great popularity. In the opinion of Assanbayeva, information from television channels and newspapers is very uniform, and news pieces are redundant.

"No one disputes the fact that Kazakhstan has a quite large number of media, including online media. It is another question to what degree they can be considered objective, since a significant number of these media are government-sponsored, absolutely loyal to government policy, and allow themselves to express criticism only toward alternative points of view," said Polovinko.

According to Polovinko, an entire generation of regional print journalists is willing to make compromises and to work for the employer's interests. This conformity leads to the most important regional issues being covered only as brief news items or not being covered at all.

There are practically no opposition media left in the country, in Azhenova's opinion. The head of the Kazakhstan Alliance of Bloggers, Glam Batik, believes that if a clamor was raised in social networks, the authorities would begin to respond and explain, but they will not respond to journalists. An example of this is seen in the fair trial regarding the gang rape in Issyk and other crimes that resonated strongly in the social media.¹ Popular journalist Ayan Sharipbayev notes that traditional media are not well positioned to compete with social networks in their degree of flexibility. Furthermore, advertising revenues continue

¹ Today.kz. "The victim Zhibek Musinova pleased with the court verdict." November 28, 2016. <http://today.kz/news/proisshestviya/2016-11-28/730739-poterpevshaya-zhibek-musinova-dovolna-prigovorom-suda/>.

to be redistributed to the advantage of online media, such as 365info and Informburo, as well as bloggers.

According to Askarov, the devaluation of the tenge has also played a role in the diminishing of traditional media, resulting in a significant increase in production costs for print, television, and radio.

Additionally, the reduction in the circulation of the print press, particularly the nationwide press, has been fueled by the breakdown in the distribution system as a result of the kiosk company, Nomad-Press, closing down operations and the Dauys distributing network, in Almaty, restructuring its business. Publication of one of the oldest businesses in Kazakhstan, the newspaper *Panorama*, has ended, and another longstanding newspaper, *Delovaya Nedelya*, is struggling to survive.

Regarding economic factors to access to media, the price of a cable, satellite, or digital broadcast television packages also affects citizens' choice of information sources. For example, a package of television channels from the state-sponsored television and radio operator Kaztelradio is much more expensive than a similar package from, for example, the Russian operator Tri kolor, which is also accessible in Kazakhstan. This results in many citizens preferring the less expensive Russian operator and, therefore, an increase in the consumption of news and information from a Kremlin-approved angle (television broadcasters in Russia, certainly those that are included in Tri kolor's package, are controlled by the Russian government or those close to it -ed.).

Currently in Kazakhstan, there are more than 10 million Internet users. According to studies by Google, 86 percent of the Internet users in Kazakhstan are online every day, and 76 percent of respondents turn to the Internet first when they are seeking information.

The character of the news is a function of the financing source of the media outlet. If the press service or media organization is government-owned, the news content is typically positive, describing activities of government agencies or achievements of some strategic plan or program. State media hardly reflect the public's interests. The private media, on the other hand, are criticized for their excessive fondness for criticism.

Government-sponsored media dominate the market; however, both government and private press services operate in the country, producing regional and national news. A number of press services (Interfax-Kazakhstan, Kazinform, KazTAG, Reuters, and Bloomberg) are available, widely used, and often referenced by other forms of media. Some print media are open-access, while other information is for purchase. A recent trend is third-party information sources providing reference to the original source. However, cases of plagiarizing content, particularly in online media, are still frequent.

“No one disputes the fact that Kazakhstan has a quite large number of media... It is another question to what degree they can be considered objective, since a significant number of these media are government-sponsored, absolutely loyal to government policy, and allow themselves to express criticism only toward alternative points of view,” said Polovinko.

Publishers face several problems that hinder their ability to operate effectively, specifically in regard to the regional press. Hampered by administrative regulations and tax burdens, it is unprofitable to distribute newspapers and magazines, and print press needs reform. Furthermore, regional print media are impeded by high fees and mandatory subscriptions to state media, which places the private regional print publications in an extremely uncompetitive position.

Kazakhstani television channels prepare their own local news and broadcast foreign news by translation or in an edited or abbreviated form. The few private television channels broadcast local, municipal, or regional news of interest to the local population, generally related to shortcomings in construction, public services, roads, or health care.

“The ownership structure of media remains nontransparent—including only a few corporations—and shares of media companies are not traded on the Kazakhstan Stock Exchange,” Azhenova said. One reason for this total lack of transparency is that there are no laws requiring that the names of media owners be disclosed. However, due to the efforts of Radiotochka.kz, the veil over this secret is sometimes lifted. Legislative efforts to require media owners to disclose information about the number of shares, holdings in the authorized and share capital, and affiliated companies have been unsuccessful. The law requires only the name of the legal person or individual businessperson who owns that media outlet, with no further details. The legislature also does not require media owners to indicate whether the content is produced from the government budget, through taxpayer funds, or as editorial content. As a result, readers do not have sufficient information to identify propaganda correctly and with some degree of skepticism.

Kazakhstan has both a Russian- and Kazakh-language press, as well as press in the languages of the national minorities—Uighur, Uzbek, Ukrainian, German, and Korean. However, apart from the border regions, there are almost no television stations,

radio stations, or online media in the languages of the national minorities. As a rule, the government funds newspapers and children’s books in the languages of national minorities.

The presentation of media differs regarding minorities, specifically religious minorities and the LGBTI community. Media that rely on government funding present the dominant religions—Islam and Orthodoxy—from a positive perspective only, specifically when covering issues of national unity. Similarly, the subject of LGBTI issues is typically ignored completely.

Where state funding is not involved, these subjects are covered; however, coverage may include the use of discriminatory language. This is particularly characteristic of the Kazakh-language media, which cover these issues subjectively and are sometimes openly intolerant, specifically with respect to gender minorities.

National media offer poor coverage of international news and conflicts and do not present unbiased views on these events. Shomshekov explains that journalists use sources only in two languages—Russian and Kazakh—which impoverishes the information field. In this context, Russian information, which cannot be said to have any pretense to objectivity, remains popular. In fact, 35 percent of Kazakhstanis prefer to get their information from Russian television channels

All important events of a local, regional, and national character, as well as foreign events, are covered in Kazakhstan media, with the exception of those that are considered socially dangerous and to cause some form of discord, such as meetings to protect freedom of expression, protests, and arrests of activists.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kazakhstan Objective Score: 1.27

The domestic media market is still experiencing the effects of the 2015 devaluation of the Kazakhstani tenge and high inflation. These factors distort the financial results of the media business and, therefore, limit the creativity of journalists. Furthermore, the exodus of journalists continues, as many are drawn to the more comfortable compensations offered in the public relations market, government, and private sector.

It is difficult for a media outlet to self-sustain, as most are supported by government funds, the sector is highly regulated, and freedom of speech is limited. “The government-funded media are not interested in operating as a business enterprise, while the private media operate in complicated economic conditions and in an atmosphere of unfair competition, which interferes with their effective operation as a business,” according to Internews media lawyer and panelist Olga Didenko.

The development of new technologies has enabled many publications to leave for the Internet, reducing subscriptions and sales of their print editions. Individual publications may be considered successful, and these operate in the regions. They include the magazine *Anyz Adam*, the newspapers *Ak Zhayyk*, *Nasha Gazeta*, and *Diapazon*, and *forbes.kz*.

In the opinion of Assanbayeva, “Professionals knowledgeable about the details of Kazakhstan’s media economics are in agreement. Until recently, the heads of many profitable media were expatriates from Russia and Ukraine who left the country after the economic crisis. The advertising revenues of state media barely reach 8–9 percent of their total revenue.”

The country’s low population density results in little interest among large international companies to place advertising in Kazakhstani media. According to TNS Gallup Media estimates, the size of the 2015 national advertising market was about 36.5 billion Kazakhstani tenge (approximately \$115 million) and is expected to shrink in the current market. When announcing the closure of popular online newspaper *Vlast*, Vyacheslav Abramov explained in an InformBuro.kz article that “the accumulation of debt and the unending financial deficits are not the best way to support the publication.” Many other publications and production studios have also had to close programs or exit the market entirely.

The new competitors for advertising are bloggers and other websites promoting goods and services. Many advertisers appear directly in social networks, avoiding the media and the advertising companies.

Discussions are currently taking place to restart advertising of low-alcohol beverages, such as beer and wine. If the legislature approves these amendments, the products now prohibited from

Askarov explained, “In distinction to the developed countries and Russia, media measurement companies do not operate in Kazakhstan. Regular public-opinion surveys and marketing studies ordered by the media are not conducted.”

advertising in the media will begin producing income for the media companies as early as 2017.

Media revenue sources include government procurement, subscriptions, sponsorship, and crowd funding. However, many earn money because of their loyalty to either a specific authoritarian businessperson in a region or to local government bodies, according to Polovinko. In such a situation, it is impossible for media to have any editorial independence.

Marketing studies and audience measurements in Kazakhstan are conducted only by the major television channels and publishing houses or by alliances of regional broadcasters. Only one media audience measurement company—TSN Central Asia—operates in the country; however, its research and audience measurement services are quite expensive for most media. Kazakhstan has no circulation audit bureau for the print press, and the provisions of the Kazakhstan media law do not require that reliable circulation numbers of a specific publication be published. For this reason, in the opinion of panelist Didenko, the media publishers and owners frequently publish false data. Similarly, online media frequently overstate their traffic to attract advertisers.

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Furthermore, the quality of the information provided by the country’s few rating services is frequently criticized. The tiny samples and limited range of respondents and geography do not give a concrete idea of the audience preferences of media. According to the data of the existing rating services, television broadcasting is the most popular media, although it is influenced by government funding and advertising budgets.

Bratsev said that many media do not carry out any regular marketing studies and, thus, either do not understand or have a mistaken understanding of their target market. To a great extent, this is connected with an absence of funds to carry out regular studies.

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

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kazakhstan Objective Score: 1.88

Kazakhstan's most active business associations are the National Association of Television and Radio Broadcasters of Kazakhstan, the Association of Advertising Agencies, the Association of Cable Operators, and the Internet Association of Kazakhstan. These associations are all funded by various sources, including contributions, grants, and commercial activities. The basic aim is to protect the interests of each respective population at both the legislative and judicial level.

The National Association of Television and Radio Broadcasters of Kazakhstan cooperates with government agencies and is active on issues such as licensing. In 2016, due to the efforts of the National Association of Television and Radio Broadcasters of Kazakhstan, three regional television channels (TDK 42 of Uralks, Alau of Kostanay, and Novoye TV of Karaganda) expanded to the national level and have been broadcasting throughout the country. Also, in 2016, a professional union of journalists was officially registered in Kazakhstan. Branches in Almaty, Astana, and Shymkent were registered with great difficulty, and registration was recently refused in Pavlodar for an "improperly completed application," according to panelist Azhenova.

Specialized professional associations, such as the Guild of Legal Reporters, the Editors-in-Chief Club, and so forth, continue to operate in Kazakhstan. In addition, throughout 2016, a partnership has been created among the owners of Internet publications interested in more careful observation of intellectual property laws on the Web.

NGOs continue to support independent media in Kazakhstan. Throughout 2016, however, there have been several changes in the law on noncommercial organizations that complicate the activities of NGOs. NGOs are now required to submit regular financial and programmatic reports into a government database. Administrative penalties are applied for failure to submit a report, late submission, or submission of incorrect or false data. Furthermore, legal changes introduced in 2016 now require recipients of foreign funding to report these amounts to the tax authorities.

Kazakhstan has several media NGOs engaged in supporting freedom of the press and providing support to media, primarily in areas of legal and education aid. These are Adil Soz, the Legal Media Center, Medianet, and Internews-Kazakhstan. Even though these organizations operate primarily in the major centers of the republic (Astana and Almaty), they also actively cooperate with regional media. They conduct regular monitoring of violations of laws on freedom of speech, represent the interest of journalists and publications in legal

proceedings, conduct public campaigns, and actively participate in media legislative processes.

In recent years, the Turkish-Language Journalists' Fund, Mindber, and the Journalistic Investigation Agency have begun to operate actively in Kazakhstan. In the opinion of Shomshekov, "NGOs make the most out of what the law and the political environment in the country allows. However, no real successes can be seen in promoting the principles of freedom of speech. The overwhelming majority of journalists, for their part, have made peace with the existing state of affairs and do nothing to stand up for their professional rights and the right to freedom of speech."

There are a total of 28 universities throughout Kazakhstan that train future journalists. The quality of these journalism and communications programs varies from region to region or, more precisely, between the city of Almaty and the regions, according to Nurmakov. The practical component is well developed in some universities, specifically the International University of Information Technology and the Kazakhstan University of Management, Economics, and Strategic Research, where laboratories are available and working space is provided for the editorial offices of student media.

Most universities today offer basic Internet journalism. The new Suleyman Demirel University in Almaty has a high-quality educational program in the journalism faculty.

According to Assanbayeva, total government control of the media was reflected in the new approach to training journalists in universities. Since 2017, a new specialization classification for higher and postgraduate education has been proposed, in which journalism students are trained together with future librarians and archivists. These students then receive a bachelor's degree in public relations and information. However, the public relations specialization is available only at the bachelor's level; master's- and doctoral-level degrees in public relations have been abolished.

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SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

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

Currently, there are no original textbooks on media economics in Kazakhstan. Additionally, media literacy as a discipline is taught in only one private university and at local universities courses focusing on the history of journalism are much more common than courses covering the use of modern multimedia technologies.

There are many short-term training courses conducted by NGOs and commercial organizations. However, an active desire by journalists themselves to improve their professional level is not always realized. The Legal Media Center, an NGO that also prepared this study, plays a leading role in increasing the legal competence of students, government workers, and public relations services. Sponsored by the US Embassy in Kazakhstan, English-language courses for journalists organized by the Legal Media Center in Astana and by MediaNet in Almaty are in high demand.

The IMedia School project is being actively carried out upon the initiative of the Kazpress Club. This is an initiative in which journalists from the *New York Times*, *USA Today*, CNN, the *Huffington Post*, *Pro Publica*, and other media, together with professors from the Missouri State University School of Journalism and the University of Georgia's Grady School of Journalism and Mass Communications, teach Kazakhstan journalists about the creation and integrated management of multimedia startups and projects. The participants achieve competencies in creating high-quality audio and video content for various information platforms.

There is also increasing interest from the Kazakhstan government in journalist trainings. For example, a series of economic journalism training courses were conducted for employees of state media by the Zerdi teaching center, which is part of the Ministry of Finance.

The sources of newsprint and printing equipment, printing houses, and newspaper distribution networks in Kazakhstan are private. However, the government completely controls operations and is currently carrying out a large-scale privatization of the shares that it owns. The government maintains tight control over the leading television and radio channels though. Moreover, the government owns the key companies in the newspaper distribution market—domestic companies Kazakhstan Temir Kholy and Kazpochta. The main lever of government control in the Internet space is the domestic company Kazakhtelekom.

There have been reports of printing houses refusing to perform printing services for print media, as well as reports of problems experienced by independent publications in the distribution of print press in the regions. Additionally, the rates charged by Kazpochta—the national postal services operator—for delivering print publications are quite high, particularly in the remote regions.

In the opinion of Shomshekov, there are problems with the sale of newspapers because the distribution networks are weak and of poor quality. The infrastructure of information and communications technologies has a negative effect on the traditional media, which leads to a reduction in circulation. Thus, although the circulation of state newspapers in the Pavlodar region was 17,000 copies in 2016, the number of subscribers barely exceeded 10,000 in 2017.

The television and radio broadcasters and broadcast operators face a serious situation with limited access to the technical infrastructure of digital, over-the-air broadcasting. The national television and radio operator, Kaztelradio, is tasked by government funding with creating the technical infrastructure for the transition from analog to digital broadcasting. It has become clear that the 14 billion Kazakhstan tenge in appropriated government funds for this task were wasted on other spending and that the infrastructure is not ready for the transition to digital broadcasting. Broadcasters continue to use analog format and have limited access to the digital broadcasting audience. Even in the face of failure in the changeover to digital broadcasting in Kazakhstan and the monopolization of the technical infrastructure, alternative models are not being developed.

The state of the Internet infrastructure is sufficiently developed, but low speed and overloading of the Internet are common problems. Mobile telephones are available and the Internet is accessible with relatively low fees (KZT 1,500, or approximately \$5, for mobile Internet), permitting instant access to information. However, in some remote regions, the Internet is still unavailable.

In 2016, the share of Internet users in Kazakhstan using mobile devices became increasingly dominant.

List of Panel Participants

Olga Didenko, media lawyer, Internews-Kazakhstan, Almaty

Ruslan Nikonovich, general director, TV Art, Karaganda

Gulnar Assanbayeva, journalism professor, KIMEP University; independent media-expert, Almaty

Tulegen Askarov, financial journalist; president, BIZ-Media, Almaty

Gulmira Birzhanova, media lawyer, Legal Media Center, Astana

Galya Azhenova, director, Public Center of Expertise on Information Disputes, Adil Soz Foundation, Almaty

Sergey Vlassenko, media lawyer, National Association of Broadcasters, Almaty

Igor Bratsev, director, MediaNet International Center for Journalism, Almaty

Ascar Aktleouv, journalist, Aktobe

Ascar Shomshekov, media manager, Ertis-Media, Pavlodar

Vyacheslav Polovinko, journalist, *Novaya Gazeta*, Almaty

Adil Nurmakov, journalist, independent media expert, Almaty

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

Sergey Miroslubov, owner, *Tvoy shans (Nasha Gazeta paper)*, Kostanay

Moderator & Author

Diana Medvednikova, director, Legal Media Center, Astana

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