

Kazakhstan

	2014	2015		
Internet Freedom Status	Partly Free	Not Free	Population:	17.3 million
Obstacles to Access (0-25)	15	14	Internet Penetration 2014:	55 percent
Limits on Content (0-35)	23	23	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	22	24	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	60	61	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2015 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2014 – May 2015

- Following ethnic clashes in the South Kazakhstan region in February 2015, the government temporarily disconnected internet service and blocked mobile phone networks in the area (see **Restrictions on Connectivity**).
- The government blocked pages and entire websites of foreign and domestic news outlets for reporting on Kazakh nationals fighting for ISIS, which it characterized as propaganda (see **Blocking and Filtering**).
- Amendments to the criminal code, which were passed in May 2014 and went into effect in January 2015, criminalized the dissemination of rumors and increased punishments for libel, including harsher penalties for online content (see **Legal Environment**).
- A court decision in September 2014 banned any websites or tools that allow users to hide their internet protocol (IP) addresses (see **Surveillance, Privacy, and Anonymity**).

Introduction

The state of internet freedom in Kazakhstan continues to decline, as the government increasingly cracks down on independent journalism and online content deemed “extremist,” ranging from content critical of the government to news reports about Kazakh involvement with ISIS. The government also continues to pass restrictive laws banning certain content online and expanding its powers to shut down communication networks and media outlets.

In 2015, amendments to the criminal code came into force that toughened penalties for defamation and introduced criminal liability for the dissemination of rumors. Earlier, in May 2014, the government granted the office of the prosecutor general the right to shut down websites, block access to pages, or disable telecommunications services entirely if they are used for malicious purposes. These laws were employed repeatedly during the coverage period to target both local and international online media, as well as to disconnect areas in South Kazakhstan from the internet and mobile networks in the aftermath of ethnic clashes.

For over a decade, the Kazakhstani government has shown a keen interest in the development of the information and communication technology (ICT) sector, seeing it as a way to diversify the country's extractive economy. It has not brought about any noticeable innovation, but showed relative progress in increasing access to internet and mobile telephony, and setting up national data centers and e-government resources.

The government has employed a set of technical and legislative measures to control content both directly and through the establishment of a pervasive atmosphere of self-censorship online. This approach has been consistently implemented in the past few years, replacing the earlier paradigm of building a strong ICT cluster that would be able to develop national analogs of foreign social networks, blogging platforms and even search engines.

Obstacles to Access

The government of Kazakhstan consistently works on improving ICT infrastructure together with the national operator, Kazakhtelecom, which further solidified its dominant standing in the market during the reporting period. Technological upgrades were accompanied by tightening centralized control of both state-owned and private telecommunication networks, including legal changes that enabled the authorities to shut down entire communication networks, platforms, or applications. Several instances of short-term disruptions in access occurred in the reporting period.

Availability and Ease of Access

With the investment that the government and Kazakhtelecom is making to improve both the backbone and “last mile” infrastructure, obstacles to a free-flowing internet have less to do with infrastructural capacity and more to do with government decisions to limit access. Internet access has grown significantly in Kazakhstan over the past few years, increasing from a penetration rate of 18 percent in 2009 to 55 percent in 2014, according to the International Telecommunication Union (ITU).¹ Official government statistics consistently inflate this indicator, and experts question these

1 International Telecommunication Union, “Percentage of Individuals Using the Internet,” 2000-2014, <http://bit.ly/1cblxxY>.

figures, citing a lack of clarity in the methodology.² In July 2014, the head of the Agency for Communication and Information claimed that internet penetration had exceeded 70 percent.³ In September, he announced that the internet is being used already by 12 million Kazakhstanis aged 16-74 (75 percent of the population).⁴ Experts believe that the government arrives at these numbers by counting not the number of people, but the number of devices connected to the internet or points of access and multiplies them by the average number of potential users.⁵ Data from the Ministry of Investments and Development indicates that the number of households with an internet connection in 2014 was around 2 million (with 99 percent of them having broadband access;⁶ the Committee for Statistics puts this figure at 43 percent, indicating that 32.5 percent of users connect via ISDN⁷), and the number of business enterprises with internet connection was below 60,000.⁸

Official statistics do not provide the data breakdown for urban versus rural connections, but access is more limited for rural areas, where 45 percent of the population resides. The regional split shows that Almaty—the most populous city and the business and cultural center of Kazakhstan—accounts for more than 35 percent of internet users, and for more than 55 percent of the ICT industry's revenue.⁹

Most people access the internet from home, alongside increasing free access at educational institutions, workplaces, and public places, including pilot projects offering Wi-Fi access on public transport vehicles in several cities in 2014.¹⁰ Internet speeds offered by Kazakhtelecom and private ISPs did not change significantly over the past year, but the national operator doubled the speed of access to domestically-hosted websites (up to 4 Mbps) for one of its popular budget tariff plans in July 2015 and planned to lower the wholesale prices for secondary ISPs.¹¹ Its main rival in the retail sector, Beeline, continued investing in the development of independent fixed-line infrastructure,¹² and did not introduce any changes (it offers 25-100 Mbps packages for fees similar to those of Kazakhtelecom). The average connection speed, estimated by the Akamai "State of the Internet" Report, was 5.1 Mbps in the fourth quarter of 2014.¹³

The mobile phone penetration rate reached 168 percent in 2014, according to the ITU.¹⁴ According to J'Son & Partners consultancy, mobile internet penetration in Kazakhstan was at 67 percent in 2013.¹⁵ Official data specifies that in 2013, nearly 30 percent of all internet connections were

2 "Недостаточно высокий уровень проникновения Интернета..." [Insufficient level of Internet penetration...] *Zakon*, May 8, 2010, <http://bit.ly/1Zlbn0b>

3 "Internet penetration in Kazakhstan is more than 70 per cent," [in Russian] *Kazinform*, July 15, 2014, <http://bit.ly/1LlMuPV>.

4 "The number of Internet users has reached 12 million," [in Russian] *Kazinform*, September 19, 2014, <http://bit.ly/1Zlc3Xf>.

5 "Internet audience in Kazakhstan in 2012," [in Russian] *YVision* (blog), May 17, 2012, <http://yvision.kz/post/257242>.

6 Kazakhstan Ministry of Investments and Development, "Communications sector indicators," [in Russian] <http://bit.ly/1AZZDJ8>.

7 "ИКТ в Казахстане: итоги 2013 года," [ICT in Kazakhstan: Results of 2013] *Profit*, August 1, 2014, <http://bit.ly/1Q81Mq9>.

8 Committee for Statistics under the Kazakhstan Ministry of National Economy, "The number of enterprises using internet," [in Russian] <http://bit.ly/1BGJZTH>.

9 "Revenue of enterprises providing internet access by regions as of January 2015," [in Russian] *Ranking*, February 24, 2015, <http://bit.ly/1DNjp8a>.

10 Astana city administration website, "Free internet in public transport of Astana," [in Russian] April 17, 2015, <http://bit.ly/1Arcmqz>;

"Free internet in public transport of Almaty," [in Russian] *Profit*, March 2, 2015, <http://bit.ly/1PK5iw0>.

11 "Kazakhtelecom increases the internet connection speed," [in Russian] *Kapital*, July 1, 2014, <http://bit.ly/1BH0ZJm>.

12 "Beeline connects 4 cities to fixed internet," [in Russian] *Profit*, July 17, 2014, <http://bit.ly/1J1OHyb>

13 Akamai, "Average connection speed," map visualization, *State of the Internet*, 2014, <http://bit.ly/1WRjumM>.

14 International Telecommunication Union, "Mobile-cellular telephone subscriptions, 2000-2014," <http://bit.ly/1cblxxY>.

15 "Kazakhstan ahead of Russia by the mobile internet penetration rate," [in Russian] *Profit*, June 23, 2014, <http://bit.ly/1FMIgo2>.

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made with GPRS, WAP, or other wireless technologies, and 21 percent with mobile broadband connections.¹⁶

Kazakhstan's multi-ethnic demographics and the prevalence of the Russian language from the Soviet era do not have significant impact on access: all public institutions are required to provide two language versions on their website, and many private sector actors follow this trend, although currently there is much more domestic content available in Russian than in the Kazakh language. A more significant obstacle to the further proliferation of access is its affordability. Both state and private ISPs prefer to upgrade the speed of connectivity while keeping the tariffs fixed, rather than lowering prices. Kazakhtelecom's unlimited broadband (4 Mbps) subscriptions currently start from US\$20 to \$25 per month; Beeline's cheapest unlimited contract (25 Mbps) costs \$18 per month. In both cases the advertised speed refers to domestic traffic. Unchanged tariffs appear to be slightly lower than in the previous year because of the 20 percent currency devaluation in 2014, but they still are high when compared to the average monthly income, which was approximately US\$643 as of November 2014,¹⁷ 10 percent lower than the U.S. dollar equivalent in November 2013. Access to domestic and external resources does not vary in price, only by speed of access provided.

Restrictions on Connectivity

The government imposes no restrictions on the bandwidth of access offered by ISPs, but it centralizes the infrastructure in a way that facilitates control of content and surveillance. Over the past year the government placed restrictions on ICT access in South Kazakhstan during riots in February 2015. Internet users also reported disruptions in several communication applications throughout the year, though the cause of these disruptions remains unverified.

In February 2015, the government temporarily shut down mobile phone and internet services for the first time since regulation authorizing such actions was passed in 2014. Internet and mobile telephony services were shut down in several areas of the South Kazakhstan oblast, including in Shymkent, Kazakhstan's third largest city, in order to "prevent rumors," shortly after ethnic violence erupted in two villages in the region.¹⁸ The block was gradually lifted and limited to the conflict-hit zone, where it lasted for nearly a week.

In 2012, amendments to the Law on National Security allowed the government to forcibly suspend telecommunications during anti-terrorist operations or the suppression of mass riots.¹⁹ Further legislation was passed to compel private actors in the field—websites, ISPs or mobile operators—to follow the government's orders when it comes to blocking or disconnecting service. In April 2014, the government formalized its right to shut down ICTs or access to pages at the discretion of the prosecutor general's office without a court order if "networks are used for felonious aims to damage the interests of individuals, society or state," including the dissemination of illegal information, calls for extremism, terrorism, mass riots, or participation in unauthorized public gatherings.²⁰ This regulation

16 "ICTs in Kazakhstan: 2013 in review," [in Russian], *Profit*, August 1, 2014, <http://bit.ly/1Q81Mq9>

17 Mojazarplata, "Average Monthly Wages," [in Russian] accessed March 5, 2015, <http://bit.ly/1erDCv5>.

18 Joanna Lillis, "Local Ethnic Conflict Exposes National Fault Lines," *Eurasianet*, February 11, 2015, <http://www.eurasianet.org/node/72006>.

19 "Республики Казахстан О национальной безопасности Республики Казахстан," [The Law on National Security] *Zakon*, July 10, 2012, <http://bit.ly/1jfspR0>.

20 "ЗАКОН РЕСПУБЛИКИ КАЗАХСТАН," [Law of the Republic of Kazakhstan] *Zakon*, accessed August 2014, <http://bit.ly/1MkFXWv>.

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implies that limitations may be applied to the use of telephony, text messages, and instant messaging applications. The law makes either telecom operators or the State Technical Service responsible for the implementation of the prosecutor's order. Prior to the regulation, it was assumed that the government had taken such actions in the past, though this had not been confirmed. In 2011 the government reportedly acquired technology allowing for localized disruption of communications and blocking of unwanted online content, and used it during the Zhanaozen riots. It is not clear which body operates this technology, the National Security Committee or the State Technical Service.

Kazakhtelecom, through its operations and through a number of subsidiaries, holds a de facto monopoly on external backbone channels; Beeline is the only independent backbone provider. The Traffic Exchange Point—a peering center, established by Kazakhtelecom in 2008—is meant to facilitate service among first-tier providers, but in 2010, it turned down Beeline's application to join the pool without giving any reason.²¹ Beeline submitted a repeated request in February 2015, but it was rejected, citing deficit of capacity.²²

ICT Market

The state (through the sovereign wealth fund "Samruk-Kazyna") owns 52 percent of Kazakhtelecom, the largest ISP in Kazakhstan, with a 70 percent share in the broadband internet market.²³ It fully or partly owns a number of other backbone and downstream ISPs, and the overall market share is difficult to estimate. Beeline, by its own estimates, accounts for 13.1 percent of the broadband internet market.²⁴

Kazakhtelecom uses its dominance to distort the market. For example, the government continues to support Altel's monopoly over the 4G LTE network (Altel is owned by Kazakhtelecom) and plans to continue doing so until 2018, citing the alleged lack of frequencies and the need to accomplish the digital switchover process.²⁵ This has allowed Altel, previously a dormant CDMA operator, to quadruple its user base, though it still holds a relatively small share of the mobile market.²⁶ In December 2014, the state-owned Kazakhstan Bank of Development provided a 10-year credit of over US \$560 million to Altel for the expansion of its 4G network.²⁷ The money came from the National Fund, a savings and stabilization fund that generates oil revenues. In April 2015, the government said it is considering allowing mobile operators to provide 4G services in a "technologically neutral mode," using the frequency spectrum they already have, starting in 2016.²⁸

As of March 2015, there were four mobile telephone service providers in Kazakhstan, three of which use the GSM 3G standard (Kcell, Beeline, and TELE2). All GSM operators are privately owned, with large foreign participation in ownership. Kazakhtelecom has fully owned Altel since 2006.

21 "Comment by Mr. Kemelbek Oishybaev, Beeline's executive, to the online Q&A session," [in Russian] *Yvision* (blog), accessed January 13, 2014, <http://bit.ly/1jhBxKA>.

22 Email interview with a Beeline representative. March 2015.

23 Fitch Ratings Moscow, "Fitch changes the rating of Kazakhtelecom to "Positive"," [in Russian] December 30, 2014, accessed on March 5, 2015, <http://bit.ly/1Zlhy2>.

24 Email interview with a Beeline representative. March 2015.

25 "Full-scale introduction of 4G in Kazakhstan is delayed," [in Russian], *Tengri News*, June 24, 2014, <http://bit.ly/1GYUL83>

26 "Altel quadrupled its market share," [in Russian], *Kursiv*, June 5, 2014, <http://bit.ly/1M8Mqjd>

27 Prime Minister of Kazakhstan Karim Massimov: Official Website, "DBK to finance the 4G network expansion project in Kazakhstan," press release, December 24, 2014, <http://bit.ly/1jfsYKD>.

28 Legal Media Center, "Kazakhstani mobile operators will launch 4G in 2016," [in Russian] April 8, 2015, <http://bit.ly/1Bn1dC0>.

Regulatory Bodies

There is no independent body holding a regulatory mandate to oversee the internet in Kazakhstan. The Internet Association of Kazakhstan (IAK), established in 2009 in the form of a union of legal entities, claims to unite the Kazakh internet community to participate institutionally in the political decision-making process, yet experts question the group's independence, transparency, and non-profit status.²⁹ The association does not have an official government mandate but actively cooperates with the prosecutor general's office on "fighting illegal content"³⁰ and on a variety of other issues, including content filtering and the collection of personal data of users leaving comments on news sites, according to emails released by hackers from an account belonging to IAK president Shavkat Sabirov.³¹ The leaks were posted online in January 2015 by Muratbek Ketebayev, a former journalist within the opposition media, residing in Europe, who claims that the leaks were a matter of public interest. In an interview to Ratel.kz, Sabirov confirmed the authenticity of emails, but declined to elaborate on the allegations of his close cooperation with the law enforcement bodies, including possible assistance in revealing the identities of commentators on news sites.³²

The agencies officially authorized to supervise the ICT sector are reorganized periodically together with the rest of the government in frequent attempts to optimize their operations. The most recent changes were introduced in 2014; in March, the president issued a decree forming the Agency for Communication and Information to manage issues of communication, information, and archives. But as early as August, another decree reshuffled the whole government, and the regulation of the media, internet and technology sector was given to the newly formed Ministry of Investments and Development. Its Committee for Communication, Informatization and Information is an official body designated to hold "regulatory, operational and controlling functions" in the entrusted areas.

The ".kz" top-level domain is managed by a registry, the Kazakhstani Network Information Center (KazNIC), and the Kazakhstani Association of IT Companies. KazNIC, based in provincial town of Semey in Eastern Kazakhstan, was created in 1999. The Kazakhstani Association of IT Companies was created in 2004, also as a noncommercial entity to administer the infrastructure of the national domain zone. In January 2015, it issued an order doubling the minimum price of a .kz domain.³³ Both organizations are believed to be under indirect control of the authorities.³⁴ Since 2005, the government has required that any website with a ".kz" country domain be hosted on servers within the territory of Kazakhstan.

Limits on Content

The authorities have established numerous legal means to restrict online content. The most frequent reason they use to justify restrictions to online content is extremism; however, the courts review those applications in bulk and the proceedings are not transparent. Moreover, this year it has become a common practice among the state bodies to request the pre-trial blocking of online content listed in

29 Andrei Jdanov, "Kazakh internet community splits," [in Russian] *Vecher*, September 26, 2013, <http://vecher.kz/node/24562>.

30 "General Prosecutor's Office and Internet Association of Kazakhstan signed a memorandum of cooperation," [in Russian] *Zakon*, February 18, 2014, <http://bit.ly/1MkKici>.

31 Anna Kalashnikova, "Shavkat Sabirov," [in Russian] *Ratel*, January 23, 2015, <http://bit.ly/19jaljQ>.

32 Ibid.

33 "Dear expensive domains...", [in Russian] *Yvision* (blog), January 23, 2015, <http://yvision.kz/post/462627>.

34 OpenNet Initiative, "Country Profile: Kazakhstan," December 9, 2010, <https://opennet.net/research/profiles/kazakhstan>.

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a lawsuit, which the courts readily satisfy. The most significant cases of censorship in 2014-2015 were related to domestic and international coverage of Kazakhstan's connection to ISIS. The law passed in April 2014 granting the prosecutor general's office the right to issue blocking orders without a court decision has been used extensively to block or force the deletion of content. The authorities continue to pour funds into supporting online media outlets disseminating progovernment content, and allegedly to help institute the Bloggers Alliance of Kazakhstan, which is generally viewed as a progovernment enterprise.

Blocking and Filtering

The government possesses extensive legal means with which to justify blocking online content. According to the country's media law, all internet resources, including websites and pages on social networks, are considered media outlets. Decisions to suspend or close media outlets are supposed to be made by courts, but in 2014, amendments were introduced granting the prosecutor general's office the authority to order the blocking of websites without a court decision if the websites are found to be hosting illegal content. ISPs must conform to such requests until the website owner deletes the content in question. The law provides no space for an ISP to reject the order or for the website owner to appeal.

Unverified outages of certain online platforms were reported during the coverage period. On August 23, 2014, users reported disruptions in access to social media platforms, including Twitter, Facebook, Instagram, and VKontakte, for nearly three hours during the night. Local forum Vse.kz was loading, though at a slower speed.³⁵ On November 25, users complained of intermittent access to Gmail, and reported that Google's banner ads network was not displayed on websites. Users in the eastern part of Russia reportedly experienced the same problems.³⁶ On November 27, multiple users again reported outages of VKontakte, Facebook, Twitter, Instagram, Youtube, and messenger services WhatsApp and Viber. As in August, the services could not be accessed through any ISPs or mobile operators for several hours, though internet users could connect to the sites through VPNs, indicating that the disruption was not a problem with the platforms themselves.³⁷ ISPs and officials denied their involvement in blocking. Some observers feared that it could be a testing of the blocking capacity by the government.³⁸ LiveJournal, a popular Russian-language blogging platform, is still blocked in Kazakhstan since 2008, with a short break between November 2010 and August 2011 in which it was available.

In early May 2015, access to SoundCloud, an international platform for sharing music and podcasts, was blocked in Kazakhstan. ISPs claimed that they were not responsible for blocking SoundCloud, and that it might have been a downstream blocking, possibly due to copyright violations.³⁹ In late May, journalists obtained an official letter from the Committee for Communication, Informatization and Information under the Ministry of Investments and Development, which said that access was blocked on May 12, 2015, because one of the accounts on SoundCloud allegedly contained extremist materials by the Hizb-ut-Tahrir Islamist group. Officials maintain that it was a "preventive block-

35 "Why they blocked social networks?" [in Russian] *Yvision* (blog), August 24, 2014, <http://bit.ly/1Eb8Y0E>.

36 "Who closed Google for the Kazakhstanis," [in Russian] *Radio Tochka*, November 25, 2014, <http://bit.ly/1C6fZm0>.

37 "Kazakhstan blocked Facebook, Instagram, twitter and Vkontakte for several hours" [in Russian] *TJournal*, November 28, 2014, <http://bit.ly/1Mio4mB>.

38 Makpal Mukankyzy, "A night without social networks in Kazakhstan," [in Russian] *Azattyq*, November 28, 2014, <http://bit.ly/1Bwek5F>.

39 "Music platform Souncloud cannot be accessed from Kazakhstan," [in Russian] *Zakon*, May 26, 2015 <http://bit.ly/1LKGEF1>.

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ing,” which would be in place until the website’s administration deleted the disputed content, as stipulated in the Committee’s letter.⁴⁰ A SoundCloud representative posted on the F.A.Q. page that they are “aware of an ongoing issue in [...] Kazakhstan” and were “attempting to resolve this.”⁴¹

The courts continue issuing frequent decisions to block websites, banning dozens at a time, mostly on the grounds of religious extremism. Three justices of the Saryarka District Court of Astana are designated to deal with cases related to blocking online content.⁴² Judges and prosecutors repeatedly display a lack of technical expertise, banning URLs of irrelevant websites like search engines. Websites can be blocked even in the absence of the defendant’s representative; no further notification—to the public or the website owner—about why the website is blocked is required.

At the same time, websites often appear to be blocked without any court decision or prosecutorial request at all. Two major Central Asian news sites, *Ca-news* based in Kyrgyzstan, and *Fergananeews* based in Russia, are not accessible from Kazakhstan for unknown reasons.

In the fall of 2014, a series of propaganda videos by ISIS portrayed alleged Kazakh nationals, including children, as ISIS soldiers. Kazakhstan was very quick to block all pages where the video itself or reports on it appeared, targeting single pages on the sites Lenta.ru, Vlast.kz, Clashdaily.com and sometimes entire websites including Kloop.kg, and the website of the U.K.-based newspaper, the *Daily Mail*. After the blocks went into effect, the prosecutor general’s office issued a press release warning against the dissemination of the videos, citing an official decision that made this content illegal.⁴³ According to media professionals, websites were being blocked “in bulk” for publishing news on Kazakhstani citizens participation in ISIS recruitment.⁴⁴ In January, another ISIS video appearing to feature Kazakh nationals was disseminated on the internet, causing another wave of website blocking, including pages with relevant news reports on the major Russian daily site Kommersant.ru and on Azattyq.org (RFE/RL’s Kazakh Service).⁴⁵

Several reports by Azattyq.org and Eurasianet.org about the government’s crackdown on *Adam Bol*—an independent magazine that reported on human rights and government corruption before it was shut down—and reports about its editor-in-chief’s hunger strike were blocked in November 2014⁴⁶ and January 2015.⁴⁷ There were also reports that a YouTube video of the inter-ethnic clashes in the South Kazakhstan oblast in February 2015 was blocked for internet users in Kazakhstan.⁴⁸

Additionally, Ratel.kz, a critical news site that sporadically experiences problems with access, reported in December 2014 that it had been blocked by Kazakhtelecom.⁴⁹ Meduza.io, an independent Russian news site, was fully blocked in October 2014 after publishing a story about the possibility of

40 “Soundcloud is blocked because of extremism propaganda,” [in Russian] *Profit*, May 28, 2015, <http://bit.ly/1Btq0En>

41 Soundcloud, “Community Home,” accessed May 28, 2015: <http://bit.ly/1Azt4nm>

42 Shavkat Sabirov, president of the Internet Association of Kazakhstan, said at the Roundtable “How to make internet safe for children” in Almaty, April 14, 2014.

43 Joanna Paraszczuck, “Kazakhstan Moves To Ban ‘Illegal’ IS Video Showing Training of Kazakh Children,” *Radio Free Europe Radio Liberty (RFE/RL)*, November 25, 2014, <http://bit.ly/1G2JQhj>.

44 Vyacheslav Abramov, Twitter Post, [in Russian], November 21, 2014, accessed in March 2015, <http://bit.ly/1D5dCzL>.

45 Joanna Paraszczuck, “RFE/RL Blocked In Kazakhstan After Reporting on Kazakh IS Video,” *RFE/RL*, March 5, 2015, <http://bit.ly/1MrUzKP>.

46 “Azattyq [website’s] article about Adam Bol [magazine] blocked,” [in Russian] *I-News*, November 22, 2014, <http://bit.ly/1LBWuSd>

47 Dina Baidildayeva, activist and Azattyq radio employee, Facebook post, [in Russian], January 30, 2015, <http://on.fb.me/1BmShwr>.

48 Dih123, Twitter post, February 6, 2015, <https://twitter.com/dih123/status/563694236873535488>.

49 “Ratel.kz site is blocked again,” [in Russian] *Ratel*, December 22, 2014, <http://bit.ly/1AhesDi>.

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an eastern Ukraine-style secession of a part of Kazakhstan. The blocking was introduced following a lawsuit from the Committee for Communication, Information and Informatization under the Ministry of Investments and Development. It asked the court to acknowledge the article as extremist content and requested that the website be blocked immediately, before the case was considered by the court.⁵⁰ It remained blocked at the end of May 2015. Avaaz.org, an international online petitions platform, also remains blocked after an incident in December 2013 when a petition calling for the president's resignation appeared and quickly became popular; the Ministry of Communications denied making the blocking request in this case.

In August 2014, the Committee for Religious Affairs under the Ministry of Culture and Sport announced that 55 websites had been blocked by court decisions since the beginning of 2014 for content related to propaganda of religious extremism and terrorism. The Committee is reportedly monitoring more than 5,000 websites for such content.⁵¹ In January 2015, Prosecutor General Askhat Daulbayev stated that his office monitors over 100,000 web resources, and seeks to block extremist websites hosted in other countries. He cited one instance of such cooperation with his Russian counterparts (related to the January blocking of an ISIS video, mentioned above). In total, the prosecutor general's office asked courts to ban 703 websites and 198 web articles in 2014, and demanded the pre-trial blocking of many of the websites in question.⁵² According to a statement by the Committee for Communication, Informatization and Information released in August 2014, their activities since March 2014 included 23 lawsuits requesting blocks on 649 websites and 92 URLs.⁵³

In March 2015, several weeks before the early presidential elections in Kazakhstan, the Central Election Committee's vice-chairman Vladimir Foos said that access to social networking websites could be blocked on the eve of the voting day, "if a user would post some campaign materials during the election silence period."⁵⁴ No measures were taken to suspend access to any sites during the campaign or after election day. In October 2014, the government adopted guidelines for the use of the internet by civil servants, public officials, and employees of state-owned companies. In order to "prevent possible threats to the image of civil service, dissemination of false information or leaks as a result of online activities," the document urges employees to abide by the law, but also demands that individuals not post or repost materials that are critical of the state or state bodies, and not to "friend" people that criticize the government and its policies.⁵⁵

The authorities have also sought to undermine the availability of circumvention tools, but more people have started using methods to circumvent blocking such as VPNs. Facebook, Twitter, YouTube and other international platforms hosting user-generated content are freely available.

Content Removal

In order to avoid having a website or webpage blocked, individuals must remove content that is deemed extremist or is otherwise banned. On April 23, 2014, a new law "On amendments and ad-

50 "Meduza website is blocked without court decision for incitement of inter-ethnic hatred," [in Russian] *Vlast*, October 30, 2014, <http://bit.ly/19dTSxv>.

51 "55 websites were blocked in Kazakhstan..." [in Russian] *Zakon*, August 27, 2014, <http://bit.ly/1AohB3j>.

52 "Kazakhstan seeks blocking of extremist sites abroad," [in Russian] *Profit*, January 27, 2015, <http://bit.ly/1F2ktZK>.

53 "Officials explained blocking of porn sites," [in Russian], *Tengrinews.kz*, August 7, 2014, <http://bit.ly/1AopzJI>.

54 "Access to social networks can be blocked because of the campaign posts during the electoral silence period," [in Russian] *Tengri News*, March 17, 2015, <http://bit.ly/1JTITYh>.

55 Victor Burdin, "State officials not allowed to criticize the power," [in Russian] *Forbes Kazakhstan*, January 12, 2015, <http://bit.ly/1FexlTt>.

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denda to laws governing activity of the internal affairs bodies” granted the prosecutor general’s office the authority to suspend access to websites or particular content on websites without a court decision. Requests for a temporary ban require the Committee for Communication, Informatization and Information to inform ISPs within one hour, after which the blocking must be implemented within three hours. When the publisher of disputed content complies with the removal request, however, the website can be unblocked.⁵⁶ The takedown process is not transparent, and in some cases the public may only learn about the content removal if users notice and report it on social media or if the online publication makes the case public.

By equating all internet resources with media outlets, the country’s media law makes web publishers—including bloggers and users on social media websites—equally liable for the content they post online, but it does not further specify if online platforms are responsible for the content that is posted there by third parties.

There were several cases of content removal from YouTube, including the video of inter-ethnic strife in the South Kazakhstan oblast in February 2015, and a series of videos filmed by drivers to document the abuse of power by police officers, cases of aggressive behavior, or traffic violations by people with powerful connections. In some of these cases, the content was flagged for removal because of alleged violation of copyright.⁵⁷

Media, Diversity, and Content Manipulation

In addition to blocking and removing content, the online media landscape in Kazakhstan is also subject to less overt forms of restrictions on the free flow of information, such as progovernment propaganda and pressure to self-censor. Self-censorship in both traditional and online media outlets is pervasive. Social media remains the freest environment for the public exchange of news and opinions, but discourse there is considered to be very prone to manipulation and propaganda, including by commentators paid by the government. Although the authorities impose no restrictions on the placement of advertisements on critical websites, the atmosphere of self-censorship extends to businesses too. Moreover, frequent problems with access to such sites due to blocking or, in some cases, DDoS attacks, make it unsustainable to advertise there.

Government procurement contracts in the information sphere reached a record sum of US\$250 million in 2014.⁵⁸ This amount only includes contracts issued by the central government, not counting funds that are distributed by local administrations. Many progovernment online media outlets, including local privately owned blogging platforms, are frequent recipients of such contracts.

The Kazakhstani blogosphere has experienced a decline in popularity over the past few years, with more internet users migrating to Facebook and Twitter. The word “blogger” is commonly used to refer to those on Facebook as well. In 2013, government officials voiced their interest in officially recruiting popular domestic and foreign web publishers, bloggers, and moderators of online communities and supporting—both organizationally and financially—their reporting on state matters.⁵⁹ The Internet Association of Kazakhstan was reported to be acting as an intermediary in building this

56 “ЗАКОН РЕСПУБЛИКИ КАЗАХСТАН,” [Law of the Republic of Kazakhstan].

57 “YouTube deleted video of drivers fighting in Almaty,” [in Russian] *365info*, March 3, 2015, <http://bit.ly/1LBXo1f>.

58 Tatyana Trubacheva, “Government procurement contracts with the media to reach 40 billion tenge in 2014,” [in Russian] *Forbes Kazakhstan*, October 10, 2013, <http://bit.ly/1L3YcNA>.

59 Makpal Mukankyzy, “Bloggers invented the term – ‘Tazhin’s list,’” *Azattyq*, February 27, 2013, <http://bit.ly/1LDKnZL>.

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cooperation.⁶⁰ In October 2014, a group of relatively popular Facebook users registered the Bloggers Alliance of Kazakhstan to “make the country’s information space healthier.”⁶¹ It was widely believed to be a regime-inspired initiative, especially since its office is located within the government’s headquarters. These suspicions were reinforced by a statement it released in February 2015 calling to replace the early presidential elections orchestrated by the authorities with a referendum to extend the incumbent president’s powers until 2022, because, according to the statement, “everyone knows that N. Nazarbayev’s historical role makes him uncontested.”⁶² Many representatives of the online community believed the Alliance was created to mislead the public by appropriating the right to speak on behalf of all Kazakhstani bloggers.

LGBTI people in Kazakhstan are routinely stigmatized and discriminated against, and the situation worsened with a proposed law that would have banned “propaganda of homosexuality to protect children” and was initially passed in parliament. In addition to the influence of similar legislation in Russia, a highly resonant case preceded this move, when a poster depicting two male historical figures kissing each other triggered a media uproar in October 2014. The image, a concept ad for a gay club in Almaty, was submitted by Havas Kazakhstan advertising agency to the Central Asian festival of advertisement in Kyrgyzstan. Its creators maintained that it was not designed for use in actual publicity campaigns, but the image was posted on social media by the festival organizers. A wave of public anger resulted in a suit against the agency from a group of 34 people, whose legal status did not provide them with the right to be complainants in such case. Despite these irregularities, the court fined the agency more than US\$180,000 in reparations for insult. Human Rights Watch has condemned the verdict.⁶³ In May 2015, the Constitutional Council rejected the draft law on “propaganda of homosexuality,” citing the “lack of clarity and discrepancies in terminology in Russian and Kazakh versions of the draft law, which left room for the possibility of violation of some constitutional norms.”⁶⁴ Kazakhstan was aspiring to host the 2022 Winter Olympics, and some saw this move as a compromise in an attempt to win the bid, which had become conditional upon the host country’s attitude towards minorities.

Digital Activism

The use of social media platforms and other digital tools to organize for social and political campaigns is limited. In February 2014, after a largely unexpected 20 percent devaluation of the national currency, frustrated citizens shared their reactions online, and two small rallies held in Almaty were coordinated via Facebook and WhatsApp, although the protests soon died out.

A grassroots movement to protest against cuts in maternity benefits and an increase in the retirement age emerged in early 2013. These movements actively employed social media to reach out to potential supporters and coordinate offline activities. In June 2013, Serik Abdenov, the minister of labor and social protection supervising the measures, was fired amid growing public discontent.⁶⁵

60 See Kazbek Beisebayev, Facebook post, December 26, 2013, accessed January 14, 2014, <http://on.fb.me/KgC6Mt>

61 “Bloggers unite in alliance,” [in Russian] *BNews*, October 8, 2014, <http://bnews.kz/ru/news/post/232657/>.

62 “Bloggers’ Alliance suggests holding a referendum instead of elections,” [in Russian] *Novosti-Kazakhstan*, February 18, 2015, <http://bit.ly/1AsWCMM>.

63 Human Rights Watch, “Kazakhstan: Draconian Ruling in Lawsuit,” October 29, 2014, <http://bit.ly/ZZkaOI>.

64 Sayazhan Kaukenova, “Law on protection of children from information threatening their health is declared unconstitutional,” [in Russian] *Vlast*, May 26, 2015, <http://bit.ly/1Fd0yEG>.

65 “Bermet Zhumakadyrkyzy, “Kazakh Minister Fired as Netizens Criticize Pension Plans,” *Global Voices*, June 14, 2013, <http://bit.ly/1XmJjx>.

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Yet the need to increase the retirement age has been reiterated by the government, although the process was extended and the maternity benefits issue was not resolved. The movement soon dissipated.

Users continue to actively share postings and comment on various matters, including corruption, controversies in the judicial system, blatant cases of injustice, and others. Still, such conversations rarely transform into offline mobilization. One of the most notable cases of self-organized action that migrated from the online sphere was in response to the April 2015 floods in Central Kazakhstan, when internet users in Almaty and some other cities volunteered to donate and administer humanitarian aid to the victims of natural disaster.⁶⁶

Violations of User Rights

New amendments to the criminal code, passed in May 2014, include provisions to criminalize the dissemination of rumors—offline and online—with penalties of up to 10 years of imprisonment. The amendments also increased penalties for “knowingly disseminating false information” that may inflict damage, or during “public events.” Despite past pledges to decriminalize libel, the new code increased punishments for defamation. In two controversial cases, individuals were charged with extremism for their posts on Facebook; both were publishing comments on the Russia-Ukraine conflict in the context of its impact on Kazakhstan. Additionally, there is evidence to suggest that the authorities may have intermittently blocked the Tor Project’s anonymization network in Kazakhstan. After a long break in enforcing registration requirements for mobile users, the government began forcing mobile operators to discontinue service to unregistered SIM cards. Additionally, CERT, the Kazakhstani governmental agency for addressing online emergencies, was found to be involved in monitoring and censoring political content.

Legal Environment

The constitution of Kazakhstan guarantees freedom of expression, but this right is conditioned by many other legislative acts and in practice is severely restricted. The criminal code provides stricter punishment for libel or insult of the president and other state officials, judges, or members of parliament. The authorities also use various legislative, economic, and administrative tactics to control the media and limit free speech. Kazakhstani officials have a track record of using defamation charges to punish critical reporting. Additionally, the judiciary in Kazakhstan is not independent from the executive, and the president appoints all judges. The constitutional court was abolished in 1995 and replaced with the constitutional council, to which citizens and public associations are not eligible to submit complaints.

In May 2014, amendments to the criminal code criminalized the dissemination of rumors, or “patently false information, fraught with the risk of breach of public order or imposition of serious damage,” punishable by a fine of up to US\$10,000 or up to one year imprisonment. The penalties for the same act, if conducted with the use of mass media or ICT networks (including internet and messaging services), would increase to a fine to US\$50,000 and possible imprisonment up to five

⁶⁶ Aiman Turebekova, “Floods in Karaganda Draw Unprecedented Outpouring of Popular Support, Civil Activism,” *The Astana Times*, April 23, 2015, <http://bit.ly/1FTHp0m>.

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years. If this information inflicted damage to a citizen, legal entity, or state, the punishment increases to US\$70,000 and up to seven years in jail. If the rumors were disseminated during emergency, war or public events, the prison term can be extended up to 10 years. A new version of the criminal code was signed into force in July 2014, and kept this article in its entirety.⁶⁷ The new code also made punishment for libel harsher, doubled the fine for “libel in public or in the media” to US\$20,000, and introduced possible imprisonment for the same offense for up to two years (the previous code provided only for “restriction of freedom” for up to two years).

In May 2013, President Nazarbayev signed the law “On personal information and its protection,” which was criticized by media activists as restrictive for journalism.⁶⁸ According to observers, since the law does not distinguish between information relating to private or public individuals, investigative reporters now risk prosecution for violation of privacy charges if they publish information about official corruption.⁶⁹

Although the Kazakhstan media law considers websites as media outlets, in most cases this status applies only when assessing liabilities, without granting these outlets the same rights as traditional media. Officials often refuse to provide information that online news sites are requesting.⁷⁰ The rules for journalists’ accreditation at state bodies and public associations, adopted in June 2013, make it impossible for online media outlets without official registration to obtain such accreditation.⁷¹

Prosecutions and Detentions for Online Activities

The government of Kazakhstan continues to arrest and prosecute individuals for posting political or social commentary online that is deemed critical of or threatening to the ruling regime. Additionally, during the coverage period there were two cases in which internet users were sued for incitement of inter-ethnic hatred:

- In January 2015, Tatyana Shevtsova-Valova was sued by the authorities for her alleged posts on Facebook, which propagated the idea of the “Russian World,” (a loosely formulated ideology of the Russian regime, justifying its claims to greater control over the former Soviet states), insulted Kazakhs, and called for a Crimea-style Russian occupation of Kazakhstan. She faced up to 7 years in jail.⁷² In March 2015, the court found her guilty and passed a suspended four-year sentence.⁷³
- In March 2015, Saken Baikenov, an activist with the low-key nationalist Antigeptil movement, faced the same charges for his postings on Facebook, commenting on Russia’s policy in the region in a manner considered provocative and including insults toward Russians in general. Unlike Shevtsova-Valova, who was allowed to remain unconfined, Baikenov was arrested at his Almaty apartment by the National Security Committee officers, transported to Astana,

67 “Criminal Code of the Republic of Kazakhstan,” [in Russian] *Zakon*, <http://bit.ly/1HQoiRQ>

68 “Publication of any details of an official’s private life will lead to imprisonment,” [in Russian] *Exclusive*, May 27, 2013, <http://bit.ly/1Ry7u6I>.

69 Farangis Najibullah and Makpal Mukankyzy, “Journalists Express Concern Over Kazakh Data-Protection Law,” *RFE/RL*, November 3, 2014, <http://bit.ly/1VJD6wd>.

70 Natalia Marchelova, “Websites are media, or not,” [in Russian] *Respublika-kaz*, August 26, 2013, <http://bit.ly/1LbcvOh>.

71 “New rules of journalists’ accreditation adopted in Kazakhstan,” *Internews*, August 14, 2013, <http://bit.ly/1PkWU3Z>.

72 Gaziza Baituova, “First Prosecution for Internet Hate Speech in Kazakhstan,” *Institute War and Peace Reporting*, February 4, 2015, <http://bit.ly/1NSjdWA>.

73 “Kazakh Court Convicts Woman Over Slurs, Calls To Join Russia,” *RFE/RL*, March 31, 2015, <http://bit.ly/1RjX2A3>.

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and taken into custody for two months.⁷⁴ In April 2015, Baikenov was found guilty and sentenced to two years of restriction of freedom. The confiscated devices he had been using to access internet were ordered to be demolished.⁷⁵

In both of these cases, the pages were removed from Facebook, but it unclear whether they were removed by Facebook following users' complaints, by law enforcement agencies, or by Shevtsova-Valova and Baikenov themselves.

Abai Yerekenov, a member of the "Protect Kok-Zhailyau!" group and active critic of the Almaty city administration on Facebook, was briefly detained on February 19, 2015, as he was heading to the annual public meeting with city mayor, Akhmetzhan Yessimov. Police initially said that they regarded him as a suspect in a robbery, but released him without explanation hours later when the doors to the mayoral event were already closed.⁷⁶ Police were documented preventing critics of Yessimov from attending similar meetings in past *Freedom on the Net* reports.

Valery Surganov, journalist and owner of the political commentary website *Insiderman*, was sued by a judge in 2014 for alleged defamation and hindrance to justice. In July 2014, the case was closed after a settlement. Surganov admitted that the article was "inadmissibly subjective and contained unverified data." He apologized for the moral damage, and the judge agreed to drop the charges.⁷⁷

Surveillance, Privacy, and Anonymity

It is difficult to estimate the scope and depth of government surveillance of online communications in Kazakhstan, though the "system for operational investigative measures" (SORM) system of surveillance implemented by the government is similar to that of other former Soviet republics and allows for deep packet inspection (DPI) of data transmissions. The general public, as well as civil society activists, often underestimate the potential threat of government surveillance and do not always use privacy-enhancing or encryption techniques.

Since early 2011, some anonymizing sites and proxy gates have been blocked in Kazakhstan, apparently without a proper court decisions issued against them. In June 2015, the media began reporting that the authorities were going after such tools, citing a court decision dated September 10, 2014 that banned "the functioning of networks and/or means of communication that can be used to circumvent the technical blocking by ISPs."⁷⁸ No liability for users is specified, but in the past, cybercafes were forced to delete or block circumvention tools. Internet users wishing to circumvent censorship often use the traffic compression mode in Opera browsers,⁷⁹ and, increasingly, VPNs. The current regulation on public access points bans the use of circumvention tools in cybercafes.⁸⁰

The Tor Project's official website is intermittently inaccessible from Kazakhstan. It has been blocked

74 "Kazakh Opponent Of Russian Rockets Charged With Inciting Hatred," *RFE/RL*, March 10, 2015, <http://bit.ly/1CcgF9n>.

75 "Saken Baikenov sentenced to 2 years of restriction of freedom," [in Russian] *Radio Tochka*, April 13, 2015, <http://bit.ly/1SzZvri>.

76 "Activist of the 'Protect Kok-Zhailyau!' movement detained in Almaty," [in Russian] *Matritca*, February 19, 2015, <http://bit.ly/1L6nMo6>.

77 Adil Soz, "The Valery Surganov trial [...] ended with a peaceful settlement," [in Russian] July 4, 2014, <http://www.adilsoz.kz/news/show/id/1549>.

78 Askar Muminov, "Anonymizers outlawed," [in Russian] *Kursiv*, June 8, 2015, <http://bit.ly/1KWiyzw>.

79 Olzhas Asuyezov, "Web browser that bypasses big brother a Kazakh hit," *Reuters*, April 13, 2010, <http://reut.rs/1LdBYe0>.

80 "Internet clubs will demand IDs " [in Russian] *Zakon*, January 25, 2012, <http://bit.ly/1QBFqCV>.

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at various times throughout the reported period, and remained unavailable as of May 2015. It is difficult to verify how far the Tor network itself is affected by blocking, but according to the public records of its use, the number of connections to the service's "relay" nodes from Kazakhstan dropped by about 40 percent in October. The number of users connecting via "bridge relays," which are not listed publically and are more difficult to block, increased about 800 percent. This pattern often indicates a censorship event.

SIM card registration is required for mobile phone users. In October 2014, all mobile operators received a letter from the Ministry of Investments and Development, asking them to make their client databases compliant with the official standards concerning user registration. Provision of services to unregistered numbers was required to be suspended on December 10, 2014. The government justified this step by the "need to ensure public security."⁸¹

A professional from a private-sector telecom company who spoke on the basis of anonymity stated that the president's administration, the prosecutor general's office, and the National Security Committee have been planning to launch three different content monitoring systems, including software to monitor social networking sites. In the past, the Almaty city administration admitted that it monitors popular social networking sites.⁸² Several times, Facebook users who planned to take part in protest actions reported that they had been subject to "preemptive" police visits to their residences to "discuss their Facebook posts" and warn them against going to an unsanctioned gathering.⁸³ In January 2015, an unauthorized rally in support of the *Adam Bol* magazine was announced and coordinated via social media, but key participants—including journalists and human rights activists—were detained near their residences as they were heading to the gathering.⁸⁴

Kazakhtelecom maintains that its DPI system is used for traffic management and has no access to users' personal data.⁸⁵ According to Shavkat Sabirov, president of the Internet Association of Kazakhstan (IAK), the DPI system was installed on the backbone infrastructure in 2010 by the Israeli company Check Point Software Technologies.⁸⁶ Leaks of Sabirov's email correspondence released by hackers in January 2015 pointed to even closer ties between the IAK and the prosecutor general's office. In an interview with *Ratel.kz*, the IAK president confirmed the authenticity of emails,⁸⁷ which indicated that the IAK may be involved in handing over personal data (like IP addresses) of online commentators on news sites to prosecutors.

The government places no legal restrictions on anonymity online. However, legislation obliges both ISPs and mobile operators to retain records of users' online activities, including phone numbers, billing details, IP addresses, browsing history, protocols of data transmission, and other data, via the installation of special software and hardware when necessary.⁸⁸ Providers must store user data for two years and grant access within 24 hours to "operative-investigatory bodies," including the Na-

81 "SIM-card registration period extended," [in Russian] *Radio Tochka*, November 25, 2014, <http://bit.ly/1EjTZIb>.

82 Asemgul Kasenova, "Repentant terrorists' testimonies to be used in fighting extremism," [in Russian] *Tengri News*, October 1, 2013, <http://bit.ly/1NuVIRF>.

83 Dmitry Belyakov, "Protest action against tenge devaluation held in Almaty," [in Russian] *Radio Tochka*, February, 15, 2014, <http://bit.ly/1GAzccG>.

84 "Rally in support of journalists turned into a meeting with prosecutors," [in Russian] *Respublika*, January 26, 2015.

85 Community Information Security, "Here we received official confirmation from the use of DPI Kaztel," *Yvision* (blog), accessed August 2014, <http://bit.ly/1G2HzTp>.

86 As said at the Roundtable "How to make internet safe for children" in Almaty, April 14, 2014.

87 Kalashnikova, "Shavkat Sabirov."

88 Ksenia Bondal, "Следи за базаром - нас слушают" [Watch out, we are watched] *Respublika*, republished by *Zakon*, November 5, 2009, <http://bit.ly/1WRqj8b>.

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tional Security Committee, secret services, military intelligence, when sanctioned by a prosecutor, or in some cases “by coordination with prosecutor general’s office.”⁸⁹

Additionally, the 2013 law on countering terrorism granted extra powers to the security bodies and obliged mass media (including internet resources) to assist the state bodies involved in counter terrorism.⁹⁰ However, the exact mechanisms of assistance are not specified.

Under the 2011 governmental decree tightening surveillance in cybercafes, owners are obliged to document customers’ IDs before letting them access the internet, install video surveillance equipment and filtering software,⁹¹ and retain data about their online activities and browsing history. This information is to be retained for no less than six months and made readily available to “operative-investigatory bodies.”⁹² However, cybercafes are almost extinct in cities, and rarely register ID in practice. The regulation does not apply to public Wi-Fi access points.

Intimidation and Violence

No incidents of intimidation or physical violence against online users have been reported during the coverage period.

Technical Attacks

There were fewer reports of technical attacks against critical internet-based media or government websites than in previous years, though cyberattacks still pose a threat.

On January 26, 2015, the website of the Legal Media Center, a prominent media advocacy NGO, was hacked. The attackers posted irrelevant content on the website and a database of government procurement contracts in the information sphere, the focal point of the NGO’s activity, was rendered inaccessible for users.⁹³

Valery Surganov, the owner of the political blog *Insiderman*, was informed by the hosting provider that his website was taken down by a DDoS attack in March 2015, despite the fact that it was rarely updated and recently changed its critical stance toward the incumbent president, becoming more supportive.

On March 13, 2015, it was reported that Kazakhstan was suing unidentified hackers who broke into government computers and posted confidential emails exchanged between officials and a New York law firm. According to the lawsuit, thousands of messages sent from Gmail accounts belonging to Kazakhstan officials were stolen. The misappropriated emails included some from Marat Beketayev, Kazakhstan’s executive secretary of the Ministry of Justice, and Deputy General Prosecutor Andrey Kravchenko. Some emails were posted on Facebook, according to the complaint.⁹⁴

89 “Rules of rendering internet access services,” adopted by the governmental decree #1718 on December 30, 2011, <http://bit.ly/1R2vtdw>

90 “Law of the Republic of Kazakhstan on amendments and addenda into several legislative acts of the Republic of Kazakhstan regarding counteraction to terrorism,” [In Russian] *Zakon*, January 8, 2013, <http://bit.ly/1jfvslV>.

91 “В интернет-клубы теперь будут пускать только с удостоверением личности,” [Internet clubs will demand IDs] *Zakon*, January 25, 2012, <http://bit.ly/1QBFqCV>.

92 “Rules of rendering internet access services.”

93 Legal Media Center, “Legal Media Center NGO’s website hacked,” [in Russian] January 26, 2015, <http://bit.ly/1Dj6gsD>.

94 Patricia Hurtado, “Kazakhstan Sues Hackers Who Stole, Posted Officials’ E-Mails,” *Bloomberg Business*, March 13, 2015,

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The National Computer Emergency Response Team (CERT),⁹⁵ a state body designed to fight cyberattacks and malware, and to provide information security advice to the government, organizations and individuals, also lists “monitoring and detection of internet resources hosting illegal content” among its objectives.⁹⁶ This has been a matter of concern to analysts, but currently the CERT website declares that this refers only to technical, not political, content, and that they are not authorized to deal with issues that fall under the authority of law enforcement bodies.⁹⁷ However, in November 2014, the Kyrgyz website Kloop received a request to take down materials about Kazakh jihadists in Syria (see Blocking and Filtering). The letter was sent to Kloop by a Kazakhstani CERT employee.⁹⁸

<http://bloom.bg/1wHnnln>.

95 Computer Emergency Response Team (CERT), accessed March 2015, <http://kz-cert.kz/en/>.

96 “E-government portal suffers from DDoS attacks,” *Profit*, December 19, 2013, <http://bit.ly/1OpyQ0B>.

97 CERT, “About Team,” accessed March 2015, <http://www.kz-cert.kz/en/about/certinfo/>.

98 “Kloop.kg portal refused to remove the ‘jihadi kids’ article,” [in Russian] *Kazakhstan Today*, November 26, 2014, <http://bit.ly/1BDSptk>.