

GLOBAL INFORMATION SOCIETY WATCH 2009

*Focus on access to online information and knowledge
– advancing human rights and democracy*



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND HUMANIST INSTITUTE FOR COOPERATION WITH DEVELOPING COUNTRIES (Hivos)

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*Dedicated to A.K. Mahan - an activist who valued
intellectual rigour and concrete outcomes.*

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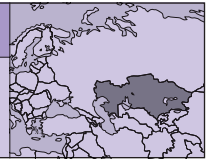


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KAZAKHSTAN

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Introduction

Kazakhstan has declared the development of the information society in the country as one of the key priorities for the development of the country as a whole. The state understands the importance of access to online information or access to information by means of modern information and communications technologies (ICTs) as a prerequisite for the development of the information society in the country. Numerous achievements have been made in this area, including establishing a regulatory and legal framework, as well as investments in physical access infrastructure. However, the development of Kazakhstan's information society is behind the overall economic development of the country, and the recent economic turbulence has exposed this gap. Limited access by the population to online information is one of the hindering factors for the development of the country's information society. There are many reasons for this, but the main ones are underdeveloped ICT infrastructure (despite the investment in this area), high internet prices, low computer literacy and a lack of content. Recently imposed legal restrictions on online information sources have the potential to further limit the development of the information society in Kazakhstan.

Policy environment

Initiated by President Nursultan Nazarbaev in 2001, the first state policy that was concerned with development of the information society was the Programme on the Formation and Development of National Information Infrastructure for 2001-2003. This further led to the E-Government Concept in 2004, two e-government programmes for 2005-2007 and 2008-2010, two Telecom Sector Development Programmes for 2003-2005 and 2006-2008, and the Programme on the Reduction of Information Inequity for 2007-2009. These state programmes have significantly contributed to the development of the information society in Kazakhstan by establishing both a regulatory framework and physical infrastructure for accessing online information, facilitating the creation of new information resources, and promoting internet use by the population. The progress in implementing these programmes has recently slowed down due to funding limitations caused by the troubled economy.

Kazakhstan tends to align itself with its regional counterparts in terms of its policy and regulatory framework, and to harmonise its policy and regulatory instruments with international standards. For instance, this was the case with its e-signature and e-document regulations, where the public key infrastructure¹ approach is used. There are, however,

cases when the state has taken a less popular approach – for instance, with regulation of the internet and online media, where it is taking a controlling and restrictive role. That said, the government is usually open to international best practices and tends to evaluate various choices carefully.

Legislative environment

The Constitution of the Republic of Kazakhstan provides for the right of citizens to receive and distribute information as long as it does not contradict any laws. The Constitution also forbids censorship of any kind in Kazakhstan. However, it lacks provisions for the right of citizens to access information.

There is no law on information or access to information in Kazakhstan that provides a clear framework for information dissemination. A law that is supposed to regulate all aspects of information in the country, including access, has been in the works for a few years and there is no indication when this law may be passed. This law will have a significant effect on the development of an information society in the country.

The Law on National Security has provisions that forbid “distribution of printed products, TV and broadcasts of foreign mass media in the territory of the Republic of Kazakhstan, the content of which undermines national security.” While such laws are necessary, they do provide opportunities to limit access to information when there are no clear guidelines on access to information and ensuring it as a right.

A law on mass media and its implementing regulations govern all aspects of mass media, which include internet resources such as websites and blogs. According to this law, both owners of mass media and authors are liable for the information they provide. The state reserves the right to limit access to mass media which provides information that is prohibited by law.

Current state of access to information in Kazakhstan

Kazakhstan's access infrastructure is under development and, despite investment in this area, is currently one of the limiting factors affecting individuals' access to information. A lack of competition in the telecoms sector and inefficient regulation result in high internet tariffs. Low levels of computerisation in schools and universities prevent computer literacy levels from rising. However, ongoing investment in physical infrastructure, rapid growth of mobile communications and cheaper computers will allow for better access to information in the future.

Internet penetration in Kazakhstan is believed to be about 10%, according to expert estimates. The government has not reached consensus on the exact figure, with various

¹ One of the common approaches to e-signatures, where open and closed key pairs are used to authenticate the e-signature holder. This is believed to be more secure, but is costly to implement.

agencies quoting anywhere from 12% to 15% of the population using the internet in 2009. Computer literacy levels in Kazakhstan were estimated at a little less than 10% in 2007, while computer penetration was no more than 5% that year. While the estimates for 2009 vary, all sources agree that these figures have not exceeded 15%. This significantly limits opportunities for access to online information by the population at large. The government had plans to increase the levels of internet and computer penetration along with computer literacy to at least 20% by 2010. However, the current slump in economic growth has adjusted these plans: state funding aimed to increase these numbers was significantly reduced.

The first Telecom Sector Development Programme (2003-2005) was instrumental in establishing modern telecom infrastructure in the country. The second programme (2006-2008) was meant to accomplish some of the goals that were set but not achieved by the first programme, as well as a list of new goals aimed at continued development of the telecom sector. Telecom sector deregulation, liberalisation, increased competition and infrastructure development are among the top priorities of both programmes. Although some of the targets have not been achieved (or have been achieved only nominally), the programme is contributing significantly to the development of ICT infrastructure in the country.

In line with the State Programme on the Development of E-Government in Kazakhstan for 2008-2010, some government agencies already provide interactive services, with a certain degree of success. For example, it is already possible to submit tax forms electronically and to check whether tax payments have cleared the system, or whether there are any tax liabilities outstanding. All of this is done in real time using digital signatures, which sets Kazakhstan apart from many other countries. It is estimated that over 80% of businesses in Kazakhstan submit their tax reports electronically. The implementation of the e-tax system has certainly motivated many businesses to harness ICTs, and has become a driving force for the computer training of many accountants and businesspeople. However, the e-tax system is still far from achieving its goals of efficiency, ease of use and transparency. At the same time, the newly created e-government portal provides a limited number of information services, and the ones provided are of little relevance to the majority of the population. The quality of these services is also low (i.e., the information is not provided in full and does not go into the necessary depth; the language is also sometimes difficult to comprehend).

In an effort to promote e-government services and increase access to communication infrastructure and information resources, the Programme on the Reduction of Information Inequity in Kazakhstan was approved by the government in 2006. The three main goals of the programme are a 20% computer literacy rate, a 20% internet penetration rate and an increase in the role that information systems play in the life of an average citizen. The programme also

allows for opening public access sites and the installation of information kiosks that will provide access to government websites and portals.

ICTs are also the most efficient way to ensure access to information in rural areas where towns are separated by large distances and the population density is very low. It is much easier (and less expensive) to create one access point in a village, train the people in using it and provide access to a central e-library book database, than to invest in physical library infrastructure, publish books and ensure the timely delivery of periodicals. E-government can provide services to citizens regardless of their location very quickly. E-government services mean citizens avoid queues, and, most importantly, eliminate contact with government clerks, and in this way minimise the possibilities of corruption.

A lack of local content limits access to online information through language barriers (there is very little content in the Kazakh language). The majority of the websites in Kazakhstan are hosted abroad, despite significantly lower tariffs offered by internet service providers (ISPs) for accessing content hosted in Kazakhstan.²

The overall environment remains favourable for the development of an information society in the country. Rapid economic growth in recent years, high literacy levels, the president's long-term vision and new government programmes are among the key factors for an increase in computer and internet penetration in Kazakhstan. Government spending on new local content (publishing books and textbooks, creating websites), and additional funding for schools and libraries have created the necessary environment for the information society to develop. Increased disposable incomes have allowed Kazakhstanis to invest more time and money in educating themselves and their children, which in turn increases the hunger for information. State programmes have a potential to provide access to key government services in the near future for all, but especially for underserved and vulnerable groups.

New trends

The government has recognised the phenomenon that is the internet, and the potential of information sharing through things like online conferences – it has conducted a number of online conferences in real time with the public.³ Blogging is gaining popularity as well: all government cabinet members now have public blogs, and some are very active. There is, however, also anecdotal evidence of the blocking of websites run by political opposition groups due to controversial information being posted online, sometimes by the website

2 It is much cheaper to access a locally hosted website, as providers differentiate internet access prices by the origin of traffic.

3 One example is the president's annual question and answer session with the general public of Kazakhstan. Questions for the session are taken via internet (e.g., email, online forms), short message service (SMS), telephone calls, letters, and live feeds using correspondents placed in all major towns in the country. The president's answers are broadcasted on radio, television and the internet. This ensures wide participation in the session by a diverse range of groups. There have also been numerous live online conferences conducted by government representatives on various online forum boards.

hosts and sometimes by others in comments sections. Most of the opposition websites hosted in Kazakhstan have had to be moved abroad. Anonymiser proxies⁴ were then advertised by the opposition as a way of overcoming government internet protocol address filtering. Blogging is gaining popularity with various non-governmental organisations (NGOs) and opposition groups that are using them as an alternative to news services.

The recent changes to Kazakhstan's law on the media mean that all websites are considered "mass media" and are now subject to state regulations in terms of content published on them. This provision also covers content posted as comments on websites such as blogs, making website owners liable for content posted on their sites by third parties.

Action steps

- It is necessary to expand the range of interactive information services provided through the e-government programme, focusing on high-demand services first. The quality of services should also be improved.
- Kazakhstan needs to ensure that citizens' freedoms and rights are respected, including the freedom of expression and speech and the right to access information.
- Multimedia question and answer sessions between senior state officials and citizens should be replicated elsewhere, so that citizens can become properly informed about various government procedures. Combining different media types allows the impact to be maximised, and ensures all groups involved are covered. For instance, while radio may not be appealing to young internet users, the elderly rural population will never choose another option.
- Disabled and marginalised groups require particular attention to familiarise themselves with the information society. The government needs to identify these groups very specifically and allocate resources to include them in its information society programmes.
- It is necessary to develop online local content. Everything from news and entertainment portals to e-commerce websites need to be developed and popularised in the country.
- Although obvious, it is necessary to increase computer literacy and internet penetration in Kazakhstan. ICTs should play a key role when it comes to access to information.

There are two simple key success factors that encompass enormous difficulties when implementing programmes: making sure the demand for information is there and then ensuring that information can be delivered. The situation in Kazakhstan revolves exactly around these two factors. Citizens are reluctant to search for information, even when it is available, as they are simply unaware that this information exists and that it can benefit them directly. At the same time, the means for information delivery are very limited or non-existent. To be successful in meeting the information needs of the population it is first necessary to show that useful information is there and that it can benefit the individual directly. Then it is necessary to provide the information in the most effective and efficient way, which will be different for different groups. ■

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- State Programme on the Development of E-Government in the Republic of Kazakhstan for 2008-2010

⁴ Essentially a website that reroutes traffic.

GLOBAL INFORMATION SOCIETY WATCH (GISWatch) 2009 is the third in a series of yearly reports critically covering the state of the information society *from the perspectives of civil society organisations across the world.*

GISWatch has three interrelated goals:

- **Surveying** the state of the field of information and communications technology (ICT) policy at the local and global levels
- **Encouraging** critical debate
- **Strengthening** networking and advocacy for a just, inclusive information society.

Each year the report focuses on a particular theme. **GISWatch 2009** focuses on *access to online information and knowledge – advancing human rights and democracy.* It includes several thematic reports dealing with key issues in the field, as well as an institutional overview and a reflection on indicators that track access to information and knowledge. There is also an innovative section on visual mapping of global rights and political crises.

In addition, 48 country reports analyse the status of access to online information and knowledge in countries as diverse as the Democratic Republic of Congo, Mexico, Switzerland and Kazakhstan, while six regional overviews offer a bird's eye perspective on regional trends.

GISWatch is a joint initiative of the Association for Progressive Communications (APC) and the Humanist Institute for Cooperation with Developing Countries (Hivos).

GLOBAL INFORMATION SOCIETY WATCH

2009 Report

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