



## PRESS RELEASE

For Immediate Release – 29 January 2008

### Kazakhstan: Censorship of Independent Websites

#### **ARTICLE 19 is deeply concerned about the selective application of Internet regulations and the suspension of major independent websites in Kazakhstan**

On 18 October 2007 the authorities in Kazakhstan blocked four independent websites which published links to audio files containing politically sensitive telephone conversations alleged to feature senior government officials. In the files the speakers use strong language to discuss Rakhat Aliyev, a former ally of President Nursultan Nazarbayev who now lives in exile in Europe.

One of the blocked sites, kub.kz, is hosted outside Kazakhstan. It was subsequently suspended by the official website regulator, the Kazakhstan Network Information Center (KazNIC), under the “Regulation for the Allocation of Domain Space in the Kazakhstan Segment of the Internet” which prohibits sites with the .kz domain from being hosted abroad. However, the KazNIC website itself (<http://nic.kz>) is hosted in the USA, suggesting the selective targeting of specific websites. No prior notice or warning was sent to the websites to enable them to address the alleged irregularities.

As of 29 January the site kub.kz remains suspended. The audio files and transcriptions thereof are freely available on other sites.

This regulation goes contrary to the very nature of the Internet itself as is a global network of communication. Kazakhstan is a signatory to the *International Covenant on Civil and Political Rights* (ICCPR), which guarantees the right to freedom of expression, and as such is legally bound not to introduce any regulation or act in a manner that is contrary to the ICCPR’s purpose and spirit. Furthermore, Kazakhstan’s Constitution and a number of other international agreements also impose upon it a duty to protect and respect freedom of expression and information, which *inter alia* includes protection of Internet content and its infrastructure from technical or other undue interferences.<sup>1</sup> Freedom of expression also includes the right to criticise public officials, who are further expected to display a greater degree of tolerance to criticism than citizens.

The Internet is an extremely important medium of communication and expression. Under international human rights law on the right to freedom of expression, any restrictions on access to the Internet must be very carefully scrutinised: any such measures should be *provided by law*, pursue a *legitimate aim* (eg the protection of the rights or reputation of others) and be *necessary* (rather than simply “useful” or “appropriate”) in a democratic society. Outright restrictions on access to the Internet, such as the blocking of access to particular independent websites, do not fulfil this test and are therefore unjustifiable obstacles to the realisation of the right to free expression.

ARTICLE 19 calls on the Kazakhstan authorities to allow kub.kz, and the Internet generally, to operate free from interference, subject to the very narrow exceptions envisaged by international human rights law.

#### **NOTES TO EDITORS**

- For more information, please contact Chris Burnett, Programme Officer, [chris@article19.org](mailto:chris@article19.org), +44 20 7278 1195.
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees freedom of expression.

---

<sup>1</sup> See *Autronic AG v. Switzerland*, 22 May 1990, Application No. 12726/87 (European Court of Human Rights).