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EU Statement on Internet legislation in Kazakhstan

The EU has learnt to its great regret of the signature by President Nazarbayev on 10 July of the law on Information and Communications Networks, which has also been the subject of a spot report by the OSCE Centre in Astana dated 14 July.

We have iterated our serious concerns about this legislation on four separate occasions in the Permanent Council this year, most recently in response to the regular report of the Representative on Freedom of the Media, Mr Miklós Haraszti, on 2 July.

As we have stated previously, we are firmly of the view that this legislation is in violation of Kazakhstan's OSCE commitments to foster access to the Internet and to ensure that it remains an open and public forum for freedom of opinion and expression (PC Dec 633 of 11 Nov 2004). It is also in direct contravention of the pledge made by Minister Tazhin to the Madrid Ministerial Council on 29 November 2007, to take the recommendations of the OSCE and its institutions into account when implementing its program of democratic reforms. As Mr Haraszti has said, this legislation will

Postal address
Obere Donaustrasse 49-51
1020 Vienna, Austria

Visitor's address
Obere Donaustrasse 49-51
1020 Vienna, Austria

Telephone
+43 (0) 1 217 53 0

Fax
+43 (0) 1 217 53 380

E-mail: osse-del.wien@foreign.ministry.se
euoffice@osce.org

considerably limit freedom of the Internet and media freedom in general due to several shortcomings, in particular by equating forums, blogs, chats and other Internet resources with traditional and print broadcast media, by limiting access to foreign press and by imposing new limitations on traditional media by expanding the grounds for suspension of publication or distribution.

As Kazakhstan approaches its chairmanship of the OSCE, the EU reiterates its willingness to work with Kazakhstan as incoming chair, and recalls its expectation that the country exemplify the principles, undertakings and standards of the Organization and demonstrate its readiness to do so. We urge Kazakhstan to take the concerns mentioned into account when implementing this law and considering future amendments to it.

The candidate countries CROATIA* and FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, as well as the European Free Trade Association countries and members of the European Economic Area ICELAND and NORWAY, align themselves with this statement.

*Croatia and Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.