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**STATEMENT BY MR. YERMUKHAMET YERTYSBAYEV,
MINISTER OF CULTURE AND INFORMATION OF THE
REPUBLIC OF KAZAKHSTAN, AT THE 678th MEETING OF THE
OSCE PERMANENT COUNCIL**

Vienna, 26 July 2007

Mr. Chairman,
Ladies and gentleman,

It is for me a great honour to address you for the first time in this hall in my capacity as Minister of Culture and Information of the Republic of Kazakhstan.

Permit me, first of all, to thank the Spanish Chairmanship in the person of Mr. Carlos Sánchez de Boado, the Permanent Representative of Spain to the OSCE, for this opportunity to speak before so representative an audience.

Allow me to tell you something about the approaches and innovations that we are confidently introducing in our work today, guided as we are by the basic principle of respect for the fundamental rights and freedoms of the individual to unhindered access to information, freedom of speech and freedom of conviction.

Taking this basic principle as our point of departure, we have embarked on a committed policy aimed at building a modern information society, whose essential hallmarks will be electronic governance, digital television with the corresponding expansion of the services offered, access to the Internet for the residents of every community in Kazakhstan, including the most remote, and equal and universal access to modern information services.

The policy of reform that we have chosen fully encompasses also such important humanitarian spheres as freedom of speech, non-governmental organizations (NGOs), a language policy, the operation of our national cultural centres, the satisfaction of the spiritual needs of the State and the self-realization of the nation's cultural potential — in a word, it is a policy intended to maximally ensure personal rights and freedoms, key concepts in the humanitarian dimension.

Taking into account the tasks ahead of us, we are focusing our attention on certain key issues having to do with enacting the necessary legislation to ensure that the information sphere can function properly.

Kazakhstan is moving steadily forward along the path of implementing the commitments it has assumed, of ratifying the international treaties and covenants on civil, political, social, economic and cultural rights, and of developing freedom of speech and pursuing democratic reforms.

For example, as recently as last year the President of Kazakhstan approved a conceptual framework for the development of civil society. Our department has formulated a comprehensive programme to improve Kazakhstan's model of inter-ethnic and inter-confessional harmony for the period 2006–2008, a model that we can say, without any false modesty, has become Kazakhstan's visiting card in the international arena.

Serious attention is being given to increasing the role played by non-governmental organizations. Relations with the non-governmental sector are moving to a new level of partnership. Specifically, some of the functions involved in dealing with the Government's tasks in the social sphere are being transferred as part of the general policy of democratization. Under the Government there is a Co-ordination Council for co-operation with the "third sector" and also a National Information Resource Centre for NGOs, while in the regions there are councils to promote collaboration between the non-governmental sector and agencies of the State.

Particular attention is being directed at the question of language policy, in which connection a State programme entitled "trinity of languages" has been launched, whose aim is to promote a fluent command by citizens of Kazakhstan of three languages: English as the modern language of international communication, Russian as the language of communication between the different ethnic groups within the country, and Kazakh as the national language.

You can learn more about the reforms being undertaken and about our efforts in these areas from the supplementary documents prepared for today's meeting.

As we continue to advance along the path of securing our citizens' basic rights to information, we have discontinued work to draft a bill regulating publishing activity and Internet sites hosted in Kazakhstan.

Currently under discussion by our Parliament is a bill containing amendments for the further liberalization of the existing legislation regulating the information sphere. On the whole, the Ministry of Culture and Information supports this draft law, although in our view it contains a number of questions that have so far not been completely resolved. This is particularly true of the question of defamation. Accordingly, our ministry intends to propose a considerable number of amendments in the future.

First. At present, the law in our country provides for specific measures in the case of defamation, slander and attacks on the honour and dignity of a representative of the authorities. At the same time, these same actions when committed in a manner involving the media are punished even more severely. Our amendments would eliminate this provision as regards the media.

Our department is also examining the possibility of declaring a moratorium for a specified period on prosecution in the case of conflicts involving defamation, limiting the matter to the civil courts.

In this connection, we are pinning great hope on a more active role by professional associations of journalists, which will be called upon to perform a self-regulatory function in resolving disputes before they come to court and to help in the search for compromise solutions when there is a conflict between the right to the protection of honour and dignity, on the one hand, and the right to freedom of speech, on the other.

Second. At the present time, we are preparing specific legal mechanisms to prevent a concentration of the media in one and the same hands. In other words, we are moving to break up media monopolies.

Third. In line with a direct recommendation by the OSCE, we are introducing amendments having to do with the inadmissibility of the disclosure by courts of information sources for any reason. A journalist retains the right to professional secrecy with regard to his sources. The right to anonymity may be waived only in exceptional cases, in line with international standards.

In addition, we are deleting the provision concerning journalists' obligation to at all times publish reliable information and to respect the legitimate rights and interests of individuals and legal persons.

Fourth. The abolition of the registration requirement for electronic media.

On the eve of this visit, we held a meeting with editors-in-chief and representatives of a number of professional associations of journalists at which we learned of their assessments and enlisted their support for the amendments I have mentioned, which are aimed at improving our legislation.

We agree with the position of the OSCE and we support it, in the belief that the development of a self-regulation mechanism will go a long way towards improving the media situation in Kazakhstan. Having journalists acknowledge their obligations to society will help to strengthen editorial independence and to inspire the confidence in the media that has to some degree been lost in recent years. Not without good reason do we see ourselves as true partners of the OSCE on the path towards this goal. We are particularly grateful for the Organization's attention to this area and for its recommendations on improving our legislation.

I should like to thank in particular Mr. Ivar Vikki, the Head of the OSCE Centre in Almaty, Mr. Miklos Haraszti, the OSCE Representative on Freedom of the Media, and also the "Adil Soz" International Foundation for the Protection of Freedom of Speech for preparing and organizing the seminars and round-table meetings on media self-regulation and correctness that have been held in Kazakhstan this year. This enormous work has made it possible a few days ago for media and NGO directors to sign a "Charter of Commitment to Ethical Standards in Reporting on Election Campaigns". The purpose of this document is to ensure that the media provide adequate, full and reliable information to the people of Kazakhstan on the electoral process during election periods, and also on the activities of parties and candidates.

We understand that the State must lend its support to initiatives for media self-regulation as an alternative approach to introducing order to this area as a whole. In this context, we have set ourselves the task of contributing in every possible way to the drawing

up of a national code of professional ethics for journalists, to be based on ethical principles common to all mankind.

I would venture to assure you that in the future as well Kazakhstan will continue, as regards the development and liberalization of its information space, to adhere to the democratic path, based as it is on the protection of the rights and interests of the citizens.

At this point, I can say with assurance that the moment has come when we are entirely open to dialogue and constructive discussion. Our State has clearly set a course aimed at bringing about democratic reforms. At the same time, we are directing great attention at efforts to enhance our organizational capabilities. I should like to take this opportunity to propose to the OSCE that it provide us with more active support in this sphere and that it second to Kazakhstan personnel to conduct a series of training programmes in our department in a number of areas so as to ensure that we are able to fully meet the high modern standards and criteria of the OSCE in the humanitarian sphere, and in order also that you in turn can convince yourselves of our sincerity and preparedness.

Ladies and gentleman,

I have no doubt that we are on the right path. You and we share a common desire to make Kazakhstan more democratic, our information sphere even more open, and our media even freer and more modern and independent.

As I have already pointed out, in the light of these developments our Head of State has entrusted to our department the following tasks: the formation of a competitive, modern, flexible information and humanitarian sphere on a par with all international standards as regards the observance of the fundamental rights and freedoms of the individual — the right to information and freedom of speech and freedom of conviction.

We are moving forward in a balanced and measured manner along the path of reform, attempting to provoke no cataclysms or upheavals in our young State. We are grateful for the genuinely valuable advice that will enable us to avoid painful mistakes and to overcome such obstacles as may arise. We highly value and take into account the OSCE's many years of experience as it applies to our fledgling democracy.

I have no doubt that the election of Kazakhstan to the Chairmanship of the OSCE will be seen as a worthy response to our sincere endeavours and our firm and irreversible commitment to further democratization and the development of freedoms in our society.

It is my belief that our further co-operation will be both constructive and useful for both parties.

Thank you for your attention.