

# Kyrgyzstan

	2015	2016		
<b>Internet Freedom Status</b>	Partly Free	Partly Free	<b>Population:</b>	5.96 million
Obstacles to Access (0-25)	11	10	<b>Internet Penetration 2015 (ITU):</b>	30 percent
Limits on Content (0-35)	8	7	<b>Social Media/ICT Apps Blocked:</b>	No
Violations of User Rights (0-40)	16	18	<b>Political/Social Content Blocked:</b>	No
<b>TOTAL* (0-100)</b>	<b>35</b>	<b>35</b>	<b>Bloggers/ICT Users Arrested:</b>	Yes
			<b>Press Freedom 2016 Status:</b>	Not Free

\* 0=most free, 100=least free

## Key Developments: June 2015 – May 2016

- More of the population has access to the internet than ever before, with the gradual spread of broadband infrastructure and the majority of mobile providers launching 4G Networks (see **Availability and Ease of Access**).
- Online journalists have faced legal sanctions including fines for posting content which criticizes state officials (see **Prosecutions and Detentions for Online Activities**).
- In March and May 2016, recorded telephone conversations between opposition figures were leaked online, sparking speculation that the government is misusing its surveillance capabilities (See **Surveillance, Privacy, and Anonymity**).

## Introduction

The internet in Kyrgyzstan remains fairly liberal, though concerns regarding government surveillance practices were heightened following leaked recordings of opposition leaders' phone calls, and at least one disproportionate fine was issued to a journalist for "damaging the honor" of a former president.

The environment for internet freedom in Kyrgyzstan has improved in recent years, with fewer restrictions since the overthrow of President Kurmanbek Bakiev's regime in 2010. Despite some improvements, a rural-urban divide in internet access persists, and internet penetration rates lag behind those of neighboring countries.

The government does not engage in widespread censorship, and websites which had been previously blocked are now available. The authorities have targeted online expression deemed extremist, and have expanded the range of expression that can be punished under anti-extremism laws. Though the internet largely remains a sphere of free expression in Kyrgyzstan, in some instances internet users were prosecuted for criticizing the government online and for "liking" controversial content on social media.

Like many states in the former Soviet Union, the Kyrgyzstan uses SORM technology for surveillance purpose, and recently required all ISPs and mobile providers to install the latest version of SORM to facilitate government surveillance. Evidence continues to emerge indicating that the government is abusing this technology to monitor the political opposition.

## Obstacles to Access

*Internet access in Kyrgyzstan is relatively limited, though internet penetration continues to increase, with the introduction of unlimited plans by mobile operators and the development of 4G services helping to improve access. There is still a digital divide between urban and rural areas, as telecommunications companies have fewer incentives to expand services and infrastructure outside major cities. The state-owned telecommunications company, KyrgyzTelecom, controls the majority of the market for fixed internet access, with a market share of 60 percent.*

## Availability and Ease of Access

Access to the internet in Kyrgyzstan continues to expand, though the percentage of the population with internet access is still low by global standards. Internet penetration rates reported by the International Telecommunication Union (ITU), Kyrgyzstan's State Communication Agency (SCA), and independent research groups vary. According to the ITU, the internet penetration rate in 2015 reached 30.25 percent, compared to 28 percent in 2014 and just 16 percent in 2009.<sup>1</sup> In contrast, the SCA reported that in 2015 there were 4,754,601 active internet users in Kyrgyzstan, or approximately 79 percent of population. The average connection speed in the first quarter of 2016 increased to 3.3 Mbps.<sup>2</sup>

---

1 International Telecommunication Union (ITU), "Percentage of individuals using the Internet," <http://bit.ly/1eKDWOQ>.

2 Akamai, "State of the Internet, Q1 2016 Report," <https://goo.gl/TQH7L7>.

Fixed-broadband access, via either fiber-optic cables or DSL, is accessible mainly in the capital, Bishkek, with broadband in the provinces provided only by the state-run internet service provider KyrgyzTelecom. Broadband speeds range from 24 Mbps for DSL to 100 Mbps for the FTTx (fiber to the x) network, which is well-developed in Bishkek. KyrgyzTelecom has launched a CDMA 450 mobile telephone and broadband network to expand telecom infrastructure into more rural areas, though it has only become partially active. CDMA 450 phones have become popular in rural areas with more than 30,000 subscribers as of October 2016.<sup>3</sup>

Mobile phone penetration is significantly higher than internet penetration, at 116 percent at the end of 2015<sup>4</sup> comparing with 128 percent as of the end of 2014, according to the SCA. Mobile phone companies say that their networks cover 90 percent of the country's populated territory, thus extending the possibility of internet use for most people as mobile web access expands. Beeline, one of the largest mobile phone carriers, launched a 3G network in 2010 that covers the entire country. Another large firm, Megacom, launched its own 3G network in 2012, covering more than 50 percent of populated territory by 2013.<sup>5</sup> Megacom and Beeline announced the launch of 4G LTE networks in the main cities of Kyrgyzstan in March and May 2016, respectively, with plans for expansion across the entire country.<sup>6</sup> Saima Telecom has a 4G network covering Bishkek and some suburbs. GSM operator NurTelecom (under the brand O!) launched a 4G LTE network covering Bishkek and surrounding areas in 2014.<sup>7</sup> In July 2015, Megaline one of the biggest ISPs, launched an LTE network in Bishkek and suburbs.

In recent years, the price for internet has decreased, becoming more affordable for much of the population, though primarily in the capital where the infrastructure is well-developed and there is greater competition among providers. In 2015-2016 FTTX providers in the capital increased the bandwidth offered without increasing prices, with the maximum available bandwidth of 20 Mbps at an average price of US\$17-25 USD per month. Rates in rural areas, served by KyrgyzTelecom, are significantly higher than in urban areas. An internet connection of 128 Kbps cost US\$8.50 per month in some rural regions in 2016; 1 Mbps cost about US\$38. KyrgyzTelecom hosts 44 Wi-Fi hotspots in 14 different locations throughout Kyrgyzstan with free access up to 256 Kbps.

The development of mobile networks provides an alternative to fixed broadband access. Beeline's cheapest data plan provides 50 MB per day for US\$0.07. Megacom offers 100 MB per day for US\$0.30. Mobile operator O! offers unlimited data for US\$20 per month. In April 2016, the average monthly wage was KGS 13,544 (US\$200).<sup>8</sup>

---

3 KyrgyzTelecom, "Results of modernization and development projects since 2011," [http://kt.kg/about\\_us/press\\_center/#ui-tabs-2](http://kt.kg/about_us/press_center/#ui-tabs-2).

4 *Отчет агентства связи за 2015 год*, [Annual report of SCA for 2015] <http://bit.ly/1OQXBnQ>.

5 Megacom, "продемонстрировал уверенный рост зоны покрытия сети 3,75G в 2013 году," [Megacom demonstrated steady growth of 3.75 network coverage in 2013] press release, January 16, 2014, <http://megacom.kg/rus/press/news/3052.html>

6 Megacom, "МегаСом объявляет о масштабном запуске сверхскоростного 4G LTE!" [Megacom announces large-scale launch super-high-speed 4G LTE!] March 10, 2016, <https://www.megacom.kg/news/3708?locale=ru>; Beeline, "Beeline объявляет о запуске сети 4G LTE во всех регионах Кыргызстана!" [Beeline announce about launching 4G LTE network in all regions of Kyrgyzstan] May 16, 2016, <https://www.beeline.kg/kg/news/continueReading?articleCode=00050014>.

7 O!, "Мобильный оператор O! первым из GSM-операторов Кыргызстана открывает возможность использования технологии передачи данных 4G LTE," [Mobile operator O! Is the first of GSM operators in Kyrgyzstan opens an opportunity to use 4G LTE data transfer technology] news release, May 8, 2014, <http://bit.ly/1Oduuil>.

8 National Statistical Committee of the Kyrgyz Republic (Stat KG), "Основные показатели социально-экономического развития Кыргызской Республики в январе-апреле 2016г," [Main indicators of social-economic development of Kyrgyz Republic in Jan-Apr 2016] May 20, 2016, <http://bit.ly/1sJtR2O>.

## Spotlight on Marginalized Communities

*Freedom on the Net 2016* asked researchers from India, Indonesia, Kenya, Kyrgyzstan, Jordan, Mexico, Nigeria, and Tunisia to examine threats marginalized groups face online in their countries. Based on their expertise, each researcher highlighted one community suffering discrimination, whether as a result of their religion, gender, sexuality, or disability, that prevents them using the internet freely.

In Kyrgyzstan, Elnura Emilkanova interviewed 25 blind internet users and two support staff to highlight the experiences of young internet users.<sup>1</sup> The study found:

- Kyrgyz, the national language, is increasingly the only language spoken by young people, particularly in rural areas, yet there is no speech to text software available in Kyrgyz. Most blind internet users rely on screen reader software called JAWS, which reads out text from a computer screen, but only in Russian and English. "I wish there was much more information online in the Kyrgyz language," said 25-year-old Ainuska Apsamatkyzy.
- Special software can help blind customers access the internet via mobile phone. Yet it is exceedingly rare to meet a blind person who uses mobile internet, since the cost of service is a financial burden. The average disability pension in Kyrgyzstan is less than US\$ 50 per month.
- Computer literacy training for the blind is severely underfunded. "On average a blind person spends at least six months learning the basic steps to be able to work with screen readers," said computer instructor Azat Toktombaev.

1 Elnura Emilkanova, "If the Internet were Accessible to Me:" Access for the Blind in Kyrgyzstan, research paper, August 2016, on file with Freedom House.

## Restrictions on Connectivity

ISPs in Kyrgyzstan are not required to use government-owned channels to connect to the international internet and can establish their own. Kyrgyzstan's six ISPs have international internet connections via Kazakhstan. In the past, the blogging platform LiveJournal, which was blocked in Kazakhstan, was also accidentally blocked for some internet users in Kyrgyzstan, though this problem appears to have been resolved. The government of Kyrgyzstan does not currently place restrictions on any social media platforms or communication applications. In 2010, the state-owned ISP KyrgyzTelecom said it had completed the construction of a fiber-optic cable connection to China.<sup>9</sup>

Fixed-line internet service providers no longer charge differently for domestic versus international content. However, with the introduction of unlimited data plans, providers offer different bandwidths for domestic compared to international traffic. Mobile phone operators do not make this distinction in their data plans and provide the same bandwidth for accessing information, regardless of where it is hosted.

## ICT Market

Kyrgyzstan's telecommunications sector is relatively liberalized and competitive compared to that of other countries in the region; however, the state-owned KyrgyzTelecom is still the largest ISP with a market share of about 60 percent. The other five first-tier ISPs (Elcat, Megaline, Saima Telecom, Beeline, NurTelecom) are privately owned.

9 Kyrgyztelecom, "Годовой отчет 2010, Кыргызтелеком," [Annual report 2010, Kyrgyztelecom] <http://bit.ly/1WXWIK6>.

There are three mobile phone operators providing voice and data services under brands Megacom (32 percent of the market), Beeline (41 percent), and O! (27 percent), Mobile operator O! has experienced market growth in the past two years due to its launch of 4G services. Megacom was nationalized in 2010 amid the political upheaval.

## Regulatory Bodies

In July 2016, the State Committee of Information Technologies and Communication was created, taking on many of the regulatory functions previously performed by the State Communication Agency (SCA). The Committee's responsibilities include developing ICT policy, facilitating the development of the ICT sector, as well as governing the ICT sector. Whereas the SCA was a semi-independent regulatory body, the State Committee of Information Technologies and Communication is funded from the state budget and is therefore closely tied to the government. Though the Committee is a relatively new body, it is already apparent that it does not operate transparently. Meanwhile, the SCA has been absorbed as a department under the Committee, taking away many of its previous functions and removing its independence.

## Limits on Content

*Although the government has attempted to censor certain content on the internet, in general there are fewer restrictions placed on material that is available online. This may be because television remains by far the dominant medium through which citizens obtain information about their country, and thus censorship efforts have focused on broadcast media.<sup>10</sup> The government focuses its online censorship efforts on content deemed extremist, though the number of websites blocked remains relatively low.*

## Blocking and Filtering

The authorities in Kyrgyzstan do not engage in extensive blocking of material online, and social media outlets such as YouTube, Facebook, and Twitter are freely available. However, the government does block access to content deemed extremist. By the middle of 2016, approximately 30 websites were blocked for extremist content or content inciting national or religious hatred, including sites containing resources of radical Islamic group Hizb-ut-Tahrir. The courts have also occasionally blocked content for the purpose of protecting reputation and dignity, often of public figures. In August 2015, a court ruled in favor of Ainagul Chylabaeva, blocking a website which accused the former public official of corruption and connections with criminal networks.

In previous years, a small number of websites have been subject to blocking. Kloop.kg, an independent news outlet, was blocked for several weeks in December 2014, after reposting a clip showing

---

<sup>10</sup> According to the 2012 M-vector survey, TV still remains the primary source of information for 82.6 percent of the population. See, M-vector Consulting Agency, *Исследование поведения и восприятия медиа аудитории 2012 г. (3-я волна)* [Media Consumption & Consumer Perceptions Baseline Survey 2012 (2nd Wave)] Kyrgyzstan, March 2013, <http://bit.ly/1jkOXQg>.

children from Kazakhstan training in Islamic State camps.<sup>11</sup> *Fergana News*, another independent news site, was periodically blocked for a number of years until 2013.<sup>12</sup>

According to the 2005 statute on counteracting extremist activities,<sup>13</sup> the procedure for blocking websites begins with a request to the prosecutor.<sup>14</sup> A review committee may be assembled consisting of representatives with different expertise (linguistic, religious, or legal) that can confirm the extremist nature of the site. However, members of the committee are appointed by the government, calling its independence and objectivity into question. The court will ultimately issue a judicial decision to block the website. The process has been inconsistently enforced.

On May 13, 2013, the parliament passed amendments to the Law on Counteracting Extremist Activities, which allow the government to order the blocking of websites hosted outside the country for “extremist” content.<sup>15</sup> Parliamentarians said the amendments were inconsistent with other legislation, and proposed regulating online content under the rubric of mass media, which would give the government greater control over online content.<sup>16</sup> The amendments were intended to make the blocking process more transparent, since they oblige corresponding bodies to publish the list of blocked resources.<sup>17</sup> As of May 2016, no list of blocked sites has been created.

In May 2016, parliament adopted further amendments to the Law on Counteracting Extremist Activities. The amendments expand the range of activities subject to the law to include expressions of approval or justifications of extremism or terrorism online, provisions which are framed broadly and may be subject to misuse.<sup>18</sup>

## Content Removal

There were no cases in which the government forced the removal of content online in 2015 or 2016. In most cases, content that the government deems illegal is hosted on servers outside of Kyrgyzstan, so they cannot require that the host providers remove it.

## Media, Diversity, and Content Manipulation

There are no specific economic restrictions imposed by the government that negatively impact users’ ability to publish content online, or that restrict online media outlets’ ability to remain financially

---

11 Ulugbek Akishev, “Агентство связи Кыргызстана отозвало предписание о блокировке видео на Kloop.kg,” [Communication agency of Kyrgyzstan called back their prescription about blocking video on Kloop.kg] *Kloop* (blog), December 16, 2014, <http://bit.ly/1VOHV1P>.

12 “Independent News Website Partly Blocked in Kyrgyzstan,” Radio Free Europe/Radio Liberty, February 22, 2012, <http://bit.ly/1WXZ1wW>.

13 Dmitry Golovanov, “Kyrgyzstan: Extremism Outlawed,” *IRIS Merlin*, August 2005, <http://bit.ly/1Lhfh4i>; The Statute on Counteracting Extremist Activities” February, 2009.

14 Representatives of the 10<sup>th</sup> department explained the procedure to the author in a private interview in December 2011.

15 “Во втором чтении приняты поправки в закон о противодействии экстремистской деятельности” [The amendments to the law “On Counteraction to Extremist Activities” have passed second reading] *FOR*, February 28, 2013, <http://www.for.kg/news-216159-ru.html>.

16 Поправки о закрытии экстремистских сайтов отправили на доработку [Amendments on closing extremist sites are sent to revision] November 26, 2012, <http://bit.ly/18eWjdw>.

17 President of Kyrgyzstan, “ЗВ Закон «О противодействии экстремистской деятельности» внесены изменение и дополнения,” [Amendments are made to the law “On Counteraction to Extremist Activities”] news release, May 13, 2013, <http://bit.ly/1G9R0R3>.

18 Ministry of Justice, О внесении изменений в некоторые законодательные акты Кыргызской Республики (On amendments in several legal acts of Kyrgyz Republic), July 1, 2016, <http://cdb.minjust.gov.kg/act/view/ru-ru/111376>.

sustainable. Yet the Kyrgyz blogosphere is not well-developed. There are several popular blog-hosting platforms in Kyrgyzstan (such as Namba.kg, Kloop.kg, Diesel.elcat.kg, and Taboo.kg), but most blogs focus on entertainment or reprint reports from other news agencies.

There are no particularly popular blogs specifically devoted to political or social issues. Most blogs are in Russian, though some are in the Kyrgyz language, but the latter are not as popular. The internet in general has become an important source of alternative information for users, but since it is primarily the wealthier segments of the population who can afford to consistently access the internet, these are the main participants in online communities.

Self-censorship exists online to a certain degree, primarily as a result of government restrictions on inciting national hatred. All posts on forums are strictly moderated to limit this type of content, and online journalists and bloggers generally try to avoid issues concerning ethnic relations. Other laws may increase self-censorship, such as amendments to the criminal code signed by the president in May 2014, which introduced criminal penalties of up to three years in prison for disseminating false accusations regarding the commission of crimes (see Legal Environment).

Online platforms such as forums and social networks are actively used for manipulating public opinion, usually by trolls hired by different political actors to influence discussions and express favorable views.

## Digital Activism

Digital activism efforts remain limited in Kyrgyzstan. However, in October 2015, social media users launched a campaign against the government's plan to spend US \$40,000 on 120 chairs to be used in Kyrgyzstan's parliament, replacing chairs purchased as recently as 2010. The #120Kресел (#120Chairs) campaign received extensive coverage on Twitter and news outlets, and the government abandoned the plan.<sup>19</sup>

## Violations of User Rights

*While internet users are not generally imprisoned for their expression, a growing number of users faced fines and other legal sanctions for critical expression online in this coverage period. In addition, the government's capacity for surveillance of ICTs increased in recent years. A regulation requiring upgrades to SORM-3 technology, also instructed service providers to install black boxes on their networks, allowing intelligence agencies unfettered access without a court order.*

## Legal Environment

The rights to freedom of speech and freedom of expression are legally protected in Kyrgyzstan's constitution. Article 31 guarantees the right to freedom of thought, expression, speech, and press. Article 29 protects privacy, including private correspondence (by phone, mail, electronics, or other methods), and forbids the collection or dissemination of confidential information without an individual's consent. Nevertheless, the judiciary is not independent and remains dominated by the executive

---

<sup>19</sup> "Kyrgyz civil society forges parliament's hand in 120 seats campaign," *Global Voices*, October 15, 2015, <https://globalvoices.org/2015/10/15/kyrgyz-civil-society-forces-parliaments-hand-in-120seats-campaign/>.

branch. Corruption among judges, who are generally underpaid, is also widespread, hindering the fairness of decisions in freedom of expression cases and others.

Authorities in Kyrgyzstan have responded to the threat of international terrorism by passing legislative amendments which expand the state's power to crack down a wider range of activities.<sup>20</sup> The amended Law on Counteracting Extremist Activities criminalize public expressions of approval and justification of extremism or terrorism, raising concerns about possible restrictions on legitimate expression online.

In July 2011, the government decriminalized libel to bring legislation in line with the new constitution. Nevertheless, "insult" remains a criminal offense and is punishable by a fine. The criminal code contains several provisions (Articles 299 and 299-1) that prohibit "inciting national, racial, religious or inter-regional hostility." In some cases, the government has sought to apply these provisions to restrict nonviolent political speech.

On May 17, 2014, the president signed an amendment to the criminal code that criminalizes the dissemination of "knowingly false messages about the commission of crimes," with the stated goal of preventing individuals from making such accusations for political reasons or to damage someone's reputation.<sup>21</sup> The amendment includes fines and sentences of up to three years in prison. Detracting from the progress made through the decriminalization of libel, this amendment could potentially have a chilling effect on online journalists and regular internet users,<sup>22</sup> given that it is unclear exactly how the law will be interpreted. On May 28, 2014, the Association of NGOs and NCOs (noncommercial organizations) of Kyrgyzstan challenged the constitutionality of the Constitutional Chamber of the Supreme Court of Kyrgyz Republic; the Court upheld the amendment as constitutional on January 14, 2015.<sup>23</sup>

Over the past few years, members of parliament have proposed laws similar to ones passed in Russia that restrict civil liberties, and could have implications for freedom of expression on the net. One was almost identical to a law passed in Russia obliging NGOs receiving financing from international organizations to register as foreign agents. The bill was eventually rejected in May 2016.<sup>24</sup>

In February 2014, some members of parliament submitted a draft law penalizing gay "propaganda" similar to a law passed in Russia, which includes criminal and administrative penalties for "propaganda of non-traditional sexual relationships." The draft received substantial criticism and was withdrawn; however, it was submitted again in May and it passed the first reading in parliament in October.<sup>25</sup> The draft law includes penalties of fines or imprisonment up to one year for positive images of

---

20 Ministry of Justice, "О внесении изменений в некоторые законодательные акты в сфере противодействия терроризму и экстремизму" [On amendments to some legal acts in the sphere of countering terrorism and extremism] August 2, 2016, <http://cdb.minjust.gov.kg/act/view/ru-ru/111441>.

21 Media Policy Institute, "Депутат ЖК инициировала закон, предусматривающего наказание за заведомо ложные обвинения, содержащихся в публичных выступлениях, публикуемых в СМИ," [The deputy of JK initiated the bill, providing punishment for deliberately false accusation in public speeches published in mass-media] October 22, 2013, <http://bit.ly/1OxK6GL>.

22 ARTICLE 19 and PEN International, "Joint Submission to the UN Universal Periodic Review of Kyrgyzstan," June 14, 2014, <http://bit.ly/1WY0tPV>.

23 РЕШЕНИЕ КОНСТИТУЦИОННОЙ ПАЛАТЫ ВЕРХОВНОГО СУДА КЫРГЫЗСКОЙ РЕСПУБЛИКИ [Decision of Constitutional Chamber of Supreme Court of Kyrgyz Republic] January 14, 2015 <http://constpalata.kg/wp-content/uploads/2015/01/Umetalieva-NPO-NKO-111.pdf>

24 "Депутаты отклонили законопроект об иностранных агентах," [Deputies rejected the bill on foreign agents] 24 News, May 12, 2016, [http://24.kg/vlast/31834\\_deputaty\\_otklonili\\_zakonoproekt\\_ob\\_inostrannyih\\_agentah/](http://24.kg/vlast/31834_deputaty_otklonili_zakonoproekt_ob_inostrannyih_agentah/).

25 Resolution of Jogorku kenesh, сведения о законопроекте 6-11804/14 (Bill details 6-11804/14).

non-traditional sexual relationships shared through mass media or on the internet. In mid-2016, it was no clear when parliament will next formally consider the bill.

Another bill currently before parliament proposes to equate online news outlets as a form of mass media, requiring them to have a license and to operate with the same responsibilities as traditional media outlets.<sup>26</sup>

## Prosecutions and Detentions for Online Activities

Authorities in Kyrgyzstan generally do not arrest netizens for expression. However, government officials, including the president, have demonstrated a low tolerance for personal criticism, seeking to discourage and discredit online critics by pursuing civil suits.

- In September 2015, a regional court in Kyrgyzstan upheld a decision to fine Dayirbek Orunbekov, an editor for the online news agency Maalymat.kg, KGS 2 million (US\$30,000), as compensation for damaging the honor and dignity of the president. Orunbekov<sup>27</sup> had posted an article accusing members of the transitional government of being responsible for the violent ethnic clashes in 2010 in the south of Kyrgyzstan.<sup>28</sup> He was originally charged with “knowingly disseminating false information about the commission of crimes” but that case was dismissed. Orunbekov filed a counter-suit, seeking KGS 1 million and a public apology, but his claim was denied by the courts in February 2016.<sup>29</sup> In July 2016, the Maalymat.kg domain name was suspended after the court seized Orunbekov’s assets.<sup>30</sup>
- In June 2015, Uran Botobekov, a journalist for the news portal Kabarordo.kg, was fined KGS 1.8 million (US\$28,000), for accusing Ikram Ilmiyanov, former deputy chief of staff of the president’s office, of corruption.<sup>31</sup> Botobekov left Kyrgyzstan for Turkey in January 2016,

---

26 “Генпрокуратура Кыргызстана предлагает «законодательно к СМИ отнести интернет-издания и сайты, зарегистрированные в зоне kg»,” [Prosecutor General’s Office suggests “to legalize internet agencies and sites, registered in .kg zone, by including them in the list of mass-media”] *24 News*, June 6, 2011, <http://bit.ly/1jsVNT9>.

27 “Аламудунский райсуд обязал журналиста Орунбекова выплатить президенту 2 миллиона сомов,” [Alamudun district court obliged the journalist Orunbekov to pay KGS 2 million to the President] *Azattyk*, June 29, 2015, <http://rus.azattyk.org/content/news/27100173.html>; “В Бишкеке прекращено делопроизводство в отношении обвиняемого за ложное сообщение журналиста,” [In Bishkek, case dropped against journalist accused of disseminating of knowingly false messages] April 16, 2015, <http://bit.ly/1Ougtri>; “Суд не удовлетворил иск журналиста Орунбекова к президенту Атамбаеву” [The court didn’t satisfy the suit against the President Atambaev] *Central Asia*, February 15, 2016, <http://www.centrasia.ru/news2.php?st=1455542220>.

28 “Аламудунский райсуд обязал журналиста Орунбекова выплатить президенту 2 миллиона сомов,” [Alamudun district court obliged the journalist Orunbekov to pay KGS 2 million to the President] *Azattyk*, June 29, 2015, <http://rus.azattyk.org/content/news/27100173.html>; “В Бишкеке прекращено делопроизводство в отношении обвиняемого за ложное сообщение журналиста,” [In Bishkek, case dropped against journalist accused of disseminating of knowingly false messages] April 16, 2015, <http://bit.ly/1Ougtri>; “Суд не удовлетворил иск журналиста Орунбекова к президенту Атамбаеву” [The court didn’t satisfy the suit against the President Atambaev] *Central Asia*, February 15, 2016, <http://www.centrasia.ru/news2.php?st=1455542220>.

29 Горсуд согласился с решением районного по иску Илмиянова [City court agreed with decision of district court on Ilmiyanov case] October 12, 2015, <http://rus.azattyk.org/a/27301198.html>

30 “Наложен арест на сайт maalymat.kg, принадлежащий Дайырбеку Орунбекову,” [Website maalymat.kg belonging to Dairbek Orunbekov seized] *Zanoza*, July 19, 2016, [http://zanoza.kg/doc/341798\\_nalojen\\_arest\\_na\\_sayt\\_maalymat.kg\\_prinadlezhashiy\\_dayyrbeky\\_orynbekovy.html](http://zanoza.kg/doc/341798_nalojen_arest_na_sayt_maalymat.kg_prinadlezhashiy_dayyrbeky_orynbekovy.html).

31 “Горсуд согласился с решением районного по иску Илмиянова” [City court agreed with decision of district court on Ilmiyanov case] *Azattyk*, October 12, 2015, <http://rus.azattyk.org/a/27301198.html>.

after which he was subject to a smear campaign initiated by Russian state TV, accusing the journalist of having ties to former Kyrgyz president Bakiev as well as spying for Turkey.<sup>32</sup>

- In May 2016, Abdullo Nurmatov from Kara-Suu in the south of Kyrgyzstan, was given a one year suspended sentence for “storing and disseminating extremist content.” He had “liked” photos posted by the controversial religious leader Imam Rashod Kamalov on the Odnoklassniki social network.<sup>33</sup> On September 10, Nurmatov was detained for 48 hours by the State Committee of National Security and then placed under house arrest.<sup>34</sup> Abdullo said he had been tortured to provide credentials to his account in “Odnoklassniki” and email account.
- In January 2016, Michael McFeat, a Scottish employee of gold mining company Kumtor, was arrested on charges of inciting racial hatred after jokingly referring to a Kyrgyz delicacy as “horse penis” in a post on his Facebook page.<sup>35</sup> Following public outrage, McFeat was pressured to remove the offending post and produce a written apology. Though he was not ultimately prosecuted, McFeat was later deported, supposedly due to issues with his visa.<sup>36</sup>

## Surveillance, Privacy, and Anonymity

Like many former Soviet states, Kyrgyzstan maintains and updates its surveillance technology in line with Russia. Kyrgyzstan’s surveillance network is modeled after Russian System for Operational-Investigative Activities (SORM) technology, and in August 2012, Kyrgyzstan updated its surveillance network to match current Russian interception systems.<sup>37</sup>

On June 30, 2014, the government adopted a resolution with new instructions for ISPs and mobile service providers to update their systems to the latest version of SORM technology. These instructions included requirements for service providers to store the data of their subscribers for up to three years, and to allow the authorities direct, real-time access to communications networks.<sup>38</sup> Service providers are also required to purchase and update equipment at their own expense to ensure compliance.

These new regulations effectively codified the potential for mass surveillance without judicial oversight, and evidence of abuse continues to emerge. In March 2016, a recording of telephone com-

---

32 “На федеральном канале «Россия 1» показали сюжет про журналиста Урана Ботобекова,” [Federal TV channel “Rossiya 1” showed a story about the journalist Uran Botobekov] *Institute of Media Policy*, February 19, 2016, <http://www.media.kg/news/na-federalnom-kanale-rossiya-1-pokazali-syuzhet-pro-zhurnalista-urana-botobekova/>.

33 “Киргизия: Житель Кара-Суу получил один год условного срока за «лайки» в соцсетях,” [Kyrgyzstan: Kara-suu resident given one year suspended sentence for “likes” in social networks] May 18, 2016, <http://www.media.kg/news/kirgiziya-zhitel-kara-suu-poluchil-odin-god-uslovnogo-sroka-za-lajki-v-socsetyah/>.

34 “В Кыргызстане судят пользователя за «лайки» в «Одноклассниках» [A user is in court in Kyrgyzstan for “likes” in “Odnoklassniki”] *Digital Report*, May 2, 2016, <https://digital.report/v-kyrgyzstane-sudyat-polzovatelya-za-layki-v-odnoklassnikah/>.

35 “Briton faces five years in jail for Kyrgyz sausage horse penis slur,” *The Telegraph*, January 03, 2016, <http://bit.ly/1mZC0wJ>.

36 “My terror over Kyrgyzstan horse sausage hate mob who tried to kill me,” *Sunday Post*, January 10, 2016, <http://bit.ly/29MdBWL>.

37 Andrei Soldatov and Irina Borogan, “Russia’s Surveillance State,” *World Policy Journal* (2013) World Policy Institute, <http://bit.ly/1cZerr4>.

38 Ministry of Justice, Инструкция о порядке взаимодействия операторов электросвязи и операторов мобильной сотовой связи с государственными органами Кыргызской Республики, осуществляющими оперативно-розыскную деятельность (Instruction on cooperation of communication operators and mobile operators with state bodies of Kyrgyz Republic in operative investigative activities), June 30, 2014, <http://cdb.minjust.gov.kg/act/view/ru-ru/96622>.

munications between opposition figures discussing a potential political upheaval were leaked to the public. Those involved were accused of attempting to forcibly seize power and they remain detained by authorities.<sup>39</sup> In May 2016, telephone conversations between leaders of the People's Parliament opposition group were also leaked online, revealing discussions about seizure of power and also leading to their arrest.<sup>40</sup> It is not clear how these recordings were obtained but the pattern of targeted opposition leaders suggests abuse of SORM equipment by the government.

Since February 2012, the Civil Initiative on Internet Policy, together with the Kyrgyz State Committee on National Security and several human rights organizations, have been working on amendments to the statute on the Conduct of Investigations—the body responsible for regulating these issues—that would clarify the circumstances surrounding the use of interception technology and provide a more adequate legal framework. The bill is yet to reach parliament for consideration.

There are currently no strict restrictions on anonymous communication on the internet in Kyrgyzstan. Websites do not need to register, encryption software is freely available, and real-name registration is not required to post content online. However, on February 17, 2014, the government issued a new regulation requiring mobile operators to sell new SIM cards only after they have been registered (previously, SIM cards could be registered within one year of purchase). This new regulation came into force on March 8, 2014, making it more difficult for individuals to use ICT tools anonymously.<sup>41</sup>

## Intimidation and Violence

In general, there is not a significant level of violence or harassment against ICT users in Kyrgyzstan, though some isolated incidents could be related to online activities.

- In February 2016, Turat Akimov, the editor in chief of the newspaper *Деньги и власть* (Money and power) and corresponding website [bishkekinfo.kg](http://bishkekinfo.kg), was violently attacked near his home. The attacker struck him with a steel pole and fled the scene. Akimov has published material critical of the government,<sup>42</sup> and says the attack was in retaliation for his professional activities.
- In February 2014, a youth group participating in a rally against LGBTI (lesbian, gay, bisexual, transgender, and intersex) people burned a photo of Ilya Lukash and called him a “destroyer of family values.” Lukash is an active blogger and an advocate for human rights of LGBTI people; he has also made statements against Kyrgyzstan joining the Eurasian Customs Union and protested in solidarity with the Ukrainian “Euromaidan” demonstrations. Following this incident, Lukash said on Facebook that the increasing pressure and harassment had forced him to leave Kyrgyzstan.

---

39 “В сети появилась аудиозапись, где якобы оппозиционеры обсуждают формирование правительства в случае захвата власти” [An audio record appeared in Internet of opposition leaders discussing seizure of power] *24 News*, March 27, 2016, [http://www.24.kg/obschestvo/29731\\_v\\_seti\\_poyavilas\\_audiozapis\\_gde\\_yakobyi\\_oppozitsioneryi\\_obsujdayut\\_formirovanie\\_pravitelstva\\_v\\_sluchae\\_zahvata\\_vlasti/](http://www.24.kg/obschestvo/29731_v_seti_poyavilas_audiozapis_gde_yakobyi_oppozitsioneryi_obsujdayut_formirovanie_pravitelstva_v_sluchae_zahvata_vlasti/)

40 “В сеть слили переговоры якобы членов “Народного парламента”” [Conversations between members of the People's Parliament leaked online] Zanoza, May 12, 2016, [http://zanoza.kg/doc/338066\\_v\\_set\\_slili\\_peregovory\\_iakoby\\_chlenov\\_narodnogo\\_parlamenta.html](http://zanoza.kg/doc/338066_v_set_slili_peregovory_iakoby_chlenov_narodnogo_parlamenta.html).

41 Government Public Relations Agency, “Об утверждении Правил оказания услуг подвижной радиотелефонной связи,” [On approval of regulations of mobile telecommunication services] press release, February 25, 2014, <http://bit.ly/1G9UmDN>.

42 “Неизвестные избили журналиста Турата Акимова,” [Unidentified attackers beat journalist Turat Akimov] *Bishkek Evening*, February 20, 2016, [http://www.vb.kg/doc/334765\\_neizvestnye\\_izbili\\_jyralista\\_tyрата\\_akimova.html](http://www.vb.kg/doc/334765_neizvestnye_izbili_jyralista_tyрата_akimova.html).

## Technical Attacks

Instances of politically motivated cyberattacks are rare, though government web resources are occasionally targeted. In June 2016, the website of the State Committee on Defense Affairs,<sup>43</sup> and in July 2016 website of the State Committee of National Security,<sup>44</sup> were both hacked, demonstrating that state run websites continue to operate with some security weaknesses.

In 2005, the OpenNet Initiative recorded the extensive use of distributed denial-of-service (DDoS) attacks against opposition and news websites, demonstrating a precedent for such attacks.<sup>45</sup>

---

43 "Сайт Госкомитета по делам обороны был взломан хакерами," [Website of the State Committee on Defense Affairs hacked] *Zanoza*, June 21, 2016, [http://zanoza.kg/doc/340365\\_sayt\\_goskomiteta\\_po\\_delam\\_oborony\\_byl\\_vzloman\\_hakerami.html](http://zanoza.kg/doc/340365_sayt_goskomiteta_po_delam_oborony_byl_vzloman_hakerami.html).

44 "Взломан сайт ГКНБ," [Website of SCNS hacked] *Kabar*, July 27, 2016, <http://kabar.kg/rus/society/full/109156>.

45 OpenNet Initiative, "Country Profile: Kyrgyzstan," December 18, 2010, <http://opennet.net/research/profiles/kyrgyzstan>.