

[The document](#) was brought up for public discussion. It must protect the Kyrgyzstanis from fake or unreliable information on the internet. In fact, it imposes censorship and violates the right to the freedom of speech.

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Let's see what's wrong with the draft law together with Begaim Usenova, the head of Media Policy Institute.

What is this draft law about?

In short, it is about the censorship on the internet. The document binds the owners of websites and website pages (probably, what is meant here is the pages on social networks) to indicate their surname and initials and not to admit the spread of fake or unreliable information. If it appears, it should be immediately restricted or blocked.

If the owner fails to do it, the state represented by an approved body shall make a decision on pre-trial restriction of access to information.

Besides, they want to bind providers to keep information about users and all their traffic (information about reception, transfer, delivery and (or) processing of voice data, text, images, sounds or other electronic messages of users) within 6 months, as well as to provide it to law enforcement and judicial authorities.

Why is it bad?

The draft law:

- fails to outline how and on what grounds information can be recognised unreliable and fake. It means that the state can make decisions selectively, in their sole discretion;
- specifies that a bylaw will regulate restriction and ban on access to information, which is the violation of the Constitution of Kyrgyzstan, which has it that restriction of rights and liberties should be specified by law;
- does not specify the way providers can ensure restricted access to information in

social media.

A designated state body shall enforce the law. However, it is unclear if the budget has money for its operation. Amid recession, when the budget, according to the government, will have deficit in the amount of 28 billion soms (365.4 million dollars), it is unclear where financial resources will be taken from for the new agency.

Another disadvantage is that extra load on providers, most probably, will enhance the cost of internet.

Internet is full of unreliable information, though.

It is so. Many countries and major corporations develop mechanisms to fight against fakes. For example, there is an option "Complain" in social networks, which can be used to send a complaint about disinformation. Generally, Facebook, Instagram and Twitter track down fake information and remove it.

Anyway, there's no mention about restriction of access to the Internet and restriction of the freedom of speech.

If the new draft law "On information manipulation" is passed, any person who spreads information without knowing it is unreliable can be deemed guilty. A reference to the bylaw is the violation of the national Constitution and allows to misuse authority.

What about the users of social media? Will the state block pages?

No, it won't. The state does not have such technical resources. The only thing the state can do is to fully block access to Facebook or Instagram, if they contain such information.

For example, if a user of Instagram who does not live in Kyrgyzstan refused to restrict access to information, the law suggests blocking the whole site.

What if I don't know if my page contains reliable or fake information?

According to the Constitution, each of us has a right to the freedom of speech, opinion and

thought. All we have a right to make mistakes and errors of judgement. And this draft law does not provide a situation when information is spread by a citizen by mistake, through unawareness or as a joke.

You told about the rise in internet prices. What did you mean?

Storage of information is an additional financial load on providers. It provides for the purchase of powerful equipment that can contain bulk data. It implies big financial expenses, which the provider shall include into the cost of internet for end users.



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