
KAZAKSTAN: A BILL RESTRICTING FREEDOM OF SPEECH

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A new Media Law in Kazakstan is seen as yet another restriction in freedom of speech. It could serve as a model for more restrictions elsewhere in Central Asia.

Kazakhstan's journalists and media experts participated in the regional conference of Central Asian journalists and international lawyers, held on February 24 in Almaty, expressed their alarm concerning the bill On Amendments to the Law on Mass Media the government had submitted to the parliament. The conference also involved representatives of journalists' organizations from Uzbekistan, Kyrgyzstan and Tajikistan, and a number of international human rights organizations.

GENERAL TENDENCY

It is the tendency to wrap up democratic processes through passing the bills restricting freedom of press that alarms Central Asia's journalists because, as Rozlana Taukina, the president of the Central Asian Association of Independent Media (ANESMI), every negative experience ('positive' in the functionaries' view) in one state or another is rapidly borrowed by the neighboring countries' power structures. Numerous discussions were around the amendments to the Republic of Kazakhstan's Law On the Mass Media. Although the conferees' opinions differed on several issues, they were unanimous concerning the new law: the amendments running counter the international media standards are inadmissible.

CONSEQUENCES FOR THE WHOLE REGION

Discussions flared up around the issues of media registration by governmental bodies, web-pages registration and equalling with the traditional media, air-time limitations for foreign broadcasts' transmission, censorship introduction, etc. "How can web pages be registered with the governmental bodies while this ocean of information is virtually subject to nobody's control?" Rozlana Taukina expressed bewilderment in her speech. She called this step of the government preposterous. "The authorities seek to fully monopolize the information space. This amendment will result in sharp limitation of the most important and inexhaustible source of information and communication and it indeed affects the media not in Kazakhstan alone but those in all states in the region," she said in her speech.

INTERNET AND NATIONAL REGULATIONS

Marat Sarsembayev, Provost of 'Daneker' Institute of International Law and International Business, believes that "the internet is not a national system and therefore it cannot be regulated by the national law." According to Sarsembayev, the internet can and should only be regulated by international legal standards. For various reasons the degree of freedom of speech in Central Asian countries is almost equal and the governments of all these countries are increasingly laying their hands on the media. There is no surprise that censors operate in all countries of the region despite the constitutionally guaranteed freedom of speech and banned censorship.

‘MINISTRY OF SOCIAL DISCORD’

"One cannot even think about freedom of speech in the Republic of Uzbekistan," said Alisher Taksanov, Independent journalist in Uzbekistan. According to him even ordinary meetings to discuss journalistic issues are impossible in his native land, and printing house do not dare to print a newspaper without the censor's stamp. Kazakhstan's MP Ghani Kasymov expressed his sympathy with the journalists. In his speech, the deputy sharply criticized the Ministry of Information and Social Accord concerning the amendments it had introduced into the law, called it 'the ministry of social discord' and suggested that this structure should be abolished.

REACHING AGREEMENT WITH THE AUTHORITIES

However there are journalists who do not regard these amendments as imperilling freedom of speech. They suggest that contacts should be established with the authorities and agreements reached. "For example we have agreed with the government and we work without any problem," said Irina Chernolovskaya, the director of Astana TV company. She suggested that the rest of the media should follow her example. This suggestion provoked stormy refusal and perplexity among the conferees. Wrapping up the conference the participants adopted a resolution to express their alarm concerning the worsening social status of the media and their non-agreement with the amendments. The conferees also approached the Majilis (parliament) of the Republic of Kazakhstan with the suggestion that in discussing the bill they should not violate citizens' freedom of speech, free information and the international human rights pacts ratified by Kazakhstan, which fact could facilitate the democratic media development, an important civil society component.