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ARTICLE 19

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Kazakhstan: Analysis of Law on Publishing Released

ARTICLE 19 recently released an analysis of the 2008 draft Kazakhstan Law on Publishing Activities. Our key concerns with the draft included the proposed registration and licensing scheme for a wide range of publishing activities and the rigid approach to relations between authors and publishers that it would impose.

The draft Law on Publishing Activities aims to regulate a wide range of publishing activities including “the preparation, production and distribution of printed products”. The 2008 draft is the second attempt at legislative regulation of publishing activities in Kazakhstan. In January 2007, ARTICLE 19 released its analysis of a previous draft law in this area, which was prepared in 2006.

We are concerned that the new draft Law seeks to impose governmental control over a wide range of publishing activities through a complicated regime of licenses, registrations and permissions, without which one may not publish, print or distribute any printed material. We are also concerned about the proposed rigid regime for protection of publishing rights, according to which most rights are passed to publishers by authors when a work is published. In most countries, authors are free to negotiate with publishers regarding in this regard. Finally, we are concerned about the creation of a new body to regulate publishers’ rights, which is to be established by the government and which may, therefore, lack independence.

We urge the Kazakh authorities to reconsider this legislation and to introduce the changes suggested in our analysis, with a view to bringing it into line with accepted international standards in this area.

NOTES TO EDITORS:

- For more information contact Toby Mendel, toby@article19.org or +1 902 431-3688.
- Our recent analysis is available in English at: <http://www.article19.org/pdfs/analysis/kazakhstan-memorandum-on-the-draft-law-of-the-republic-of-kazakhstan-on-publ.pdf> and in Russian at: <http://www.article19.org/pdfs/analysis/kazakhstan-analysis-publishing-law.pdf>. Our analysis of the 2006 draft Law is available in English at: <http://www.article19.org/pdfs/analysis/kazakhstan-publishing-06.pdf>
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.