

THE CZECH DISCUSSION ON SOCIAL MEDIA REGULATION

A group of MPs in the Czech Parliament headed by Václav Klaus Jr. (ODS) drafted a bill on the violation of freedom of expression. This new offense applies to social networks with over 100 000 users. Unjustified removal of posts concerning issues of public interest made with the intention to prevent free public debate could lead to a fine of up to half a million Czech crowns (about 19,400 EUR) in the case of individuals running the social network, and up to a 50 million fine (almost two million EUR) in the case of companies. The introduction of the law should prevent social network operators from "arbitrarily or preventively" limiting opinions and information. However, the draft law does not address the situation when a spam is deleted or when the social network ceases to exist. According to experts, it is likely that once the law is passed, there will be even fewer opportunities online to express one's own opinion as many operators could rather cancel the platforms than risk draconian punishments.



Václav Klaus Jr.

According to politician Miroslav Kalousek (TOP09), the bill does not want to protect freedom of speech, but rather the disinformation war and as Facebook is a private company it is up to it how it sets its own rules. Similarly, journalists Ján Palička and Kryštof Pavelka argue that states should intervene in social media environment as little as possible even though the policy

of the social media companies may be problematic. Even though the rules set by the social media tend to be unclear (in terms of how and why they delete posts), users should decide themselves which media they want to use. According to lawyer Monika Hanych, Klaus does not understand how social networks and laws work: "Does anyone really think that the worker who deleted the post from somewhere in India will be brought before the Czech court? Or are we going to prosecute Mark Zuckerberg himself? Such an idea is rather funny than actually feasible." According to lawyer Tomáš Sokol, if the law is passed it would actually mean an overload of cases for the police and courts which would have to examine each and every individual case.

Compiled by SCM (2019) from

Jan Palička (2019, 28.1.). Palička: Trestat mazání je absurdní, chování sociálních sítí by nám ale nemělo být lhostejné, info.cz

Kryštof Pavelka (2019, 30.1). Utrpení mladého Klause. Jeho zákon o sociálních sítích je nevymahatelný, absurdní a děravý. Reflex.cz

Lada Režňáková, Lukáš Valášek, poe (2019, 3.2.). Je to paskvil, říkají právníci o Klausově návrhu trestat mazání příspěvků

Photo: <https://www.idnes.cz>

