

What you need to know and do if you are summoned for interrogation?

The Guide

Summons for interrogation are increasingly used by law enforcement agencies as a measure of prosecution for criticism. Thus, on May 1, by the order of the State Committee for National Security of the Internal Affairs Directorate for the Talas region, [civilian Shabdan U Chynarbek \(Ali Shabdan\)](#) was taken to the building of the law enforcement agency, where he gave an explanatory note for reposting several posts with criticism of the authorities on his Facebook page.

On July 15, the State Committee for National Security [summoned](#) Nazgul Alymkulova, a stand-up show participant, for questioning; presumably, the reason for it was a humorous video she published, where the face of the President of the country was superimposed on the face of one of the famous American rappers. Nothing is known about the details of the case, since Nazgul signed a non-disclosure agreement on materials of the pre-trial proceedings. On July 17, Argen Baktybek uulu and his wife, Erkin Asanbaeva, [were summoned](#) for questioning by the Investigative Service of the Ministry of Internal Affairs of the Kyrgyz Republic. Lawyer Nurbek Toktakunov, who accompanied the spouses, [said](#) that they were summoned as witnesses in the case on public calls for the violent seizure of power (Article 310 of the Criminal Code of the Kyrgyz Republic), however, the interrogation itself was about posts with memes. Both Argen and Erkin signed a non-disclosure agreement on the materials of the pre-trial proceedings.

The publication of jokes or criticism of the head of state on social networks have caused summons for questioning in the past as well. As such, the artist Nikita Tarasenko [was summoned](#) to the prosecutor's office in 2018 where he was asked to write an explanatory note due to his publication of a comic meme about the loneliness of the President of the Kyrgyz Republic Jeenbekov S. In 2019, Nikita Tarasenko [was summoned](#) for questioning by the State Committee for National Security because of a post on a social network in which he compared the government to an organized criminal group. These cases became publicly known due to the media and there are probably more of such stories which are unknown to the public.

We believe that civilian's rights were illegally restricted in all of the above stories. The KR Constitution guarantees the right to freedom of speech and opinion to every person. Interference with this right is permissible only if it pursues specific goals prescribed in the fundamental law: protection of national security, public order, public health and morality of the population, protection of the rights and freedoms of others.

Criticism of the authorities in any form (video, picture, post on a social network, article in the media) is not a criminal offense, while interrogation is a pre-trial proceeding related specifically to a criminal case.

The Criminal Code provides an exhaustive list of actions that entail responsibility for the dissemination of illegal information. In this case under the dissemination of illegal information it shall consider the calls for mass riots, the overthrow of the constitutional order, the incitement of enmity (interreligious, interregional, etc.), the spread of extremist materials. An individual may be held criminally liable for these unlawful acts. However, criticism of the authorities is not included

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in this list of crimes. Therefore, it is illegal to summon for criticism of the authorities. Therefore, such actions of the investigator must be appealed later.

This guide, prepared by the lawyers of the PF “Media Policy Institute”, contains information on what you need to know and what to do if you are summoned for interrogation.

- 1. Keep in mind: criticizing the authorities is not a crime, which means that working on such statements is not within the competence of the State Committee for National Security and the Ministry of Internal Affairs***
- 2. Make sure to post on social media about summoning you for interrogation and upload a photo of the summons***
- 3. Do not ignore the summons call, however, if there are good reasons, you may reschedule it at a convenient time for you***
- 4. The duration of the interrogation cannot exceed 4 hours***
- 5. Do not go to interrogation without a lawyer***
- 6. It is necessary to clarify your status: are you a witness or a suspect?***
- 7. Only an investigator can interrogate you, so check who is interrogating***
- 8. During interrogation - be polite, but do not say too much, follow the “question - answer” pattern***
- 9. Check with the investigator why it is necessary to sign a nondisclosure agreement and in the absence of a clear explanation, you can refuse to sign it (the presence of a lawyer in this case is necessary)***
- 10. Appeal the illegal summons for interrogation, and the nondisclosure requirement.***
- 11. Conclusions.***

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1. Keep in mind: criticizing the authorities is not a crime, which means that working on such statements is not within the competence of the State Committee for National Security and the Ministry of Internal Affairs

If to proceed from the open list of powers of the State Committee for National Security, defined in the Law of the Kyrgyz Republic "On the National Security Bodies of the Kyrgyz Republic": the competences of the national security body do not include a duty on monitoring negative statements about the head of state, and at all, to conduct pre-trial proceedings on such cases.

It is clear, monitoring the Internet and conducting an investigation (pre-trial proceedings) can only be justified in order to ensure the security of society and the state, work to identify, prevent and suppress illegal encroachments on the constitutional order, sovereignty and territorial integrity of the Kyrgyz Republic. The State Committee for National Security cannot transfer any materials to the internal affairs bodies for further implementation of "preventive measures" with citizens who have published this or that information.

According to Article 1 of the Law of the Kyrgyz Republic "On the Internal Affairs Bodies of the Kyrgyz Republic", the internal affairs bodies of the Kyrgyz Republic are a state armed law enforcement agency that carries out executive and administrative functions to ensure public order, the safety of individuals and society and the fight against crime.

The publication of criticism of the authorities does not violate public order or endanger the country's national security. An individual realizes constitutional right to express his opinion by criticizing the actions of the authorities. And the authorities, in turn, must take the necessary measures to eliminate the mistakes made.

The legislation provides for an exhaustive list of negative information, the dissemination of which may entail criminal liability and, in this case, it is allowed to conduct investigative actions, including interrogations on:

- public calls for terrorist activities (Article 242 of the Criminal Code, under responsibility of the State Committee for National Security);
- calls for active disobedience to the legal requirements of government officials and for mass riots, as well as calls for violence against citizens (part 3 of article 264 of the Criminal Code, under responsibility of the State Committee for National Security and the Ministry of Internal Affairs);
- public calls for the violent seizure or forcible retention of power, as well as for the violent change of the constitutional order, propaganda of war (310 of the Criminal Code, under responsibility of the State Committee for National Security);

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- incitement of racial, ethnic, national, religious or interregional hostility (hatred) (313 Criminal Code, under responsibility of by the State Committee for National Security and the Ministry of Internal Affairs);
- distribution of extremist materials (Article 315 of the Criminal Code, under responsibility by the State Committee for National Security and the Ministry of Internal Affairs).

With regard to calls for active disobedience to the legal demands of government officials and for mass riots, as well as calls for violence against citizens, the following should be noted. In this case, the person who commits this crime must have the intent to induce other people to actively disobey the legal demands of the authorities or to mass riots, as well as to violence against citizens. Please note that this case involves only the legal requirements of the authorities. These requirements are related to the functional responsibilities of government officials. For example, publishing memes or replacing the face of a rapper with the face of the head of state cannot form the corpus delicti of this crime, since there are no such prohibitions in the law and, of course, this is not a call for riots.

With regard to public calls for the violent seizure or forcible retention of power, as well as for the violent change of the constitutional order, propaganda of war, we note the following. These appeals can be expressed in a proposal for the physical elimination of persons exercising legitimate authority, or in their forced isolation and self-proclamation in their place of persons carrying out illegal actions, etc. In this context, calls for a rally cannot by themselves constitute this corpus delicti. In order for the corpus delicti to be, the appeals must contain specific proposals, namely, on the violent seizure of power.

It is important to emphasize that only a civil procedure is provided for protection the honor and dignity of the head of state. According to the Constitution, every citizen has the right to the protection of honor and dignity (Article 29) and the dissemination of such information is the basis for bringing to civil liability. The protection of the honor and dignity of every citizen, including the President of the Kyrgyz Republic, should be carried out in a civil court in a general manner, without any privileges.

Thus, if it is necessary to protect the honor and dignity of the President of the Kyrgyz Republic, in accordance with paragraph 2 of Article 4 of the Law of the Kyrgyz Republic "On guarantees of the activities of the President of the Kyrgyz Republic" in cases of dissemination of information discrediting the honor and dignity of the President of the Kyrgyz Republic, the Prosecutor General of the Kyrgyz Republic is obliged to apply to the court on behalf of the President of the Kyrgyz Republic for the protection of his honor and dignity, with a preliminary agreement on the amount of moral damage.

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2. Make sure to post on social media about summoning you for interrogation and upload a photo of the summons

If you believe that you are being summoned due to the fact that you have published any unpleasant and critical posts about the authorities on social networks, then, as mentioned above, these actions of law enforcement agencies are illegal and unreasonable. Most likely, the investigator understands this, but, nevertheless, at someone's "whim" he summons you for questioning. Remember, your main defense is publicity.

Therefore, as soon as you are served with the summons, post it and its details on social media. Giving publicity to the fact that you have been summoned for interrogation contributes to the disciplined behavior of law enforcement officers, conscientious obedience to all procedural requirements and the prevention of abuse of law.

Also notify close family and friends, as they can provide moral support and help to engage a lawyer. Informing your friends or colleagues will help control the length of your stay within the walls of a government agency.

3. Do not ignore the summons call, however, if there are good reasons, you may reschedule it at a convenient time for you

Interrogation is an investigative measure within the framework of pre-trial proceedings, which is one of the sources of evidence collection by law enforcement agencies, along with expert opinions, expert testimony, collection of material evidence, etc. (Article 82 of the Criminal Procedure Code of the Kyrgyz Republic). A citizen may be invited as a victim, suspect, accused or witness to the interrogation.

Please note: the subject of interrogation may be the receipt by the investigator of testimony from witness about the circumstances known to him **relating specifically to the criminal case.**

You can be summoned for interrogation only on the basis of a summons, where the following must be indicated:

- ✓ your surname, first name and in what capacity you are summoned (i.e. the status of a witness, suspect or accused must be determined),
- ✓ to whom you shall approach and address;
- ✓ time of appearance for interrogation (day, hour);
- ✓ right to invite a lawyer;
- ✓ the consequences of failure to appear without good reason (Article 189 of the Criminal Procedure Code of the Kyrgyz Republic).

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The summons is handed over to the summoned person against signed acknowledgement. In the absence of the summoned individual summons may be handed over to an adult family member.

It is not uncommon for investigators to invite citizens for interrogation by telephone. At the same time, keep in mind that an invitation to interrogation by telephone message (by phone message) is not provided for by criminal procedure legislation. In this regard, politely ask for the summons in the prescribed manner, that is, personally hand them over to you. The submission of the summons can be explained by the need to present it at the place of work. For convenience, you can invite the investigator to consider the possibility of sending the summons through instant messengers (WhatsApp, Telegram).

If you cannot appear at the appointed time for interrogation, you must notify the official (investigator) of the reasons for your failure to appear. In order to postpone the interrogation, if necessary, we recommend that you clarify the investigator's phone number.

Failure to appear for questioning without good reason may result in a reconduction. Good reasons for failure to appear are:

- ✓ disease that makes it impossible for a person to appear;
- ✓ death of close relatives, spouse;
- ✓ natural disaster;
- ✓ failure to receive a summons;
- ✓ other circumstances that deprive a person of the opportunity to appear at the appointed time

(Article 121 of the Criminal Procedure Code of the Kyrgyz Republic).

For example, circumstances include the need to pick up a child from kindergarten (in the absence of the possibility of reassigning to another person).

4. The duration of the interrogation cannot exceed 4 hours

The duration of interrogation cannot exceed 4 hours, while the total duration of interrogation during the day should not exceed 8 hours with a mandatory break between them of at least one hour (Article 190 of the Criminal Procedure Code of the Kyrgyz Republic).

If you are summoned for interrogation during working hours, then it should be remembered that according to the Labor Code of the Kyrgyz Republic, the employer is obliged to release the

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employee from the performance of his official functions while retaining his place of work (position) for the duration of his public duties (Article 182 of the Labor Code KR).

The interrogation can be continued only the next day if it has not ended by 22.00. Interrogation at night from 22:00 to 06:00 is not allowed, except for urgent cases (Article 158 of the Criminal Procedure Code of the Kyrgyz Republic).

5. Do not go to interrogation without a lawyer

The participation of a lawyer during interrogation ensures compliance with all procedural rules that you may not be aware of, and excludes the possibility of psychological pressure on you by law enforcement agencies.

It is advised to conclude a subscription agreement with a lawyer if there is a possibility and you believe that you may periodically need the legal support. Or at least just find a professional lawyer for yourself in advance to contact him if necessary. To do this, you can contact your friends, with a request to advise experienced lawyers. You can also look for lawyers on the Internet, the Bar or on the website of the Ministry of Justice of the Kyrgyz Republic: <http://minjust.gov.kg/ru/content/reestr-advokatov>. Check with a lawyer about work experience, his vision of the case and how he can help. Be sure to conclude a legal services contract with a lawyer.

The [Media Policy Institute](#) advises citizens on freedom of speech issues and in some cases can provide a lawyer. You can also contact in advance to discuss the issue of protection, with such human rights organizations as [Adilet](#), [Bir Duino](#), [Precedent](#).

If it is not possible to hire a lawyer, carefully study this document. It's a good idea to print and take this guide with you.

6. It is necessary to clarify your status: are you a witness or a suspect?

Thus, first you need to determine the categories of participants in pre-trial proceedings:

witness - a person summoned to testify about circumstances known to him in a criminal case or a misdemeanor case (clause 1 of article 58 of the Criminal Procedure Code of the Kyrgyz Republic);

suspect - a person detained on suspicion of committing a crime and (or) misdemeanor in the manner prescribed by the Criminal Procedure Code or in relation to whom a notice of suspicion of a crime or misdemeanor has been issued. A person ceases to be in the status of a suspect in a criminal case from the moment the investigator makes a decision to terminate pre-trial proceedings or the prosecutor's approval of the indictment (clause 1 of article 44 of the Criminal Procedure Code of the Kyrgyz Republic);

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accused in a criminal case and (or) misdemeanor case - a person against whom the indictment has been approved in accordance with the established procedure (paragraph 1 of article 46 of the Criminal Procedure Code of the Kyrgyz Republic).

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In turn, the above mentioned persons have **witness immunity**, i.e. the right of a person not to testify against himself and his close relatives, spouse, as well as in other cases provided for by this Code (paragraph 38 of article 5 of the Criminal Procedure Code of the Kyrgyz Republic).

It should be noted that the status of a witness or victim does not allow refusal or evasion to testify, while the suspect or the accused is vested with such a right. If you are summoned as a witness or victim, the investigator warns you about criminal liability for refusing or avoiding to testify, as well as for giving deliberately false testimony.

Investigators often abuse the right to determine a person's status during interrogation (interrogation as a witness, a suspect). The investigator may formally question you as a witness, but the questions asked may relate to the actions (inaction) of the witness himself. In this case, the witness may refuse, like the suspect, to testify against himself, referring to the principle of witness immunity.

This norm is enshrined in the Constitution of the Kyrgyz Republic: no one is obliged to testify against oneself, spouse (s) and close relatives (Article 26 of the Constitution of the Kyrgyz Republic). This rule also applies to witnesses. This principle of "release of a person from the obligation to testify against himself, his spouse, close relatives", in fact, is witness immunity. And it finds its continuation in the Criminal Procedure Code of the Kyrgyz Republic. According to the Criminal Procedure Code of the Kyrgyz Republic, a witness is not obliged to testify against himself or against his close relatives, spouse (part 10 of Art. 58 of the Criminal Procedure Code of the Kyrgyz Republic).

Also Art. 346 of the Criminal Code "Refusal or evasion to testify" states that a witness is not subject to criminal liability for refusal or evasion to testify against himself, his spouse or close relatives.

In 2017, the Constitutional Chamber under the Supreme Court in its decision indicated that "Witness immunity is an exception to the principle of equality of all before the law and it grants to a certain category of persons the exclusive right to legal immunity and the right to refuse to testify in a criminal case." As follows from the explanation of the Chamber, this norm should be considered as a legal guarantee against **self-incrimination and coercion to testify against oneself**, one's spouse or close relatives. Consequently, releasing citizens from the obligation to testify against themselves, their spouse (s) and close relatives, the legislator thereby established legal prescriptions in accordance with moral ideas about the **inadmissibility of forcing a person to harm himself and close relatives**.

In other words, if the investigator's questions concern the actions or inaction of the witness being questioned, this means that the investigator's interrogation in the status of a witness is being conducted in bad faith. And then the witness, referring to this norm, can refuse to testify (against himself).

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The presence of a lawyer in situations is extremely important in order to reasonably prove to the investigator that you are not subject to the provisions of the Criminal Code of the Kyrgyz Republic on the responsibility of a witness for refusing to testify and for knowingly giving false testimony. In this case, the investigator will not be able to warn or intimidate the witness about criminal liability for refusing to give evidence that would be against the witness himself. Also, there can be no question of providing a non-disclosure agreement on the materials of the pre-trial proceedings. At the same time, it should be noted that there is no responsibility for refusal to give a subscription on non-disclosure of data from pre-trial proceedings.

If you are summoned for questioning as a witness, you have the right:

- ☐ testify one's in your native language or another language that you speak;
- ☐ use the services of a qualified translator;
- ☐ give your own testimony;
- ☐ familiarize yourself with the interrogation protocol, make additions and changes to it;
- ☐ use written notes and documents when providing testimony;
- ☐ have a defense counsel during interrogation.

7. During interrogation - be polite, but do not say too much, follow the "question - answer" pattern

Before starting an interrogation, the investigator must explain to you your rights and obligations and make a corresponding note in the protocol. The questions asked by the investigator should be precise, understandable, concise, and should not contain statements and assessments of the investigator. It is recommended that you do not go beyond the scope of the question when providing an answer. It should also be borne in mind that the information should only relate to the criminal case under investigation. In this regard, you should clarify for yourself with the investigator what caused the summons for interrogation, what exactly needs to be told.

Usually the investigator proposes to start the interrogation with "free story", that is inviting the witness to tell in detail everything that he knows about the circumstances that he observed personally or about which he heard (and from whom exactly). Questions from the investigator at this stage can be asked to facilitate detailed and consistent information from the interrogated person on circumstances known to him.

Take a pen and a notebook with you to write down for yourself everything that you voiced during the interrogation, or take a photo of the interrogation protocol after it was signed.

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The investigator is not obliged to provide a copy of the interrogation protocol to the witness, and your notes may be useful for additional interrogations, confrontations, etc.

8. Only an investigator can interrogate you, so check who is interrogating

You need to clarify who exactly will interrogate you. You can politely ask the investigator to show his work ID. Post on social network after interrogation if you were interrogated by an investigator other than the one one indicated on the summons. It is important that the public knows the names of the investigators who conducted interrogations in cases of “criticism of the authorities”, where the crime event is obviously absent

Only an investigator can interrogate. Information obtained during any procedural action by a person who does not have the right to carry out proceedings in this criminal case, as well as with the participation of a person who may be subjected to recusal, is inadmissible evidence (clause 5, part 4 of article 82 of the Criminal Procedure Code).

To eliminate psychological pressure, politely ask those present, except for the detectives and interrogators, to leave the room in which the interrogation is being conducted. The use of violence, torture, threats and other illegal measures of influence during interrogation entails criminal liability established by law (Article 191 of the Criminal Procedure Code of the Kyrgyz Republic).

Based on the results of the interrogation, the investigator is obliged to provide you with the protocol of the interrogation for review. Protocol must record the content of the interrogation and the procedures for its conduct. Questions and answers to them should be recorded in the order that took place during the interrogation.

9. Check with the investigator why it is necessary to sign a nondisclosure agreement and in the absence of a clear explanation, you can refuse to sign it (the presence of a lawyer in this case is necessary)

After the interview, take a break (5 minutes). After that, carefully read the contents of the protocol, if it contains errors or requires clarifications and additions, the investigator must fulfill your request to amend the document (Article 193 of the Criminal Procedure Code of the Kyrgyz Republic). Until then, do not sign the interrogation protocol. As a result of familiarization, you need to sign each page of the protocol.

Based on the results of the interrogation, if necessary, the investigator has the right to take your signature on non-disclosure of your testimony, which is the data of pre-trial proceedings (part 13 of article 191 of the Criminal Procedure Code of the Kyrgyz Republic). However, this provision does not mean that the investigator (interrogator) should select such a subscription for each criminal case and without any grounds.

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The condition “if necessary” prescribed in the article means that this rule is valid only when certain circumstances arise. Since, in essence, the actions of the investigator constitute a restriction of the rights of the participants in the proceedings, here interference with the law should be assessed in accordance with paragraph 2 of Art. 20 of the Constitution of the Kyrgyz Republic, which states that “human and civil rights and freedoms may be limited by the Constitution and laws in order to protect national security, public order, health and morality of the population, and the protection of the rights and freedoms of others. Such restrictions can also be introduced taking into account the specifics of military or other public service. The imposed restrictions must be proportionate to the stated goals. ”

In other words, the investigator must motivate the restriction of the rights of the witness by taking his signature on non-disclosure of the data of the pre-trial proceedings, in order to avoid the temptation of arbitrary use of this norm and abuse of official position by the investigator. The presence of your lawyer will help justify your refusal to subscribe.

The warning about criminal liability for the disclosure of data from pre-trial proceedings is aimed at protecting specific information available in a criminal case. An example of the need to obtain a non-disclosure subscription if the criminal case file contains information directly or indirectly related to secrets protected by law (personal data, tax, banking, commercial, medical secrets, adoption secrets, etc.). They take subscription on non-disclosure of data and warn about the corresponding criminal liability in cases of interrogation in a state secret case or if an interrogation is underway with the provision of documents for review with the stamp "Secret" and "for official use".

A subscription may also be required if the disclosure of data may seriously complicate the criminal proceedings, including the loss of evidence collected in the case, create conditions for the destruction of evidence by suspects or accused persons, allow them to hide from the investigation and the court, and obstruct criminal proceedings.

In this regard, the investigator must specify the information that is not subject to publicity. Otherwise, it is completely unclear what kind of information that is prohibited from disclosure. In the same way, the subscription must specify the period during which the ban in question is valid (throughout the entire preliminary investigation, until the charge is presented, etc.).

According to Part 13 of Art. 191 of the Criminal Procedure Code of the Kyrgyz Republic, the procedure for taking a subscription not to disclose testimony is simple in practice. The investigator (interrogator) first verbally warns the person about the inadmissibility of disclosing the data of the investigation without the permission of the official (body) in charge of the criminal case, and then takes a non-disclosure agreement on the data of the preliminary investigation with a warning about responsibility in accordance with the Code of the Kyrgyz Republic "On misconduct "(Article 165) - Disclosure of the data of the pre-trial investigation without the consent of the prosecutor or investigator by a person warned in accordance with the procedure

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established by law of the inadmissibility of their disclosure - entails a penalty in the form of a fine from 20,000 to 30,000 soms).

It is known that in practice, if a person refuses to subscribe, the investigator makes a note on refusal to subscribe and that the investigator warned about the responsibility for disclosing information from pre-trial proceedings and signs. The actions of the investigator can be appealed to the prosecutor's office or the court.

10. Appeal the illegal summons for interrogation, and the nondisclosure requirement

Actions (inaction) and decisions of the inquiry body, the investigator, the head of the investigative unit, the prosecutor and the court may be appealed by participants in criminal proceedings, as well as other persons, if the procedural actions (inaction) or decisions affect their interests (Article 127 of the Criminal Procedure Code of the Kyrgyz Republic).

A complaint can be made to the prosecutor's office or to the investigating judge within 15 days from the date of the illegal interrogation, subscription of the non-disclosure agreement (Article 129 of the Criminal Procedure Code of the Kyrgyz Republic).

The complaint should include: the name of the authority to which you are submitting the complaint; your personal information (last name, first name, patronymic, address, contact numbers); a detailed description of the subject of the complaint; your demands; date of the complaint; a list of attached documents (for example, a copy of the summons, interrogation protocol, power of attorney for a representative, etc.). The text of the complaint should be composed on the subject of the complaint without unnecessary emotions. The prosecutor's office is obliged to consider the complaint within 3 days from the date of its reception. In exceptional cases, when consideration of the complaint requires verification of additional materials, it is allowed to prolong the period up to 10 days with the obligatory notification of the applicant about this extension (Article 131 of the Code of Criminal Procedure). Based on the results of the consideration of the complaint, the prosecutor makes a decision on the full or partial satisfaction of the complaint with the cancellation or change of the appealed decision, or on the refusal to satisfy the complaint, and notifies the applicant about this within 12 hours.

In the case of filing a complaint with the court against the actions of law enforcement agencies, the investigating judge verifies the legality and validity of these actions, and makes a decision no later than 3 days from the date of receipt of the complaint in the court session with the participation of the applicant and his defense lawyer or representative and other persons whose interests are directly affected by the contested actions or decisions (Article 132 of the Criminal Procedure Code of the Kyrgyz Republic). Based on the results of

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consideration of the complaint, the investigating judge can recognize the actions or decisions of the relevant official as illegal or unreasonable, as well as oblige him to eliminate the violation or dismiss the complaint (262 f the Criminal Procedure Code of the Kyrgyz Republic).

11. Conclusions

It is noteworthy that often law enforcement officers make it clear to the interrogated that they share the absurdity of conducting an investigative measure in view of the humorous nature of memes during the interrogation. For example, Argen's lawyer Baktybek uulu, Nurbek Toktakunova and Nikita Tarasenko, mentioned this.

Despite the understanding of all the illegality, worthlessness and even harmfulness of such actions, the investigators continue to interrogate the jokers and critics of authorities anyway. The legislation, according to Art. 26 of the Criminal Procedure Code of the Kyrgyz Republic, prescribes to terminate proceedings if during the examination of the material it is possible to establish the absence of signs of a crime or misconduct. In the future, employees are instructed to "leave the application without consideration" (clause 14 of the Temporary Regulation "On the Unified Register of Crimes and Misdemeanors").

Summons for jokes and criticism of the authorities are nothing more than political persecution for a different opinion and violate fundamental human and civil rights. This circumstance should subsequently entail the responsibility of the officials who conducted the pre-trial proceedings. Thus, the Criminal Code of the Kyrgyz Republic provides for liability for abuse of office (Article 320 of the Criminal Code of the Kyrgyz Republic), abuse of power (Article 321 of the Criminal Code of the Kyrgyz Republic), deliberately illegal charges of committing a crime (Article 340 Of the Criminal Code of the Kyrgyz Republic).

Engaging in "artificial" cases, law enforcement agencies are losing resources that could be directed at suppressing real crimes that pose a threat to the country's security, life and health of the population. The direction of forces and means for interrogations, in which there can be no criminal case, is harmful and dangerous, since it contradicts the normal and legal activities of law enforcement agencies.

Spending the time and resources of law enforcement agencies to instill fear in citizens who legitimately exercise their rights to freedom of expression negatively affects the overall legal culture and legal consciousness in society, and harms the image of the state and law enforcement agencies, generating a feeling of irritation among the population the obvious injustice of their actions.