[RU] Administrative Responsibility of Juridical Persons for Violation of Electoral Legislation

IRIS 2000-1:1/34

Stanislav Sheverdyaev
Moscow Media Law and Policy Centre

The Statute "On Administrative Responsibility of Juridical Persons for Violation of Legislation of the Russian Federation on Elections and Referenda" was adopted by the State Duma (parliament) on 5 November 1999 and entered into force on 8 December. The Statute consists of 25 articles, the majority of which are devoted to procedural issues. Without its procedural rules the Statute would be inoperable because the ordinary rules of administrative procedure, which are part of the (1984) Russian Code of Administrative Infractions, are intended for the assignment of responsibility to natural persons only.

According to the new Statute, the mass media entities also shall be accountable for administrative infractions concerning the violation of electoral laws. It is difficult to trace a clear system of jurisprudence; as a rule, responsibility shall be determined for flagrant violations of the election legislation or such violations as were of frequent occurrence during the recent national election campaign.

Of the 10 main cases of infractions, newly introduced by the law, eight are related to the period of the election campaigning, and three of these eight cases involve directly the legal status of the audiovisual mass media. These are concerned with: violation of the principle of equal access of candidates to the mass media, giving preference in television or radio programmes to a particular candidate, and violation of norms concerning advertising of the commercial activities of candidates. In addition, a general rule fixes responsibility for nonobservance of decisions that the Election Commissions adopted within their competence.

Within the chapters of Russian election law, those dealing with the regulation of responsibility issues contain many blanket norms. At the same time, the legislation to which such blanket references refer has not yet been entirely developed.

Consequently, it is possible that mass media entities violate election legislation rules, which contain references to offences for which responsibility is not yet defined.

The Statute is one of the first attempts to overcome such statutory imbalance.

© European Audiovisual Observatory (Council of Europe) 2026

Among the problems of the Statute, legal experts note in particular a vagueness of criteria for giving preferential treatment in broadcast programmes to a particular candidate. Russian judicial practice, as well as the regulations of the Central Election Commission of the Russian Federation, issued to provide a uniform application of election law, have not yet formulated any acceptable legal constructions in this regard. In this case it may be assumed that during possible proceedings in local courts, much on the interpretation of this provision will depend on the efforts of lawyers.

The applicability of this Statute will be seriously tested for the first time in the up-coming elections for the Russian Presidency.

Ob administrativnoy otvetstvennosti yuridicheskikh lits za narushenie zakonodatelstva Rossiyskoy Federatsii o vyborakh I referendumakh (#210-FZ), Rossiyskaya gazeta, 8 December 1999.

Statute "On Administrative Responsibility of Juridical Persons for Violation of Legislation of the Russian Federation on Elections and Referenda" (#210-FZ), official daily, 8 December 1999.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026