[RU] Mass Media Act Amended through New Ban

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On 24 May 2000 the State Duma (Parliament of the Russian Federation) adopted by an overwhelming majority (363 votes for and 13 against) an Act adding a new paragraph to Article 4 of the 1991 Mass Media Act. On 7 June the members of the Sovjet Federazii (Federal Council of the Russian Federation) unanimously approved the Act, which was signed by President Putin on 22 June 2000.

The new third paragraph of Article 4 of the Mass Media Act prohibits the distribution of the following types of information via the mass media and computer networks: information concerning the discovery, manufacture or use of drugs and substances that affect the human psyche and details of where such drugs and substances can be bought. The dissemination of positive information on the advantages of using a specifically named drug or substance compared to others is also prohibited. These types of drugs and substances may only be advertised in the pharmaceutical and medical mass media.

Meanwhile, Article 16 of the Mass Media Act stipulates that the Ministerstvo Rossijskoj Federazii po delam petschati, teleradioveschtschanija i sredstv massovich kommunikazij (Press Ministry) may only apply to a court to close down a mass media company if the company has received two official warnings within a period of at least 12 months for breaches of Article 4 of the Mass Media Act. In this respect, the addition to Article 4 of the Act makes it easier for such companies to be closed down. This is arousing concern among the mass media, particularly with regard to the following ambiguous phrase in the amended Article 4: "The dissemination of other kinds of information, which is forbidden by other federal laws, is prohibited". In particular it is unclear whether this refers only to federal laws on drugs and thus prohibits only the distribution of other kinds of information about drugs, or whether it means all federal laws in the Russian Federation and therefore forbids the dissemination of virtually any kind of information in every conceivable field (eg information on the genuine imminent bankruptcy of a company prior to the official publication of the court decision declaring the company bankrupt).

Federal nyj Zakon O vnesenii dopolnenija v statju 4 Zakona Rossijskoj Federazii O sredstvach massovoj informazii v svjazi s prinjatijem Federal nogo Zakona O narkotitscheskich sredstvach i psichotropnych

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veschtschestvach. Zakonoda-tel stvo i praktika sredstv massovoj informazii, #6(70) Juni 2000.

Act of the Russian Federation on the amendment to Article 4 of the Russian Federation Mass Media Act in connection with the Act on drugs and substances that affect the human psyche. Zakonodatel stvo i praktika sredstv massovoj informazii #6(70), June 2000.

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