[RU] Criminal Procedure Code Contains new Provision concerning Mass Media

IRIS 2002-2:1/33

Natalie Boudarina
Moscow Media Law and Policy Centre

Recently signed by the Russian President on 18 December 2001, the Criminal Procedure Code of the Russian Federation contains some new provisions concerning the dissemination of information by means of the mass media.

First, when a story appears in the mass media about the commission of a crime or concerning the preparation for it, such action shall serve as grounds for initiating a prosecution. On demand by a prosecutor, an investigator or a body of inquiry, the editorial office and editor-inchief of the enterprise concerned shall be obliged to hand over all the documents and materials giving information about the crime. In regard to the source of information, the editorial office and the editor-in-chief may refuse to submit the relevant data if the person had previously asked them to protect his confidentiality.

Second, while criminal cases shall be tried in open court, exemptions are now possible for matters of commercial, bank and official secrets protected by federal law. It should be noted that as of now a court can take a decision on holding a trial in camera only in the following situations: in order to keep state secrets, to protect minors accused of committing a crime, to ensure the safety of participants in the trial, their relatives and other persons close to them, as well as if in the course of a trial there is a possibility of divulging information regarding the private life of those involved in the trial, or of infringing their dignity and honor.

Finally, the Code establishes that a person attending a trial shall have the right to make an audio recording without any hindrance. As to photographing, videotape recording and filming, it shall be possible only with the authorization of the judge and parties of the trial.

The Code shall come into force on 1 July 2002.

Ugolovno-processualniy kodeks Rossiyskoy Federatsii, Rossiyskaya Gazeta of 22 December 2001

Criminal Procedure Code of the Russian Federation, officially published in Rossiyskaya Gazeta daily on 22 December 2001

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026