[RU] Changes in the Mass-media Law

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On 4 July 2003 a federal statute "On amendments and additions to some acts of the Russian Federation" was adopted in connection with the adoption of the federal statute "On basic guarantees of electoral rights of citizens of the Russian Federation and their right to participate in a referendum". The first article of this statute makes changes in the 1991 statute "On the mass media".

Article 60 ("Responsibility for other violations of mass media law") of the statute "On the mass media" now introduces responsibility for violation of restrictions relating to canvassing on questions regarding referendums and elections.

A provision was introduced that provides for keeping "audio or video records which have been on radio or video programs containing pre-election agitation or propaganda on questions of a referendum" for 12 months (previously it was 1 month).

But the most important modification in the statute is the possibility for suspension of the activities of a mass media outlet by a court. Article 16.1 (which is introduced by the statute of 4 July 2003) establishes such measure of responsibility as suspension of broadcasting by a mass media outlet for a repeated violation of the legislation on elections.

A mass media outlet can be held responsible for any violation of legal provisions for the carrying out pre-election canvassing, or regarding questions of a referendum. The procedure shall consist of three stages. Upon the first violation (which should be established by the election commission), a report on the fact of the violation should be made. The report shall go to court. Fines and other sanctions are to be applied only by a decision of the court. At the second violation of the election provisions during the same election campaign, the election commission can appeal to the Ministry of the Press. The Ministry can petition the court requesting that the broadcasts of the mass media outlet should be suspended, or send the appeal back to the commission explaining its reasons for refusing to proceed with the case.

But at third violation of these provisions during a single election campaign by the same mass media outlet the Ministry of the Press shall have no option but to take this case to court and ask the court to suspend the activity of that mass media outlet.

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Federalnii zakon "O vnesenii izmenenii i dopolnenii v nekotorie zakonodatelnie akty Rossiiskoi Federatsii v sviazi s prinyatiem Federalnogo zakona "Ob osnovnyh garantiyah izbiratelnyh prav i prava na uchastie v referendume grazhdan Rossiiskoi Federatsii" , #94FZ 04.07.2003, Rossiyskaya gazeta 08.07.2003

http://www.rg.ru/oficial/doc/federal_zak/94-03.shtm

Federal statute "On amendments and additions to some acts of the Russian Federation") #94FZ of 4 July 2003, governmental daily of 8 July 2003

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