[RU] Rules to Edit Readers' Comments Online

IRIS 2011-1:1/46

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The recent Resolution of the Plenary of the Supreme Court of the Russian Federation "On Judicial Practice Related to the Statute of the Russian Federation 'On the Mass Media'" of 15 June 2010, No. 16 (see IRIS 2010-6/40) refers to the issue of liability for statements of the readers/viewers made on the fora and chat pages of an Internet site registered as a mass media outlet. If this section of the web-site is not pre-moderated such an outlet can become liable only if it received a complaint from Roskomnadzor (Federal Service for Supervision of Communications, Information Technology and Mass Media) or from a public prosecutor that the communication in its content presents an abuse of freedom of the mass media and fails to correct (or delete) the communication, and the communication subsequently is determined by a court to be illegal.

Soon after the adoption of the Resolution, on 6 July 2010 the head of Roskomnadzor issued Order No. 420 which approved "Rules for addressing appeals on inadmissibility of abuse of the freedom of mass media sent to the mass media disseminated in information telecommunication networks, Internet included". Roskomnadzor is in essence a governmental watchdog in the sphere of the media and telecommunications under the Ministry of Communications and Mass Communications.

According to the Rules, in cases where the comments that appeared on the web-sites registered as mass media seem to violate freedom of mass media a Roskomnadzor official makes a screenshot with the questionable material. A copy of it is added to a report prepared by the official. Immediately after that the Roskomnadzor sends to the mass media outlet an appeal in which it suggests that the material should be removed or edited the material. The appeal is signed by the head of a Roskomnadzor department and is drawn according to all rules of the office.

The scanned appeal is sent to the editorial office of the online media via the e-mail address referred to on its web-site with a marker of notification of delivery as well as via fax. The fact and time of the dispatch of the appeal are documented. The fulfillment of the suggested action is checked one working day after the dispatch.

In case the demand to remove the comments is not met or editing does not remove the signs of abuse of the freedom of mass media, an official warning to

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the editorial office is issued. The warnings issued by Roskomnadzor may lead to a forced closure of a mass media outlet. These Rules have already been used on a number of occasions.

Порядок направления обращений о недопустимости злоупотреблений свободой массовой информации к средствам массовой информации, распространение которых осуществляется в информационно-телекоммуникационных сетях, в том числе в сети Интернет

http://rsoc.ru/docs/doc_537.pdf

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