[RU] Bill to limit the circulation of sexually explicit products, services and performances

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On 20 February 1997, the State Duma passed in the first reading (for a Bill to become law, there should be three readings in the Duma, approval by the Upper House, and signing by the President) a Bill on Limitations of Circulation of Products, Services and Performances of Sexual Character in the Russian Federation.

The Bill, drafted by the Committee on Culture of the Duma permits, in accordance with Article 242 of the 1997 Criminal Code, the sale and distribution of legal pornography (as opposed to pornographic material which is considered to be illegal). At the same time, for the first time in modern history of Russia, the law puts it under the State control and imposes a number of conditions on import, production, advertising, distribution of goods and services of pornographic character. Those conditions include, first and foremost, obligation to obtain a license for a fee; prohibition to involve minors in the sphere of pornography production and distribution; special time and area limits for the distribution of such products and services.

The Law consists of thirteen articles. Article 4 defines pornography as products of a sexual character, the main contents of which is detailed depiction of the anatomical and/or physiological details of sexual acts. Licenses issued for the term of three years shall not be given to foreigners, minors, or convicts (Article 6). Pornography cannot be sold in apartment buildings or within 500 meters of kindergartens and schools, historic monuments and places of worship (Article 5). Broadcasting of pornographic programming is prohibited from 4 a.m. till 11 p.m., unless the signal is encoded. Local governments can impose more strict time limitations. Furthermore, such programs shall be preceded by a special warning about their character (Article 9).

A special body of the federal government shall be established to issue and withdraw licenses, monitor activities in the business, submit law suits to courts and impose monetary fines.

The law does not apply to mainstream erotic publications such as the Russian edition of Playboy magazine and its local equivalents, as they are typically registered as lifestyle or erotica publications. Relevant changes will be made by the accompanying law in the Criminal and Administrative Codes, Mass Media Law,

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Advertising Law, and other statutes.

Federalnyi Zakon Ob ogranicheniyakh oborota produktsii, uslug i zrelishchnykh meropriyatiy seksualnogo kharaktera v Rossiyskoy Federatsii. Proekt

Bill to limit the circulation of sexually explicit products, services and performances. Mass Media Law and Practice (Draft, November, 1996. Pp. 9-11.

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