[RU] Parliament and Supreme Court on false news in the context of COVID-19

IRIS 2020-6:1/6

Andrei Richter
Comenius University (Bratislava)

On 31 March 2020, both the lower and upper houses of the Russian Parliament adopted amendments to the Criminal Code of the Russian Federation; these amendments were immediately promulgated by the president and entered into force on 1 April. They introduce two new articles generally associated with the COVID-19 pandemic: Article 207.1 “Public dissemination of knowingly false information about circumstances that pose a threat to the life and safety of citizens” and Article 207.2 “Public dissemination of knowingly false socially significant information, entailing grave consequences.” They penalise such actions with fines of up to 2 million Russian rubles (RUB) (about EUR 25 000), or imprisonment of up to 5 years.

These developments have occurred on top of last year’s amendments to the Russian Code on Administrative Offences, which established fines for all media outlets and online authors that spread “untruthful socially significant information”: up to RUB 1 million if no harm was done, and RUB 1.5 million in cases where harm was indeed inflicted (IRIS 2019-5:1/24).

On 30 April 2020, the Presidium of the Supreme Court of the Russian Federation issued its review of the case law related to countering the COVID-19 infection in the Russian territory, along with recommendations on best practices. The review was published in a Q&A format. Some questions relate to the issues of the media and information regulation and address the way judicial conflicts on the public dissemination of disinformation about COVID-19 should be treated by Russian courts.

In particular, the Supreme Court explained that the public dissemination of knowingly false information may take place principally “in the mass media, on information-telecommunication networks, including messengers (WhatsApp, Viber, etc.) and in the mass mailing of electronic messages to mobile phone users” (Question 13).

The Supreme Court stated that to be able to prosecute for the crimes as specified in the new articles of the Criminal Code, the false information must necessarily have been disseminated “under the guise of truthful information.” The indicators of being under this guise are the forms and means used to present the false information, such as references therein to competent sources, references to the

© European Audiovisual Observatory (Council of Europe) 2026

authority of public figures and the like, the use of fake documents and fake video and audio recordings, or the use of documents or recordings that are actually unrelated to the reported events (Question 12). The Supreme Court clarified that only individuals who had disseminated misinformation intentionally, with the knowledge that the information was false and with the purpose of it reaching others, could be prosecuted under the new law (Question 12).

О внесении изменений в Уголовный кодекс Российской Федерации и статьи 31 и 151 Уголовно-процессуального кодекса Российской Федерации.

http://www.consultant.ru/cons/cgi/online.cgi?req=doc&base=LAW&n=349082&fld=134&dst=100008,0&rnd=0.7926891428947068#014248363196562475

Federal Statute of 1 April 2020 N 100-FZ "On amendments to the Criminal Code of the Russian Federation and articles 31 and 151 of the Criminal Procedure Code of the Russian Federation".

Обзор по отдельным вопросам судебной практики, связанным с применением законодательства и мер по противодействию распространению на территории Российской Федерации новой коронавирусной инфекции (COVID-19).

http://www.supcourt.ru/files/28881/

Presidium of the Supreme Court of the Russian Federation's "Review of selected issues of judicial practice related to the application of legislation and measures to counteract the spread of the new coronavirus infection COVID-19 in the territory of the Russian Federation"

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026