

[RU] "Foreign agents" fines prescribed and imposed

IRIS 2021-4:1/1

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Following the recent entry into force of its decree that approved the standard text and procedure for publishing the imprint of a media outlet founded by a Russian legal entity and considered to be a "foreign agent" (see IRIS 2021-1/1), Roskomnadzor, the Russian governmental supervisory authority in media and communications (see IRIS 2012-8/36), started to monitor its implementation and filed protocols that allow judges to impose fines for violations. The fines were established by Article 19.34.1 of the Code of Administrative Offences, which entered into force in February 2020 (see IRIS Extra 2020-1).

In particular, Roskomnadzor successfully forwarded 260 protocols to start 142 administrative cases against the legal entity "Radio Free Europe / Radio Liberty LLC" established in the Russian Federation in 1991 for the production and distribution of news and other information material of Radio Free Europe/Radio Liberty (RFE/RL), as well as its Director-General, Andrei Sharyi. The grounds were the failure to ensure that all online material of various media projects by RFE/RL are properly self-marked as those produced by a "foreign agent" media outlet. As of 3 March 2021, the decisions, taken by the peace judges in Moscow, resulted in fines totalling RUB 39 Million (more than EUR 430 000). RFE/RL appealed the decisions and insists it is not an agent of any government and maintains an independent editorial policy.

Meanwhile, on 24 February 2021, the President signed into law several new additions to the Code of the Russian Federation on Administrative Offences, earlier adopted by the State Duma. They provide for fines, of up to RUB 2,500 for citizens, and up to RUB 50,000 for other entities, with or without confiscation of the material objects used, for violations of the provision that all references in the registered mass media to "foreign agent" entities must carry a specific statement on the fact that they are recognized as such. A violation of the demand, that all materials produced and/or disseminated online or through mass media by the "foreign agents" must include relevant statements, shall now result in fines of up to RUB 500,000 (EUR 5,500) for "foreign agent" entities and up to RUB 300,000 for "foreign agent" citizens.

The additions entered into force on 1 March 2021.

СМИ-иноагенты оштрафованы еще на 2,2 млн рублей

<https://rkn.gov.ru/news/rsoc/news73376.htm>

Press release by Roskomnadzor of 2 February 2021

Press release by Roskomnadzor of 27 January 2021

В отношении СМИ-иноагентов составлены протоколы об административном правонарушении

<https://rkn.gov.ru/news/rsoc/news73270.htm>

Press release by Roskomnadzor of 12 January 2021

Представители средств массовой информации, выполняющих функции иностранного агента, вызваны на составление протоколов об административном правонарушении

<https://rkn.gov.ru/news/rsoc/news73262.htm>

Press release by Roskomnadzor of 29 December 2020

Радио Свободная Европа/Радио Свобода

<https://www.svoboda.org/p/6741.html>

Statement by RFE/RL

О внесении изменений в Кодекс Российской Федерации об административных правонарушениях

<http://publication.pravo.gov.ru/Document/View/0001202102240001>

Federal Statute "On additions to the Code of the Russian Federation on Administrative Offences", of 24 February 2021 N 14-FZ

Проекты "Радио Свобода" в РФ оштрафованы почти на 40 млн руб.

<https://www.interfax.ru/russia/754351>

News item by Interfax, 3 March 2021

