

RUSSIAN FEDERATION

FEDERAL LAW

ON THE GUARANTEES OF THE EQUALITY OF THE PARLIAMENTARY PARTIES IN
THE COVERAGE OF THEIR ACTIVITY BY THE STATE–RUN PUBLIC TV CHANNELS
AND RADIO CHANNELS"

Adopted

by the State Duma on April 24, 2009

Approved

by the Federation Council on April 29, 2009

Article 1. Main Terms Used in this Federal Law

The following terms are used for the purposes of this Federal Law:

- 1) "parliamentary party" means a political party whose federal list of candidates was allowed to participate in the distribution of deputy mandates in the State Duma of the Federal Assembly of the Russian Federation and also a political party whose federal list of candidates received a deputy mandate in accordance with Article 82.1 of Federal Law No. 51–FZ of May 18, 2005 "On the Elections of Deputies of the State Duma of the Federal Assembly of the Russian Federation," on the basis of the officially published results of the elections of deputies of the State Duma of the Federal Assembly of the Russian Federation, closest to the day of the coverage of the party's activity by the respective state–run public TV channel or radio channel;
- 2)"state–run public TV channel and radio channel" means mass media (TV programs, radio programs) founded and distributed by an all–Russian TV and radio broadcasting organization established in the form of a federal state unitary enterprise;
- 3) "all–Russian TV program (TV broadcast) or radio program (radio broadcast)" means TV program (TV broadcast) or radio program (radio broadcast) which forms part of the state–run public TV channel or radio channel (in accordance with the broadcasting schedule) and is distributed in a half or more subjects of the Russian Federation;

4) "regional TV program (TV broadcast), radio program (radio broadcast)" means a TV program (TV broadcast) or a radio program (radio broadcast) which forms part of the state-run public TV channel or radio channel (in accordance with the broadcasting schedule) and is distributed in less than a half of the subjects of the Russian Federation.

Article 2. Sphere of Action of this Federal Law

1. This Federal Law applies to the relationships connected with the coverage of the activity of the parliamentary parties by state-run public TV channels and radio channels.

2. This Federal Law does not apply to the relationships connected with:

1) assurance of the rights of citizens for receipt and distribution of the information about political parties in the period from the day of commencement of the relevant election campaign, referendum campaign to the day of the official publication of the results of the elections (referendum);

2) coverage of the activities of the bodies of state power, bodies of local self-government, other government and municipal bodies, except in cases of the presentation of the information about the activity of deputies and fractions referred to in Clauses 3 – 6 of Article 4 of this Federal Law.;

3) issue and distribution of specialized state-run public TV channels and radio channels (children's, cultural, musical, sports and other channels).

Article 3. General Principles of the Coverage of the Activity of Parliamentary Parties by State-Run Public TV Channels and Radio Channels

Coverage of the activity of the parliamentary parties by the state-run public TV channels and radio channels shall be based on the following general principles:

1) distribution of the equal volumes of the information about the activity of each parliamentary party;

2) transparent state control over the coverage of the activity of the parliamentary parties;

3) creative independence and professional independence of the editorial offices of the state-run public TV channels or radio channels in the coverage of the activity of the parliamentary parties, including independent determination of the basis, forms and methods of such coverage;

4) comprehensive and objective information of TV viewers and radio listeners about the activity of the parliamentary parties.

Article 4 shall become effective from September 1, 2009 (Article 7 of this document)

Article 4. Requirements to All-Russian and Regional TV Programs (TV Broadcasts) and Radio Programs (Radio Broadcasts)

1 The activity of the parliamentary parties shall be covered by the state-run public TV channel and radio channels subject to the requirements of this Federal Law.

2. Coverage of the activity of the parliamentary party in the all-Russian TV programs (TV broadcasts), radio programs (radio broadcasts) shall include the information about the activity of:

1) the parliamentary party, its leading and other bodies, regional branches and other structural subdivisions of the parliamentary party;

2) members of the leading bodies of the parliamentary party, members of the leading bodies of the regional branches of the parliamentary party;

3) deputies of the State Duma of the Federal Assembly of the Russian Federation;

4) deputies of the legislative (representative) bodies of state power of the subjects of the Russian Federation who are members of the fractions of the parliamentary bodies and also deputies of the said bodies – members of the parliamentary parties;

5) deputies of the representative bodies of municipalities who are members of the deputies' associations (fractions) of the parliamentary parties and also deputies of these bodies – members of the parliamentary parties;

6) fractions of the parliamentary parties in the State Duma of the Federal Assembly of the Russian Federation, fractions of the parliamentary parties in the legislative (representative) bodies of state power of the subjects of the Russian Federation, deputies' unions (fractions) of the parliamentary parties in the representative bodies of the municipalities.

3. Dissemination of the information about the activity of the persons indicated in Clauses 2 – 5 of this article, which is unrelated to the activity of the parliamentary party and is disseminated without indication of the association of such persons with the parliamentary party, shall not constitute coverage of the activity of the given parliamentary party and the air time used to disseminate this information shall not be controlled and measured in accordance with Article 5 of this Federal Law.

4. Statements and speeches (fragments of statements and speeches) of the persons indicated in Clauses 2 – 5 of Part 2 of this article shall be accompanied by captions – in an all-Russian TV program (TV broadcast) or by explanatory remarks, indicating the association of such persons with a definite parliamentary party – in an all-Russian radio programs (radio broadcast).

5. Coverage of the activity of the parliamentary parties in regional TV programs (TV broadcasts), radio programs (radio broadcasts) shall be carried out subject to the requirements of this article.

Article 5. Monitoring Assurance of the Guarantees of the Equality of the Parliamentary Parties in the Coverage of their Activity by State–Run Public TV Channels and Radio Channels

Part 1 of Article 5 shall become effective from September 1, 2009 (Article 7 of this document).

1. The assurance of the guarantees of the equality of the parliamentary parties in the coverage of their activity by the state–run public TV channels and radio channels shall be monitored by the Central Election Commission of the Russian Federation subject to this Federal Law and Federal Law No. 67–FZ of June 12, 2002 "On Basic Guarantees of Electoral Rights and the Right of Citizens of the Russian Federation to Participate in a Referendum," with the participation of the parliamentary parties, the Civic Chamber of the Russian Federation, the federal body of executive power charged with the control and supervisory functions in the sphere of mass media and the all–Russian TV and radio broadcasting organization which is the founder and distributor of state-run public TV channels and radio channels (hereafter the "all-Russian TV and radio broadcasting organization").

2. The list of the state–run public TV channels and radio channels which are to cover the activity of the parliamentary parties in accordance with this Federal Law shall be made up and approved by the federal body of executive power charged with the registration of mass media and, after the approval of this list, it shall be immediately presented to the Central Election Commission of the Russian Federation. This list shall be published by the said body of executive power in the *Rossiiskaya Gazeta* newspaper and on its official site in the Internet.

The Central Election Commission of the Russian Federation shall be immediately informed about changes made in this list. No later than 10 days after their approval such changes shall be also published by the said body of executive power in the *Rossiiskaya Gazeta* newspaper and on its official site in the Internet.

If any new state–run public TV channel (radio channel) is included in this list, the air time used by this TV channel (radio channel) to cover the activity of the parliamentary parties shall be measured from the first day of the calendar month which follows the month in which the one–month period from the day of publication of the relevant changes expires.

3. The procedure and methodology of the measurement of the air time used during one calendar month to cover the activity of each parliamentary party in the all–Russian TV programs (TV broadcasts), radio programs (radio broadcasts) and in the regional TV programs (TV broadcasts), radio programs (radio broadcasts) shall be approved by the decision of the Central Election Commission of the Russian Federation in concurrence with the federal body of executive power charged with the control and supervisory functions in the sphere of mass media. The methodology for the measurement of the air time shall provides for such indicators as the number of reports which contain information indicated in Part 2 and Part 4 of this Federal Law; the length of such reports; and the total duration of statements and speeches (fragments of statements and speeches) of the persons indicated in Clauses 2 – 5 of Part 4 of this Federal Law.

When determining the length of the air time spent on the coverage of the activity of each parliamentary party the length of the time spent in the all–Russian TV programs (TV

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broadcasts), radio programs (radio broadcasts) and in the regional TV programs (TV broadcasts), radio programs (radio broadcasts) shall be indicated separately.

The Central Election Commission of the Russian Federation in concurrence with the federal body of executive power charged with the control and supervisory functions in the sphere of mass media may also approve other requirements to the procedure and methodology for the measurement of the air time taken by the coverage of the activity of each parliamentary party.

4. The Central Election Commission of the Russian Federation shall form a special work team to establish the results of the measurement of the air time spent during one calendar month on the coverage of the activity of the parliamentary parties. This work team shall include two members of the Central Election Commission of the Russian Federation, two representatives from each parliamentary party, from the Civic Chamber of the Russian Federation, from the federal body of executive power charged with the control and supervisory functions in the sphere of mass media and from the all-Russian TV and radio broadcasting organization. This work team shall be headed by a member of the Central Election Commission of the Russian Federation. The operating procedures of the work team shall be approved by the Central Election Commission of the Russian Federation.

5. Pursuant to the procedure approved by the Russian Federation laws the Central Election Commission of the Russian Federation may place an order for the performance of the work on the measurement of the air time spent on the coverage of the activity of the parliamentary parties during a definite period.

Parts 6 – 9 of Article 5 shall become effective from September 1, 2009 (Article 7 of this document)

6. If the Central Election Commission of the Russian Federation establish that the requirement of the equal volume of the coverage of the activity of the parliamentary parties during one calendar month was breached, it shall decide to compensate the respective parliamentary parties for the shortage of air time and shall submit its decision to the relevant all-Russian TV and radio broadcasting organization.

If the air time shortage can be compensated for only in the period from the day of commencement of an election, referendum campaign up to the date of the official publication of the election, referendum results, this decision shall be taken after official publication of the election, referendum results.

7. Having received the decision of the Central Election Commission of the Russian Federation the all-Russian TV and radio organization mentioned in Part 6 of this article shall, with 30 days of receipt of the decision, compensate the given parliamentary party for the shortage of air time on the TV or radio channels, save as otherwise provided by Part 8 of this article.

8 In the event of disagreement with the decision of the Central Election Commission of the Russian Federation, mentioned in Part 6 of this article, the all-Russian TV and radio organization may, within 10 days of receipt of the decision, notify the Central Election Commission of the Russian Federation to this effect, presenting the reasonable explanation of the reasons for such disagreement.

Source: <http://cikrf.ru/>

Within 10 days of receipt of such notification, the Central Election Commission of the Russian Federation shall again consider the question of the results of the measurement of air time used in the disputed calendar month on the coverage of the activity of the parliamentary parties. If the Central Election Commission of the Russian Federation takes a decision, which once again establishes the fact of the violation of the requirement that the activity of the parliamentary parties be covered in equal volumes, the given all-Russian TV and radio broadcasting organization shall compensate the parliamentary party for the shortage of air time on, respectively, the TV channels or radio channels within 20 days of the day on which such decision was taken.

9. The Central Election Commission of the Russian Federation may request and receive the information from the federal body of executive power, charged with the control and supervisory functions in the sphere of mass media and from the all-Russian TV and radio broadcasting organization the information necessary to deal with the matters which are referred by this Federal Law to the competence of the Central Election Commission of the Russian Federation.

In 2010, the information referred to by Part 10 of Article 5 shall be published for the fourth quarter of 2009 (Article 7 of this document).

10. The information, concerning the assurance of the guarantees of equality of the parliamentary parties in respect of the coverage of their activity by the state-run public TV channels and radio channels for the previous calendar year, shall be published by the Central Election Commission of the Russian Federation in the *Parlamentskaya Gazeta* newspaper every year, no later than January 31 of the current year.

Article 6. Invalidation of Separate Provisions of the Federal Law "On the Procedures for the Coverage of Activity of the Bodies of State Power in State-Run Mass Media"

Articles 7, 9 and 10 of Federal Law No. 7-FZ of January 13, 1995 "On the Procedures for the Coverage of Activity of the Bodies of State Power in State-Run Mass Media" (Collection of Laws of the Russian Federation, 1995, No. 3, p. 170) shall be hereby pronounced invalidated.

Article 7. Coming into Force of this Federal Law

1. This Federal Law shall come into force after expiry of 10 days from its official publications, with the exception of Article 4, Parts 1, 6 - 9 of Article 5 of this Federal Law.

2. Article 4, Parts 1, 6 - 9 of this Federal Law shall come into force from September 1, 2009.

Source: <http://cikrf.ru/>

3. In 2010, the information provided for by Part 10 of Article 5 of this Federal Law shall be published for the fourth quarter of 2009.

D. MEDVEDEV

President of the Russian Federation

Moscow, Kremlin

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