

# Newsletter

## Recent changes in Administrative and Criminal Code

March 18th, 2022

Dear Ladies and Gentlemen,

In the light of the current geopolitical situation, including severe counter sanctions and restrictions imposed by the Russian Government, **people working in Russia and abroad** may face new risks in their work and personal life.

We would like to provide you with the general guidance to minimize such risks.

**Amendments to the Russian legislation introducing criminal and administrative liability for certain actions**

Since March 4th, 2022 the following actions are prohibited and punishable:

Prohibited action	Maximum liability (without aggravating circumstances)
Public dissemination, under the guise of reliable reports, of knowingly <b>false information containing data on the use of the Armed Forces of the Russian Federation</b> to protect the interests of the Russian Federation and its citizens and to maintain international peace and security.	<p><b>Criminal liability only:</b></p> <p>Fine up to RUB 1,500,000, of wages, or other income, of the convicted person for up to 18 months, or corrective labour for up to 1 year, or compulsory labour for up to 3 years, or imprisonment for up to 3 years.</p>
Public <b>actions aimed at discrediting the use of the Armed Forces of the Russian Federation</b> to maintain international peace and security, including public calls to obstruct the use of the Armed Forces.	<p><b>Administrative liability (if committed for the first time):</b></p> <p>Administrative fine up to RUB 50,000 for citizens, up to RUB 200,000 – for officials and up to RUB 500,000 – for legal entities.</p> <p><b>Criminal liability (if committed by a person who has been held administratively liable for a similar act, within 1 year):</b></p> <p>Fine up to RUB 300,000 or the wages, or other income, of the convicted person for up to 2 years, or compulsory labour for up to 3 years, or arrest for up to 6 months, or imprisonment for up to 3 years, with deprivation of the right to hold certain offices, or engage in certain activities, for the same period.</p>

Calls for restrictive measures by foreign states, unions, etc. to impose or prolong political, or economic, sanctions against the Russian Federation, Russian Federation citizens, or Russian legal entities.

**Administrative liability (if committed for the first time):**

Administrative fine up to RUB 50,000 for citizens, up to RUB 200,000 – for officials and up to RUB 500,000 – for legal entities.

**Criminal liability (if committed by a person, who has been held administratively liable for a similar act within 1 year prior to this action):**

Fine up to RUB 500,000 or the wage, or other income, of the convicted person for up to 3 years, or custodial restraint for up to 3 years, or compulsory labour for up to 3 years, or arrest for up to 6 months, or imprisonment for up to 3 years with/ without a fine up to RUB 200,000, or the wage, or other income, of the convicted person for up to 1 year.

**ALRUD comments on the possible interpretation of the above new prohibitions:**

*What does “public dissemination” mean?*

*Dissemination of information through the media, information and telecommunication networks, including messengers (WhatsApp, Telegram, Viber and others), in the mass distribution of electronic messages to mobile subscribers, by speaking at a public event or meeting, distributing leaflets, hanging posters, etc. The issue of publicity is decided by taking into account the place, method, situation and other circumstances.*

*Is posting information on the Internet punishable? Are reposts punishable as well?*

*Posting by a person on the Internet, in particular, on his/ her page, or on the page of other users, of material containing false information (for example, video, audio, graphics or text), created by himself, or by another person (including the so-called “repost”), may be a violation only in cases where it is established that the person acted with direct intent, was aware that the information posted by him under the guise of reliable information is false, and had the goal of bringing this information to the attention of other persons.*

**Other prohibitions**

In addition to the above, the Russian General Prosecutor’s Office announced that **providing financial, logistical, consulting or other assistance** to a foreign state, international or foreign organization, or their representatives, **in activities directed against the security of the Russian Federation**, may be qualified as **high treason**.

This offence is **criminally punishable** by imprisonment for a term from 12 to 20 years, with or without a fine of up to 500 thousand RUB, or the wage or salary, or any other income of the convicted person for a period of up to 3 years, and with custodial restraint for a term of up to 2 years.

### Practical recommendations

Since the legislation and law enforcement practice are developing very rapidly, due to the fast-changing situation, we do not have information on how exactly these prohibitions will be interpreted and applied by the Russian state authorities.

At the same time, we may already provide you with the following recommendations to minimize the practical risks:

- Be careful with public comments on the current geopolitical situation in social media, public channels in messengers, public events or meetings etc. This also includes comments to others' posts, reposts of others' posts and reactions to others' posts (likes/ dislikes etc.).
- In case of necessity of public discussion of current situation do not forget to refer to your personal opinion, in case of preparation of press-releases – to informational nature of the public statement.
- Avoid providing any financial, logistical, consulting, or other assistance to organizations and individuals, if you have any concerns that such assistance may be potentially further used against the Russian Armed Forces. This may include, for example, donations to the organizations collecting money to supply the foreign armies with necessary resources.

We hope that the information provided herein will be useful for you. If any of your colleagues would like to receive our newsletters, please send them the link to complete a **Subscription Form**.

*Note: Please be aware that all information provided in this letter was taken from open sources. Neither ALRUD Law Firm, nor the author of this letter bear any liability for consequences of any decisions made in reliance upon this information.*

If you have any questions, please do not hesitate to contact ALRUD partners.



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