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**EUROPEAN UNION**

**OSCE Permanent Council No. 1221  
Vienna, 28 March 2019**

**EU Statement on Legal Restrictions on Freedom of  
Expression in the Russian Federation**

The European Union is deeply concerned about the trend of increasing legal restrictions on freedom of expression in Russia.

On 17 January 2019, we raised concerns in this Council regarding draft legal amendments targeting “disrespect” to the state and spread of “deliberately untrue information”. Despite many voices of concern, these bills have now been enacted into law. Dissemination online, in an insulting way, of expression that is deemed to disrespect society, the state, official symbols, the Constitution, or public bodies, can lead to fines or up to 15 days of administrative arrest. Dissemination of what is vaguely described as “deliberately untrue information” can result in fines of up to 20,500 euros and blocking of the information resource on the request of the Federal authorities.

Concerns regarding the recently adopted amendments were also raised by Russia’s Presidential Council for the Development of Civil Society and Human Rights, which stressed that the law clearly violates international standards as well as provisions of the freedom of expression in the Constitution of the Russian Federation. The Presidential Council also noted that the newly adopted provisions are disproportionate, excessive and vague in terms of application. Lack of clear criteria and resources for the implementation of the law, also noted in Presidential

Council's conclusions, can intensify the potential for unwarranted reprisal against citizens, media and organizations in Russia. Ignoring the concerns raised by the Presidential Council, together with speedy adoption of the amendments without proper public discussions, as well as lack of clarity on the implementation of the newly adopted provisions, makes the situation even more troublesome.

The EU shares the concerns expressed by the OSCE Representative on Freedom of the Media. The new laws impose excessive restrictions on speech and information on the Internet, and could further limit media freedom in Russia. They could allow for censorship of both journalism and freedom of expression, as well as increase the risk of self-censorship.

These laws are part of a wider trend of legislation in Russia, restricting freedom of expression and media. Further restrictive legislation is currently under development in the State Duma. The so-called sovereign Internet bill, adopted in the first reading on 12 February, would introduce new regulations on Internet traffic routing and grant additional powers to the Federal authority Roskomnadzor. While the declared aim of the legislation is to ensure the sustainability of the Internet in Russia, the envisaged central control mechanism could also be used to cut access to the global internet and impair the ability of the population to receive and impart information.

The EU shares the concerns expressed by the Representative on Freedom of the Media on the vagueness and breadth of the objectives of this draft legislation and the risk of restrictions to access to information. We note that on 10 March thousands of people rallied against the proposal in Moscow.

Freedom of expression, not least in digital contexts, is a human right of crucial importance to democracy and a key component of the OSCE comprehensive concept of security. In Milan 2018, all participating States acknowledged that journalism and technology are evolving and that this contributes to the public debate. Ministers agreed to bring media freedom related laws fully in compliance with international obligations and commitments. Freedom of expression is a right guaranteed under the European Convention on Human Rights and the International Covenant on Civil and Political Rights. International law requires limitations on free speech to be both necessary and proportionate. Failure to meet

that standard violates Russia's obligations under international law. The EU again urges Russia to draw on the expertise and advice of the Representative on Freedom of the Media.

The Candidate Countries NORTH MACEDONIA\*, MONTENEGRO\* and ALBANIA\*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and NORWAY, members of the European Economic Area, as well as UKRAINE, GEORGIA and CANADA align themselves with this statement.

\* North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.