

The State Duma has adopted a law prohibiting advertising in banned social networks

FAO companies' marketing and advertising departments

Pepeliaev Group advises that, on 25 March 2025, the State Duma (the lower chamber of the Russian Parliament) adopted in the third reading draft law No. 652920-8¹, which is aimed at countering extremist activity in Russia and, specifically, at preventing advertising from being disseminated on certain information resources.

The Draft Law was developed by a group of deputies and was put before the State Duma in mid 2024, then being fine-tuned until recently.

According to the Explanatory Note to the Draft Law, it is designed to prevent advertising from being distributed on information resources of a foreign or international non-governmental association whose activity is recognised as undesirable in Russia or of an organisation whose activity is prohibited, as well as other information resources to which access is limited under Russian legislation on information, information technologies and the protection of information.

The law that has been passed amends the following legislative instruments:

- Federal Law No. 114-FZ “On countering extremist activity” dated 25 July 2002, and
- Federal Law No. 38-FZ “On advertising” dated 13 March 2006.

Let’s take a closer look at them.

Amendments to Federal Law No. 114-FZ “On countering extremist activity” dated 25 July 2002²

Article 12 “Preventing public communications networks from being used to carry out extremist activity” is supplemented with part 3, which reads as follows:

¹ https://sozd.duma.gov.ru/bill/652920-8#bh_histras

² https://www.consultant.ru/document/cons_doc_LAW_37867/

“If a court issues a decision which comes into legal force that a public or a religious association or any other organisation be liquidated or its activity be prohibited on grounds for which this Federal Law or Federal Law No. 35-FZ “On countering terrorism” dated 6 March 2006 provides, then it will be prohibited to disseminate advertising on information resources of such associations or organisations within information and telecommunication networks, including on the Internet, pursuant to Russian legislation on advertising”.

Amendments to Federal Law No. 38-FZ “On advertising” dated 13 March 2006³

Article 5 “General requirements for advertising” of the above Law is supplemented with part 10.7, which reads as follows:

“It is not allowed to disseminate advertising on information resources of:

- a foreign or international organisation whose activity has been recognised as undesirable in Russia under Federal Law No. 272-FZ “Regarding sanctions on persons involved in violating fundamental human rights and freedoms, and rights and freedoms of Russian citizens” dated 28 December 2012,
- a public or a religious association or any other organisation in relation to which a court has issued a decision which has come into legal force that the association be liquidated or its activity be prohibited on grounds for which Federal Law No. 114-FZ “On countering extremist activity” or Federal Law No. 35-FZ “On countering terrorism” dated 6 March 2006 provides,
- as well as other information resources to which access has been limited in accordance with Russian legislation on information, information technologies and the protection of information”.

Further, the timeframe has been reduced from 5 to 3 years for the regulator Roskomnadzor to keep information regarding advertising that was disseminated on the Internet as established by article 181(13) of the Law on advertising. The above provision will be read as follows:

“Information regarding advertising and/or social advertising being disseminated on the information and telecommunications network Internet which has been reported to the federal executive authority that performs the functions of monitoring and overseeing the field of the mass media, mass communications, information technologies and telecommunications shall be kept by the above federal executive authority for at least 3 years after the date on which the federal executive authority received such information.”

³ https://www.consultant.ru/document/cons_doc_LAW_58968/

Violating the prohibition that has been established will entail administrative liability under article 14.3(1) ("Violating legislation on advertising") of the Russian Code of Administrative Offences.

Under the above article, a violation by an advertiser, producer of advertising or a distributor of advertising shall be fined in the following amount:

- from RUB 2,000 to RUB 2,500 for individuals;
- from RUB 4,000 to RUB 20,000 for a legal entity's officers;
- from RUB 100,000 to RUB 500,000 for legal entities themselves.

What to think about and what to do

The new provisions will come into effect starting from 1 September 2025.

We recommend doing as follows:

- 1.** briefing your company's employees who are responsible for marketing and advertising on the upcoming new developments;
- 2.** arranging to monitor lists (registers) of information resources:
 - of a foreign or international organisation whose activity has been recognised as undesirable in Russia;
 - of an organisation in relation to which a court has issued a decision that has come into legal force that the organisation be liquidated or its activity be banned;
 - to which access has been limited in accordance with legislation on information, information technologies and the protection of information.
- 3.** excluding the dissemination of advertising on such resources;
- 4.** analysing the information resources on which your advertising is or may be disseminated and stop it from being disseminated on the information resources that are listed above;
- 5.** stipulating the necessary clauses in contracts with advertisers and/or distributors of advertising.

Help from your adviser

The lawyers of Pepeliaev Group stand ready to provide comprehensive legal support to companies as they comply with legislation on the dissemination of advertising in the Internet.

Our firm offers the following range of services:

- advising customers and distributors of advertising on issues of disseminating advertising via the Internet (including in terms of labelling advertising);
 - advising on how to interact with customers/distributors of advertising;
 - representing a client when dealing with state authorities; and
 - other services.
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Contact details



Nikolay Solodovnikov
Partner

Tel.: +7 (495) 767 00 07
n.solodovnikov@pgplaw.ru



Polina Bardina
Head of Digital Group

Tel.: +7 (495) 767 00 07
p.bardina@pgplaw.ru