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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

RUSSIAN FEDERATION

LEGISLATIVE AMENDMENTS¹

**INTRODUCED TO THE RUSSIAN STATE DUMA
IN NOVEMBER 2020
AFFECTING SO-CALLED “FOREIGN AGENTS”
(consolidated – amendments underlined)**

¹ *Unofficial translation*

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I. AMENDMENTS TO THE FEDERAL LAW "ON NON-COMMERCIAL ORGANISATIONS"¹

A. New Art. 2(6) of the Federal Law "On non-commercial organisations" as amended by Art. 4 (1) of Draft Law No. 1057914-7² and Art. 1(1) of Draft Law No. 1052523-7³

Article 2: Non-commercial organisation

1. A non-commercial organisation is an organisation that does not have profit as its main purpose and does not distribute its profits among its members.

2. Non-commercial organisations may be established to achieve social, charitable, cultural, educational, scientific and managerial goals, to protect the health of citizens, to develop physical culture and sport, to satisfy the spiritual and other non-material needs of citizens, to protect the rights and lawful interests of citizens and organisations, to resolve disputes and conflicts, to provide legal assistance, and for other purposes aimed at achieving public benefits.

2.1 Non-commercial organisations shall be recognised as socially oriented non-commercial organisations established in the forms envisaged by this Federal Law (with the exception of state corporations, state companies and public associations which are political parties) which carry out activities aimed at solving social problems and developing civil society in the Russian Federation, as well as the types of activities envisaged by Article 31.1 of this Federal Law.

2.2 A non-commercial organization performing public services is a socially oriented non-commercial organization which does not act as a foreign agent, does not have arrears in taxes and levies or any other obligatory payments provided for by the legislation of the Russian Federation, and complies with one of the following requirements:

- 1) provision of socially useful services of adequate quality for at least one year;
- 2) the proper implementation of projects providing for the implementation of activities in one or more priority areas in the provision of public utility services with the use of grants from the President of the Russian Federation provided for the development of civil society (hereinafter, "public utility projects").
- 3) Non-commercial organisations may be established in the form of public or religious organisations (associations), communities of small indigenous peoples of the Russian Federation, Cossack societies, non-commercial partnerships, institutions, autonomous non-commercial organisations, social, charitable and other foundations, associations and unions, as well as in other forms provided for by federal laws.

4. In this Federal Law a foreign non-commercial non-governmental organisation shall be understood as an organisation which does not have profit making as the main objective of its activity and does not distribute the profit received between the participants, established outside the territory of the Russian Federation in accordance with the legislation of a foreign state, whose founders (participants) are not state bodies.

¹ The original Russian text is available at: https://www.consultant.ru/document/cons_doc_LAW_8824/ (last accessed 14 June 2021).

² Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

³ Venice Commission, [CDL-REF\(2021\)049](#), Russian Federation - Federal Law amending the Federal Law on non-profit organisations as regards improving the legal regulation of the activities of non-profit organisations performing the functions of a Foreign Agent and structural subdivisions of foreign non-profit non-governmental Organisations.

5. A foreign non-commercial non-governmental organisation shall carry out its activities on the territory of the Russian Federation through its structural subdivisions - branches, subsidiaries and representative offices.

A structural subdivision - branch of a foreign non-commercial non-governmental organisation shall be recognised as a form of a non-commercial organisation and shall be subject to state registration in the manner prescribed by Article 13.1 of this Federal Law.

Structural subdivisions - branches and representative offices of foreign non-commercial non-governmental organisations acquire legal capacity in the territory of the Russian Federation from the date when information about the respective structural subdivision is entered into the register of branches and representative offices of international organisations and foreign non-commercial non-governmental organisations in the procedure stipulated by Article 13.2 of this Federal Law.

6. The term "non-commercial organisation performing the functions of a foreign agent" shall be taken as meaning in the present Federal Law a Russian non-commercial organisation which receives monetary funding and/or other property from foreign States, their state authorities, international and foreign organisations, foreign citizens, stateless persons or persons authorised by them and/or Russian citizens or legal entities receiving monetary funding and/or other property from the aforementioned sources or acting in the capacity of intermediaries for the receipt of such monetary funding and/or other property (with the exception of joint stock companies partially owned by the State and subsidiaries thereof or whose beneficial owners within the meaning defined in Article 6.1 paragraph 8 of Federal Law no. 115-FZ of 7 August 2001 "On countering the legalisation (laundering) of proceeds of crime and the financing of terrorism"⁴ are foreign citizens or stateless persons) (hereinafter - foreign sources), and which participates, including in the interests of foreign sources, in political activities carried out on the territory of the Russian Federation.

A non-commercial organization, except for a political party, shall be deemed participating in political activities exercised in the territory of the Russian Federation, if, regardless of the purposes and tasks cited in the constituent entities thereof, it participates (in particular by way of providing finances) in arranging and conducting political actions for the purpose of influencing the adoption by the state bodies of decisions aimed at changing the state policy pursued by them, as well as in forming public opinion for the cited purposes.

These activities shall take the following forms:

Participation in the organization and holding of public events in the form of meetings, rallies, demonstrations, marches or picketing or in various combinations of these forms, organization and holding of public debates, discussions and speeches;

Participation in activities aimed at obtaining a particular result in elections or referendums, in the monitoring of elections or referendums, in the formation of electoral or referendum commissions, and in the activities of political parties;

Public appeals to State bodies, local authorities and their officials, as well as other actions influencing the activities of these bodies, including those aimed at adopting, amending or repealing laws or other regulatory legal acts;

Dissemination, including through the use of modern information technology, of opinions on the decisions taken and policies implemented by government bodies;

⁴ Art. 6.1(8) of Federal Law no. 115-FZ of 7 August 2001: "8. For the purposes of this Article a beneficial owner means an individual who ultimately, directly or indirectly (through third parties), owns (possesses a majority interest of more than 25 per cent in the capital of) the legal entity or has the ability to control its actions."

Formation of social and political views and beliefs, including through opinion polls and the publication of the results or other sociological research;

Involving citizens, including minors, in these activities;

The financing of such activities.

Activities in the area of science, culture, art, health care, prevention and protection of public health, social services, social support and protection of citizens, protection of motherhood and childhood, social support for disabled persons, promotion of healthy lifestyles, physical education and sport, protection of the plant and animal world, and charitable activities are not considered political activities.

A Russian physical individual or legal entity effecting the transfer of monetary funding and/or other property from a foreign source or a person authorised by it to a Russian non-commercial organisation participating in political activities on the territory of the Russian Federation shall be deemed to be an intermediary for the receipt of monetary funding and/or other property from a foreign source.

B. New Art. 13.1(10) of Federal Law "On non-commercial organisations" as amended by Art. Art. 4(2) of Draft Law No. 1057914-7⁵

Article 13.1. State registration of non-commercial organizations

1. A non-profit organization is subject to state registration in accordance with the Federal Law dated August 8, 2001 No 129-FZ "On State Registration of Legal Entities and Individual Entrepreneurs" (hereinafter - Federal Law "On State Registration of Legal Entities and Individual Entrepreneurs") with due consideration of the procedure for state registration of non-profit organizations established by this Federal Law.

2. The decision on state registration (on refusal in state registration) of a non-profit organisation shall be taken by the federal executive body authorised in the sphere of registration of non-profit organisations (hereinafter - the authorised body) or by its territorial body.

3. Entry in the unified state register of legal entities of information on creation, reorganization and liquidation of non-profit organizations as well as other information stipulated by federal laws shall be carried out by the federal executive body authorized in accordance with Article 2 of the Federal Law "On state registration of legal entities and individual entrepreneurs" (hereinafter - the registration authority) based on the decision on state registration adopted by the authorized body or its territorial body. The forms of the documents required for the respective state registration shall be determined by the authorised federal executive body.

4. Documents necessary for the state registration of a non-commercial organisation shall be submitted to the authorised body or its territorial body not later than three months from the date of the decision on establishment of such organisation.

The state registration of non-commercial organizations "Avtodor" should be done within three months from the date of the decision to establish such an organization.

5. The following documents shall be submitted to the authorised body or its territorial body for state registration of a non-commercial organisation upon its creation

⁵ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

- 1) an application signed by an authorized person (hereinafter referred to as the applicant), indicating his surname, name, patronymic, place of residence and contact telephone numbers;
- 2) constituent documents of the non-commercial organization in triplicate;
- 3) Decision on establishment of the non-commercial organization and on approval of its constituent documents, specifying the composition of elected (appointed) bodies, in duplicate;
- 4) information on founders in two copies;
- 5) document on payment of state duty;
- 6) information regarding address (location) of permanent operating body of the non-commercial organization at which the non-commercial organization shall be contacted;
- 7) when a non-commercial organization uses in its name a citizen's name, symbols protected by legislation of the Russian Federation on intellectual property protection as well as a full name of another legal entity as part of its own name - documents confirming the authority to use them;
- 8) Extract from the register of foreign legal entities of the respective country of origin or other document of equal legal force confirming the legal status of the founder - a foreign entity;
- 9) an application for inclusion of the non-commercial organization in the register of non-commercial organizations performing the functions of a foreign agent stipulated by Clause 10 of this Article - for non-commercial organizations performing the functions of a foreign agent.

5.1 The Authorised Body or its territorial body shall not have the right to demand submission of other documents, except for the documents specified in clause 5 of this Article.

6. The decision on the state registration of the branch of a foreign non-commercial non-governmental organisation shall be taken by the authorised body. The specified decision shall be made on the basis of the documents submitted in accordance with clause 5 of the present article and certified by the authorised body of the foreign non-profit non-governmental organisation as well as on the basis of copies of the constituent documents, registration certificate or other documents of title of the foreign non-profit non-governmental organisation.

7. Documents of foreign organizations shall be submitted in the state (official) language of the respective foreign state with a translation into Russian and duly certified. 8.

8. The authorized body or its territorial body in the absence of the grounds established by Article 23.1 of this Federal Law to refuse the state registration or to suspend the state registration of a non-profit organization no later than fourteen working days from the date of receipt of necessary documents shall take a decision on the state registration of the non-profit organization and shall send to the registration authority the information and documents necessary for the implementation by the registration authority of functions to maintain the unified registration. On the basis of the above decision and information and documents submitted by the authorised body or its territorial body, the registering authority makes an appropriate entry in the unified State register of legal entities and, no later than five working days from the day of receipt of such information and documents, informs the body which took the decision on State registration of the non-profit organisation thereof. No later than three working days from the day of receipt from the registering authority of information on making an entry into the Unified State Register of Legal Entities concerning a non-profit organization, the body which took the decision on state

registration of the non-profit organization shall issue a certificate of state registration to the applicant.

Interaction of the authorised body or its territorial body with the registering authority as concerns state registration of a non-profit organisation shall be carried out in the manner established by the authorised body in coordination with the registering authority.

9. State registration of a non-commercial organization shall be charged in compliance with the procedure and amount stipulated by the legislation of the Russian Federation concerning taxes and duties.

10. Information contained in the documents submitted for state registration of a non-profit organization performing the functions of a foreign agent shall constitute the register of non-profit organizations performing the functions of a foreign agent to be maintained by the authorized body. The procedure of maintenance of the said register shall be established by the authorised body. The information constituting that register shall be posted on the official website of the federal state registration authority on the Internet information and telecommunications network.

C. New Article 13.2 of Federal Law "On non-commercial organisations" as amended by Art. 1(2) of Draft Law No. 1052523-7⁶

Article 13.2 Notification of establishment of a branch or representative office of a foreign non-commercial non-governmental organisation in the territory of the Russian Federation

1. A foreign non-commercial non-governmental organisation shall notify the authorised body thereof within three months from the date of the decision to establish a branch or representative office in the territory of the Russian Federation.

2. The notification on establishment of a branch or representative office of a foreign non-commercial non-governmental organisation in the territory of the Russian Federation (hereinafter also - the notification) shall be certified by the authorised body of the foreign non-commercial non-governmental organisation and shall contain information on the founders and address (location) of the permanent governing body. The form of notification shall be established by the federal body of executive power exercising the functions of normative legal regulation in the sphere of justice.

3. The following documents shall be attached to the notification:

- 1) constituent documents of the foreign non-commercial non-governmental organization;
- 2) decision of the governing body of the foreign non-commercial non-governmental organisation on establishment of a branch or representative office of the foreign non-commercial non-governmental organisation
- 3) regulations on the branch or representation of the foreign non-commercial non-governmental organisation
- 4) decision on appointment of the head of the branch or representative office of the foreign non-commercial non-governmental organisation;
- 5) document on the objectives and tasks of the establishment of the branch or representative office of the foreign non-commercial non-governmental organisation.

⁶ [CDL-REF\(2021\)049](#), *op. cit.*

4. The notification and the documents attached thereto shall be submitted in the state (official) language of the respective foreign state with a translation into Russian and duly certified.

5. Information contained in the notification and the documents attached thereto shall constitute the register of branches and representative offices of international organizations and foreign non-commercial non-governmental organizations (hereinafter also - the register), which shall be maintained by the authorized body.

6. Within thirty days of receipt of the notification, the authorized body shall issue to the head of the respective branch or representative office of the foreign non-commercial non-governmental organization an extract from the register whose form shall be established by the federal executive body in charge of legal regulation in the sphere of justice.

7. A foreign non-commercial non-governmental organisation may be refused to enter information on a branch or representative office into the register on the following grounds:

- 1) if the information and documents stipulated by this article have not been submitted in full or these documents have not been drawn up in a proper manner;
- 2) if it is established that the presented constituent documents of the foreign non-commercial non-governmental organization contain inaccurate information
- 3) if the documents and (or) information contained therein stipulated by this Article contradict the Constitution of the Russian Federation and the legislation of the Russian Federation;
- 4) if the goals and objectives of establishing a branch or representative office of a foreign non-commercial non-governmental organization pose a threat to sovereignty, political independence, territorial integrity and national interests of the Russian Federation;
- 5) if a branch or representative office of a foreign non-commercial non-governmental organisation previously included in the register has been removed from the register due to gross violations of the Constitution of the Russian Federation and legislation of the Russian Federation.

8. In the event that entry in the register of information concerning a branch or representative office of a foreign non-commercial non-governmental organization is refused on the grounds envisaged by subparagraphs 1 - 3 and 5 of paragraph 7 of this Article, the applicant shall be notified accordingly in writing, indicating specific provisions of the Constitution of the Russian Federation and legislation of the Russian Federation whose violation has resulted in this refusal, and in the event that entry in the register of information concerning a branch or representative office of a foreign non-commercial non-governmental organization is refused, the applicant shall be informed of this in writing.

9. A refusal to include in the register information on a branch or representative office of a foreign non-commercial non-governmental organization may be appealed to a higher body or to a court.

10. The refusal to include in the register the information on the branch or representative office of the foreign non-commercial non-governmental organisation shall not be an obstacle for resubmission of the notification, provided the grounds that caused the refusal are eliminated.

11. The legal capacity of a branch or representative office of a foreign non-commercial non-governmental organisation in the territory of the Russian Federation arises from the date when information about the corresponding structural subdivision of the foreign non-commercial non-governmental organisation is entered into the register.

12. The head of this structural subdivision shall be obliged at the latest in twenty days as of the date of entering to the register data on the appropriate structural subdivision of a foreign non-commercial nongovernmental organization to notify the authorized body of the address (location) of the affiliate or representative office and of the contact telephone numbers thereof. The address/registered office of a structural subdivision of a foreign non-commercial non-governmental organisation created or being created on the territory of the Russian Federation may not be residential premises.

13. Notifications of changes in the information contained in the notification of the establishment of a branch or representative office of a foreign non-commercial non-governmental organisation in the territory of the Russian Federation and in the documents attached to the notification, as well as changes in the information specified in paragraph 12 of this Article shall be submitted in the manner prescribed by this Article.

14. The regulations of the branch or representative office of the foreign non-commercial non-governmental organization shall specify

- 1) the name of the branch or representative office of the foreign non-commercial non-governmental organization containing the name and country of registration of the foreign non-commercial non-governmental organization that decided to establish the branch or representative office of the foreign non-commercial non-governmental organization as well as indication of the territorial scope of the branch or representative office of the foreign non-commercial non-governmental organization;
- 2) objectives, tasks and types of activities of the branch or representation of the foreign non-commercial non-governmental organisation;
- 3) management procedures for the activities of the branch or representation of the foreign non-commercial non-governmental organisation
- 4) sources of formation of assets of the branch or representation of the foreign non-commercial non-governmental organisation
- 5) The procedure of amending the regulations on a branch or representation of a foreign non-commercial non-governmental organisation.

D. New Art. 24 of Federal Law "On non-commercial organisations" as amended by Art. Art. 4(3) of Draft Law No. 1057914-7⁷

Article 24. Types of activities of a non-profit organisation

1. A non-profit organisation may carry out one type of activity or several types of activity not prohibited by the legislation of the Russian Federation and corresponding to the objectives of the non-profit organisation's activities as set out in its founding documents.

The main activity of budgetary and treasury institutions is the activity directly aimed at achieving the objectives for which they have been established. An exhaustive list of the types of activities that budget and treasury institutions can carry out in accordance with the purposes for which they were established is determined by the founding documents of the institutions.

The legislation of the Russian Federation may establish restrictions on the types of activities that non-profit organisations are entitled to engage in for certain types of activities, and for institutions, including certain types.

⁷ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

Certain types of activity may be carried out by non-profit organizations only on the basis of special permits (licences). The list of these types of activity is determined by law.

The material produced by a non-profit organisation entered in the register of non-profit organisations performing the functions of a foreign agent, and/or disseminated by it, including via the mass media and/or the Internet information and telecommunications network, material sent by such an organisation to state authorities, local self-government authorities, educational and other organisations, and information relating to the activities of that organisation disseminated via the mass media shall be accompanied by a reference to the fact that this material/information has been produced, disseminated and/or sent by a non-profit organisation performing the functions of a foreign agent or relates to the activities of such an organisation.

The material produced and/or disseminated by a founder, member, participant, leader or staff member of a non-profit organisation entered in the register of non-profit organisations performing the functions of a foreign agent or a person who is a member of an organ of such a non-profit organisation, when carrying out political activities, material sent by those individuals to state authorities, local self-government authorities, educational and other organisations in connection with the carrying out of political activities, and information relating to the political activities of such persons disseminated via the mass media shall be accompanied by a reference to the fact that this material/information has been produced, disseminated and/or sent by a founder, member, participant, leader or staff member of a non-profit organisation performing the functions of a foreign agent or a person who is a member of an organ of such a non-profit organisation.

2. A non-profit organisation may carry out entrepreneurial and other income-generating activities only insofar as these serve to achieve the purposes for which it was established and are consistent with those purposes, provided that such activities are specified in its constituent documents. Such activities include the profit-making production of goods and services meeting the objectives of the non-profit organisation, as well as the acquisition and sale of securities, property and non-property rights, participation in business companies and participation in partnerships in the capacity of a contributor.

The legislation of the Russian Federation may impose restrictions on entrepreneurial and other income-generating activities of certain types of non-profit organisations, and in the part of institutions, including certain types.

3. a non-profit organisation shall keep records of income and expenditure on entrepreneurial and other income-generating activities.

3.1 The legislation of the Russian Federation may establish restrictions for non-commercial organizations to make donations to political parties and their regional branches as well as to election and referendum funds.

4. A non-profit organisation may establish other non-profit organisations and join associations and unions in the interests of achieving the objectives set out in its charter.

A budget institution, with the consent of the owner, has the right to transfer to non-profit organisations as their founder (participant) funds (unless otherwise established by the terms of granting funds) and other property, except for especially valuable movable property assigned to it by the owner or acquired by a budget institution at the expense of funds allocated to it by the owner for the acquisition of such property, as well as immovable property. The paragraph has lost force. - Federal Law dated 23.05.2016 N 149-FZ.

In the cases and in the procedure which are stipulated by federal laws, a budget-funded institution has the right to contribute the property referred to in the second paragraph of this Item

to the charter capital of business companies or the share capital of business partnerships or otherwise transfer this property to them as their founder (participant).

A state institution may not act as a founder (participant) of legal entities.

E. New Art. 32 of Federal Law "On non-commercial organisations" as amended by Art. 1(3) of Draft Law No. 1052523-7⁸ and Art. 4(4) of Draft Law No. 1057914-7⁹

Article 32. Control of the activities of a non-profit organisation

1. A non-commercial organisation shall keep accounting and statistical reports in accordance with the procedure established by the legislation of the Russian Federation. The annual accounting (financial) statements of a non-commercial organisation performing the functions of a foreign agent and (unless otherwise provided for in the international treaty of the Russian Federation) the annual accounting (financial) statements of a structural subdivision of a foreign non-commercial non-governmental organisation shall be subject to mandatory audit.

A non-commercial organization shall submit information on its activities to state statistical and tax bodies, founders and other persons in accordance with the legislation of the Russian Federation and the founding documents of the non-commercial organization.

Non-commercial organisations which have received monetary funds and other property from foreign sources shall keep separate accounting of the income (expenses) received (incurred) within the framework of revenues from foreign sources and the income (expenses) received (incurred) within the framework of other revenues.

2. The amount and structure of the non-commercial organisation's income, as well as information on the amount and composition of the non-commercial organisation's property, its expenditure, the number and composition of its employees, their remuneration and the use of gratuitous labour by citizens in the activities of the non-commercial organisation cannot be subject to commercial confidentiality.

3. Non-commercial organizations, except for those cited in Item 3.1 of this Article, are bound to file with the authorized body the documents containing a report on the activities thereof, about the personal composition of the governing bodies and staff, documents on the purposes of spending the monetary assets and of using other property, in particular of those received from foreign sources, while the non-commercial organizations exercising the functions of a foreign agent, are obliged to file an audit statement, programmes scheduled for implementation or being implemented, other documents providing a basis for the conducting of events and also a report on their implementation or information that the corresponding events have not taken place as well. With this, the documents presented by non-commercial organizations exercising the functions of a foreign agent must contain data on the purposes of spending the monetary assets and other property received from foreign sources, about their actual spending and use, programmes scheduled for implementation and other documents providing a basis for the conducting of events - before implementation of the programme (or part thereof) commences, programmes being implemented and other documents providing a basis for the conducting of events – annually, and a report on the implementation of programmes and the execution of other documents providing a basis for the conducting of events or information that the corresponding events have not taken place – annually. The forms for presenting the cited documents (except for an audit statement) and the time for their presentation with due regard to the time provided

⁸ [CDL-REF\(2021\)049](#), *op. cit.*

⁹ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

for by paragraph two of this item shall be determined by the authorized federal executive power body.

Non-profit organisations performing the functions of a foreign agent submit to the authorised agency documents containing a report on their activities, on the composition of their governing bodies and staff once every six months, documents on the purpose of spending funds and using other property, including those received from foreign sources - quarterly, an auditor's report - annually.

3.1. Non-commercial organisations whose founders (participants, members) are not foreign citizens and (or) organisations or stateless persons and which have not had any receipts of property and funds from foreign sources during the year, in case the receipts of property and funds of such non-commercial organisations during the year amounted to three million roubles, shall submit to the authorised body or its territorial body an application, confirming their compliance with this paragraph and free-form information on the continuation of their activities within the period of time to be determined by the authorised body.

3.2 Non-commercial organisations, with the exception of those referred to in paragraph 3.1 of this Article, shall be obliged annually, and non-commercial organisations performing the functions of a foreign agent once every six months, to post on the information and telecommunications network "Internet" or provide to mass media for publication a report on their activities to the extent of the information submitted to the authorised body or its territorial body.

Non-commercial organisations referred to in paragraph 3.1 of this Article shall be obliged to post annually on the information and telecommunication network "Internet" or provide to the mass media for publication a report on the continuation of their activities.

The procedure and timing for the publication of these reports and communications shall be determined by the authorised federal executive body.

3.3 In order to ensure openness and accessibility of information on the activities of state (municipal) institutions, the following documents shall be posted on the official website for posting information on state and municipal institutions on the information and telecommunications network "Internet":

- 1) constituent documents of the state (municipal) institution, including amendments made thereto;
- 2) certificate of state registration of the state (municipal) institution;
- 3) the founder's decision to establish a public (municipal) institution;
- 4) decision of the founder on appointment of the manager of the public (municipal) organization;
- 5) regulations on branches, representative offices of the state (municipal) organization;
- 6) a plan of financial and economic activities of the State (municipal) institution, prepared and approved in accordance with the procedure established by the relevant body exercising the functions and powers of the founder, and in accordance with the requirements established by the Ministry of Finance of the Russian Federation;
- 7) annual financial statements of the state (municipal) institution;
- 8) information on control activities conducted in respect of the state (municipal) institution and their results;

9) state (municipal) assignment for provision of services (performance of works);

10) a report on the performance of the state (municipal) institution and on the use of the state (municipal) property assigned to it that is prepared and approved in accordance with the procedure established by the relevant body exercising the functions and powers of the founder and in accordance with the general requirements established by the federal executive body responsible for the development of state policy and legal regulation in the field of budget, tax, insurance, currency, banking and financial services;

11) budget estimates of the treasury institution, which shall be prepared, approved and maintained in accordance with the procedure established by the budget legislation of the Russian Federation;

12) decisions of the body exercising the functions and powers of the founder of an autonomous institution on appointment of members of the supervisory board of an autonomous institution or early termination of their powers.

3.4 The documents specified in clause 3.3 of this Article shall not be placed on the official website for placement of information on state and municipal institutions on the Internet in case such documents contain information constituting state secrets.

3.5 The documents specified in paragraph 3.3 of this article shall be posted on the official website for placement of information on state and municipal institutions on the information and telecommunications network "Internet" by the body exercising the functions and powers of the founder of the state (municipal) institution. If such documents are contained in federal information systems or are subject to mandatory inclusion in state and (or) municipal information systems in accordance with the legislation of the Russian Federation, such documents are subject to placement on the official website for placement of information on state and municipal institutions on the information and telecommunications network "Internet" through information interaction of the official website for placement of information on state and municipal institutions.

A body exercising the functions and powers of the founder of a state (municipal) institution has the right, on the basis of a legal "act" adopted by it, to transfer the right to post documents on a state (municipal) institution to that state (municipal) institution on the official website for posting information on state and municipal institutions in the information and telecommunications network "Internet".

Placement of such documents on the official website for placement of information on state and municipal institutions on the Internet and maintenance of this website is carried out in accordance with the procedure established by the federal executive body responsible for the development of state policy and normative legal regulation in the field of budget, tax, insurance, currency and banking activities.

4. A structural subdivision of a foreign non-commercial non-governmental organisation shall submit to the authorised body a report on its activities in the form established by the authorised body, containing information on the amount and sources of the monetary funding received and other property, on the supposed distribution thereof, on the aims of spending and use thereof and on actual spending and use thereof, on the planned channelling of monetary funding and other property to recipients of such monetary funding and other property, on programmes scheduled for implementation or being implemented on the territory of the Russian Federation, on other documents providing a basis for the conducting of events as well as information on the conducting of events or information that the corresponding events have not taken place, on the spending of the said monetary funding by natural persons and legal entities to which they are granted, and on the use of the property provided to them. The time limits for submitting the report shall be determined by the authorised body.

A structural subdivision of a foreign non-commercial non-governmental organisation shall submit to the authorised body the audit statement received from a Russian audit firm/Russian individual auditor on the results of the audit of the annual accounting/financial statements, if not otherwise provided for in an international treaty of the Russian Federation, the programmes scheduled for implementation or being implemented on the territory of the Russian Federation, other documents providing a basis for the conducting of events on the territory of the Russian Federation and also a report on their implementation or information that the corresponding events have not taken place. The procedure and time limits for submitting the programmes scheduled for implementation and being implemented on the territory of the Russian Federation and other documents providing a basis for the conducting of events and also the report on their implementation shall be determined by the Russian Federation Government.

The time limits for submitting the audit statement shall be determined by the authorised body.

The authorized body shall post on its official site in the Internet the data presented by a structural unit of a foreign non-commercial non-governmental organization or shall present them to the mass media for publication.

4.1 Control over non-commercial organisations' compliance with the requirements of the legislation of the Russian Federation and the goals stipulated in their constituent documents is carried out when carrying out federal state supervision over the activities of non-commercial organisations, except for budgetary and treasury institutions, and departmental control over the activities of budgetary and treasury institutions.

Federal State oversight over the activities of non-commercial organisations is exercised by an authorised agency in accordance with its competence in accordance with the procedure established by the Government of the Russian Federation.

The provisions of Federal Law No. 294-FZ dated December 26, 2008 "On Protection of Rights of Legal Entities and Individual Entrepreneurs in the Exercise of State Control (Supervision) and Municipal Control" are applicable to the relations connected with exercising federal state supervision over activities of non-commercial organizations, organization and conduct of inspections of non-commercial organizations taking into account the specifics of organization and conducting unscheduled inspections specified in paragraphs 4.2 - 4.5 and 4.7 of this Article.

4.2. The grounds for conducting an unscheduled inspection of a non-commercial organization are:

1) the expiration of the term for elimination of violations contained in the warning earlier issued by the authorized body or its territorial body to a non-commercial organization;

2) the receipt by the authorised body or territorial agency thereof of information from state authorities, local self-government authorities, citizens or organisations concerning the participation of a non-profit organisation or the discovery as a result of an inspection measure without the cooperation of the non-profit organisation of information concerning a violation of Russian Federation legislation by the non-profit organisation or actions by it that do not correspond to the statutory aims and tasks of its activities, including characteristic signs of extremism in its activities;

3) the receipt by an authorized body or its territorial body of the information of the electoral commission on conducting the inspection in accordance with Item 4 of Article 35 of the Federal law from July 11, 2001 No. 95-FZ on Political Parties, Item 13 of Article 59 of the Federal law of June 12, 2002 No. 67-FZ on Basic Guarantees of Electoral Rights and the Right to Participate in Referendum of Citizens of the Russian Federation";

4) the availability of an order (instruction) of the head of the authorized body or its territorial body issued in accordance with the instructions of the President of the Russian Federation or the Government of the Russian Federation or on the basis of requirements of the Prosecutor about carrying out unscheduled inspection within the framework of supervision of execution of laws on the base of materials and appeals received by Prosecutor's office;

5) the receipt by the authorized body or its territorial body of information from state bodies, local government bodies, citizens or organizations regarding the implementation by a non-commercial organization of activities as non-commercial organization performing functions of a foreign agent that has not applied for inclusion in the registry of non-commercial organizations performing functions of a foreign agent provided in Item 10 of Article 13.1 of this Federal law;

6) the receipt by the authorized body or its territorial body of application from non-commercial organizations included in the registry of non-commercial organizations performing the functions of a foreign agent regarding the exclusion of this non-commercial organization from the specified registry in connection with the termination of its activities as non-commercial organization performing functions of a foreign agent.

7) the receipt by the authorised body or a territorial agency thereof of information from state authorities, local self-government authorities, citizens or organisations concerning the participation of a non-commercial organisation in events carried out by a foreign or international non-governmental organisation whose activities have been declared undesirable on the territory of the Russian Federation under the procedure established by Russian Federation legislation.

4.3. Unscheduled inspection on the grounds specified in subparagraphs 2, 3 and 6 of paragraph 4.2 of this article shall be immediately carried out by the authorized body, informing the prosecutor's office in the manner prescribed by paragraph 12 of article 10 of Federal Law dated December 26, 2008 N 294-FZ "On protection of rights of legal entities and individual entrepreneurs in the exercise of state control (supervision) and municipal control".

4.4 Preliminary notification of a non-commercial organization of an unscheduled inspection due to the presence of extremism indicators in its activities shall not be allowed.

4.5 Scheduled inspections of a non-commercial organization performing the functions of a foreign agent shall be conducted no more than once a year.

Unscheduled inspections of the non-commercial organization performing the functions of a foreign agent shall be conducted on the grounds specified in clause 4.2 of this Article and subject to the provisions of clauses 4.3 and 4.4 of this Article.

4.6. Repealed. - Federal Law dated 21.02.2014 N 18-FZ.

4.7 In the event of it being necessary, during a check on a non-profit organisation, to obtain documents and/or information within the framework of inter-agency information exchange, to undertake complex and/or lengthy research or special expert analyses and investigations, the time limit for carrying out the check may be extended to forty-five working days by the head/deputy head of the authorised body or territorial agency thereof.

5. In relation to a non-commercial organisation, the authorised body and its officials shall have the right in accordance with the procedure established by the legislation of the Russian Federation:

- 1) Request from the management bodies of the non-commercial organisation their administrative documents, except for documents containing information that can be obtained in accordance with sub-paragraph 2 of this paragraph;
- 2) Request and receive information on financial and economic activities of non-commercial organizations from state statistical authorities, federal executive body authorized to control and oversee taxes and levies, and other state supervision and control authorities as well as from credit and other financial organizations;
- 3) send representatives to participate in events held by the non-commercial organisation;
- 4) carry out inspections of compliance of the non-commercial organization's activities, including the expenditure of funds and use of other property, with the purposes provided for in its constituent documents. Such inspections may be carried out in relation to a structural subdivision of a foreign non-commercial non-governmental organisation with the exception of structural subdivisions of a foreign non-commercial non-governmental organisation which have immunity from the above actions;
- 5) in case of revealing a violation of legislation of the Russian Federation or committing acts contradicting the objectives stipulated in its constituent documents, issue a written warning to the non-commercial organization indicating the violation committed and its elimination period which is not less than one month. The warning issued to the non-commercial organization may be appealed to a higher authority or to the courts;
- 6) is no longer in force. - Federal Law of 04.06.2014 N 147-FZ.

5.1 Control over the activities of budgetary and treasury institutions shall be exercised

- 1) by federal state bodies exercising the functions and powers of the founder - in respect of federal budgetary and treasury institutions;
- 2) in accordance with the procedure established by the supreme executive body of state power of a constituent entity of the Russian Federation - in respect of budgetary and treasury institutions of the constituent entity of the Russian Federation;
- 3) in accordance with the procedure established by the local administration of a municipality - with regard to municipal budget-funded and government-funded institutions.

5.2 Control over the activities of government and budget-funded institutions subordinate to federal government bodies (state agencies) where the law provides for military and equivalent service shall take into account the requirements of the legislation of the Russian Federation on the protection of state secrets.

6. In case of revealing a violation of the legislation of the Russian Federation or committing by a branch or representative office of a foreign non-commercial non-governmental organization of actions contradicting the stated goals and objectives, the authorized body shall be entitled to issue a written warning to the head of the respective structural subdivision of the foreign non-commercial non-governmental organization indicating the violation committed and the period for its elimination, which shall not be less than one month. The warning issued to the head of the corresponding structural subdivision of the foreign non-commercial non-governmental organisation may be appealed against to a higher body or to a court.

6.1 Repealed. - Federal Law dated 04.06.2014 N 147-FZ.

7. Non-commercial organisations shall be obliged to inform the authorised body about changes in the information specified in clause 1 of Article 5 of the Federal Law "On state

registration of legal entities and individual entrepreneurs", except for the information on licences obtained, within three days from the date of such changes and submit the relevant documents for the decision on their sending to the registering body. The decision on sending the relevant documents to the registering body is made in the same manner and within the same timeframe as the decision on state registration. At the same time, the list and forms of the documents that are required to make such changes are determined by the authorised federal executive body.

A non-commercial organisation intending to carry out its activities as a non-commercial organisation performing the functions of a foreign agent after its state registration shall be obliged to submit to the authorised agency an application for its inclusion in the register of non-commercial organisations performing the functions of a foreign agent provided for in Article 13.1.10 of this Federal Law before commencing such activities.

If a non-commercial organization operating as a non-commercial organization performing the functions of a foreign agent is identified that has not submitted an application for its inclusion in the register of non-commercial organizations performing the functions of a foreign agent stipulated by clause 10 of Article 13.1 of this Federal Law, the authorized body shall include such non-commercial organization in the said register.

The decision on inclusion of such non-commercial organization in the register of non-commercial organizations performing the functions of a foreign agent may be appealed against in court.

7.1 The Authorised Body shall take a decision to exclude a non-commercial organisation from the register of non-commercial organisations performing the functions of a foreign agent:

1) in case of termination of activities of a non-commercial organization due to its liquidation or reorganization in the form providing for termination of a legal entity or due to exclusion of a non-commercial organization which terminated its activities as a legal entity from the unified state register of legal entities;

2) if the results of an unscheduled inspection carried out on the grounds stipulated by sub-paragraph 6 of paragraph 4.2 of this Article establish that during the year preceding the day of application for exclusion of the non-commercial organization from the register of non-commercial organizations performing functions of a foreign agent, the non-commercial organization has not received funds and other property from foreign sources and (or) has not participated in political activities carried out on the territory of the Russian Federation

3) if an unscheduled inspection conducted on the grounds stipulated by subclause 6 of clause 4.2 of this Article with respect to a non-commercial organization that has been excluded from the register of non-commercial organizations performing functions of a foreign agent, reveals that the non-commercial organization did not receive funds and other property from foreign sources and (or) did not participate in political activities carried out on the territory of the Russian Federation during three years preceding the date of application for its removal from the said register

4) if an unscheduled inspection conducted on the grounds stipulated by subparagraph 6 of paragraph 4.2 of this article establishes that the non-commercial organization, no later than three months after the date of its inclusion in the register of non-commercial organizations performing functions of a foreign agent, has refused to receive funds or other property from foreign sources and has returned the funds or other property to the foreign source from which they were received.

7.2 The form of application for removal of a non-commercial organization from the register of non-commercial organizations performing functions of a foreign agent shall be approved by the authorized body.

7.3 The decision on exclusion of the non-commercial organization from the register of non-commercial organizations performing the functions of a foreign agent in case provided by subparagraph 1 of paragraph 7.1 of this Article shall be taken by the authorized body no later than five days from the date of making the relevant entry in the unified state register of legal entities.

Decision to exclude a non-commercial organization from the register of non-commercial organizations performing functions of the foreign agent in cases stipulated by subparagraphs 2 - 4 of paragraph 7.1 of this Article or refusal to exclude a non-commercial organization from the said register shall be taken by the authorized body no later than three months from the date of receipt of the application for exclusion from the said register from the non-commercial organization.

The decision to refuse to exclude a non-commercial organization from the register of non-commercial organizations performing the functions of a foreign agent shall be taken by the authorized body in case the results of an unscheduled inspection carried out on the grounds stipulated by subparagraph 6 of paragraph 4.2 of this Article establish that the non-commercial organization has presented inaccurate information on its termination of activities as a non-commercial organization performing the functions of a foreign agent. This decision may be appealed by the non-commercial organization in court.

8. In case of non-submission by a branch or representative office of a foreign non-commercial non-governmental organisation of the information stipulated by clause 4 of the present article within the prescribed term, the structural subdivision of the foreign non-commercial non-governmental organisation concerned may be excluded from the register of branches and representative offices of international organisations and foreign non-commercial non-governmental organisations by decision of the authorised body.

9. In case the activities of a branch or representative office of a foreign non-commercial non-governmental organisation do not comply with the objectives stated in the notification and/or the information provided in accordance with Clause 4 of this Article, such structural subdivision may be excluded from the register of branches and representative offices of international organisations and foreign non-commercial non-governmental organisations by decision of the authorised body.

10. Repeated failure by a non-commercial organisation to submit the information stipulated by this article within the prescribed period of time is grounds for the authorised body or its territorial body to apply to the court for liquidation of this non-commercial organisation.

11. The authorized body shall take a decision on the removal of a branch or representative office of a foreign non-commercial non-governmental organization from the register due to liquidation of the respective foreign non-commercial non-governmental organization as well as due to the decision taken by the foreign non-commercial non-governmental organization to terminate its branch or to close its representative office on the territory of the Russian Federation.

12. The authorised body shall send a non-commercial organisation performing the functions of a foreign agent or structural subdivision of a foreign non-commercial non-governmental organisation a reasoned decision in writing prohibiting implementation on the territory of the Russian Federation of the programme (or part thereof) scheduled for implementation or being implemented on the territory of the Russian Federation. A non-commercial organisation performing the functions of a foreign agent or structural subdivision of a foreign non-commercial non-governmental organisation receiving a decision prohibiting the implementation of a programme (or part thereof) may not proceed with implementing that programme (or part thereof) and shall be under obligation to cease activities linked with the implementation of that programme (or part thereof). Failure to execute that decision shall entail

the liquidation of the non-commercial organisation performing the functions of a foreign agent or the liquidation of the subdivision of a foreign non-commercial non-governmental organisation by court decision upon an application by the authorised body or territorial agency thereof, or the exclusion of the relevant branch or representative office of the foreign non-commercial non-governmental organisation from the register of branches or representative offices of international organisations or foreign non-commercial non-governmental organisations by decision of the authorised body.

13. In order to protect the foundations of the constitutional system, morality, health, rights and lawful interests of other people, ensuring the defence of the country and security of the state the authorized body has the right to issue to a structural subdivision of a foreign non-commercial non-governmental organization in written form a reasoned decision to prohibit sending funds and other property to certain recipients of the specified funds and other property.

14. The federal state financial control bodies and the federal executive authority authorised to control and supervise taxes and levies shall establish whether the expenditure of funds and use of other property by non-commercial organisations is in compliance with the goals envisaged in their constituent documents, and by branches and representative offices of foreign non-commercial non-governmental organisations - with their declared goals and objectives and shall report the results to the body that took the decision to register the respective non-commercial organisation.

14.1. The federal executive body authorized to act against money laundering and financing of terrorism and financing weapons of mass destruction proliferation shall analyse the information on transactions of non-commercial organizations received by it under the Federal Law "On Anti-Money Laundering and Terrorism Financing" and if there are grounds to believe that the information is incomplete and/or missing

15. A foreign non-commercial non-governmental organisation shall be entitled to appeal against actions (inaction) of state bodies to the court at the location of the state body whose actions (inaction) are appealed against.

16. The authorized body shall annually submit to the State Duma of the Federal Assembly of the Russian Federation a report on the activities of non-commercial organizations performing the functions of a foreign agent containing information on their participation in political activities carried out on the territory of the Russian Federation, on the receipt and expenditure of funds and on the results of control over their activities.

II. AMENDMENTS TO THE FEDERAL LAW "ON THE MASS MEDIA"¹⁰

A. New Art. 4 of the Federal Law "On the mass media" as amended by Art. 1 of Draft Law No. 1057914-7¹¹

Article 4. Inadmissibility of Misuse of the Freedom of Mass Communication.

The mass media shall not be used for purposes of committing criminal acts, divulging information constituting a state secret or any other secret specially protected by law, distributing materials calling publicly for terrorist activities or publicly justifying terrorism, other extremist materials, as well as materials propagandizing pornography, violence and cruelty, and materials containing obscene language.

¹⁰ The original Russian text is available at: https://www.consultant.ru/document/cons_doc_LAW_1511/ (last accessed 14 June 2021).

¹¹ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

The use in radio, television, video, film programmes, documentaries and feature films, as well as in information computer files and programmes for processing information texts relating to special media, of hidden inserts and other technical techniques and methods of disseminating information that affects the subconscious of people and (or) has a harmful effect on their health, as well as disseminating information about a public association or other organization shall be prohibited, Included on the published list of voluntary and religious associations and other organizations whose activities have been wound up or banned by a court on the grounds set out in Federal Act No. 114 of 25 July 2002 on Combating Extremist Activities, without reference to the fact that the voluntary association or other organization in question has been wound up or its activities prohibited

Dissemination in mass media as well as in information and telecommunication networks of information about methods and techniques of development, manufacturing and use, places of purchase of narcotic drugs, psychotropic substances and their precursors, new potentially dangerous psychoactive substances and methods and places of cultivation of plants, containing narcotic drugs or psychotropic substances or their precursors are prohibited propaganda of any advantages in the use of certain narcotic drugs, psychotropic substances, their analogues or precursors, new potentially dangerous psychoactive substances, plants containing narcotic drugs or psychotropic substances or their precursors and distribution of other information, distribution of which is prohibited by federal laws.

The procedure for gathering information by journalists on the territory (object) of an anti-terrorist operation shall be determined by the head of the anti-terrorist operation.

When covering a counter-terrorist operation, the dissemination in the media of information on special means, techniques and tactics for conducting such an operation is prohibited if their dissemination might hinder the conduct of the counter-terrorist operation or endanger human life and health. Information on members of special units, persons assisting in carrying out such an operation and in detecting, preventing, suppressing or uncovering a terrorist act, and family members of the above persons, may be made public in accordance with the laws of the Russian Federation on State secrets and personal data.

It is prohibited to disseminate in the media and on information and telecommunications networks information about a minor who has suffered from unlawful acts (or omissions), including the surnames, first names, patronymics, photo and video images of such a minor, his parents or other legal representatives, The date of birth of such a minor, audio recordings of his or her voice, place of residence or temporary residence, place of study or work, and other information allowing directly or indirectly to identify such a minor, except in the cases provided for under paragraphs 1 to 3 of part four of article 41 of this Act.

Dissemination of information containing instructions for homemade explosives and explosive devices in mass media as well as in information and telecommunication networks shall be prohibited.

Dissemination in mass media as well as in information and telecommunication networks of information containing proposals for remote retail sale of alcoholic products, and (or) alcohol-containing food products, and (or) ethyl alcohol, and (or) alcohol-containing non-food products, retail sale of which is restricted or prohibited by the legislation on state regulation of production and turnover of ethyl alcohol, alcohol and alcohol-containing products and on restriction of consumption (drinking)

The dissemination in mass media and also on information and telecommunications networks of information on a non-profit organisation entered in the register of non-profit organisations performing the functions of a foreign agent, on a public association entered in the inventory of unregistered public associations performing the functions of a foreign agent, on a physical individual entered in the register of physical individuals performing the functions of a foreign agent (with the exception of information logged in unified state registers and state

information systems provided for in the legislation of the Russian Federation), and also materials produced by such non-profit organisations, public associations or physical individuals with no reference to the fact that the non-profit organisation, public association or physical individual concerned performs the functions of a foreign agent shall be prohibited.

III. AMENDMENTS TO THE FEDERAL LAW "ON STATE SECRETS"¹²

A. New Art. 22 of the Federal Law "On state secrets" as amended by Art. 2 of Draft Law No. 1057914-7¹³

Article 22. Grounds for refusing an official or a citizen admission to state secrets

Grounds for refusing an official or a citizen admission to state secrets may include:

recognition as legally incompetent or of limited competence on the basis of a court decision that has entered into legal force, if he/she has the status of an accused (defendant) in a criminal case concerning a crime committed through negligence against the state or a deliberate crime Has an unexpunged or outstanding criminal record for such offences or the termination of criminal proceedings (or criminal prosecution) on non-rehabilitating grounds, if the period of limitation for criminal prosecution for the commission of those offences has not expired from the date of termination of the criminal proceedings (or criminal prosecution);

medical contraindications to work with the use of information constituting a state secret in accordance with the list approved by the federal executive body authorized in the field of healthcare and social development;

permanent residence of himself and/or his close relatives abroad and (or) preparation by these persons of documents for departure for permanent residence in other states;

the placing of individuals on a list of physical individuals performing the functions of a foreign agent or the discovery as a result of checking measures of activities of documented individuals constituting a threat to the security of the Russian Federation;

evasion of verification measures and (or) communication of knowingly false personal data.

The decision to deny an official or a citizen admission to state secrets shall be made by the head of a state authority, enterprise, institution or organisation on an individual basis taking into account the results of verification measures. The citizen has the right to appeal against this decision to a higher authority or to a court.

¹² The original Russian text is available at: http://www.consultant.ru/document/cons_doc_LAW_2481/ (last accessed 14 June 2021).

¹³ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

IV. AMENDMENTS TO THE FEDERAL LAW "ON PUBLIC ASSOCIATIONS"¹⁴

A. New Article 29.1 as added by Art. 3(1) of Draft Law No. 1057914-7¹⁵

Article 29.1. Inventorying of public associations functioning without having acquired the rights of a legal entity, which receive monetary funding and/or other property from foreign sources and participate in political activities on the territory of the Russian Federation

A public association functioning without having acquired the rights of a legal entity which receives monetary funding and/or other property from foreign sources listed in Article 2 paragraph 6 of the Federal Law "On non-profit organisations" and participates in political activities on the territory of the Russian Federation or intends to receive monetary funding and/or other property from those sources and to participate in political activities on the territory of the Russian Federation shall notify this fact to the federal state registration authority or territorial agency thereof in accordance with the procedure and time limits established by the federal state registration authority.

For the purposes of the present article, political activities on the territory of the Russian Federation shall be understood as having the same meaning as the definition given in Article 2 paragraph 6 of the Federal Law "On non-profit organisations".

The notification submitted in accordance with the first paragraph of the present article shall contain information on the aims of the activity of the public association, its structure, the date of its creation and the territory in which it carries out its activities, on the public association's founders and/or leaders, on the contact addresses for the public association's governing body, on the sources for constituting the monetary funding and/or other property, including bank accounts, used to carry out the activities of the public association.

The information contained in the notifications submitted shall constitute an inventory of unregistered public associations performing the functions of a foreign agent, kept by the federal state registration authority under a procedure established by it. The information constituting that register shall be posted on the official website of the federal state registration authority on the Internet information and telecommunications network.

In the event of discovery of a public association functioning without having acquired the rights of a legal entity receiving monetary funding and/or other property from foreign sources listed in Article 2 paragraph 6 of the Federal Law "On non-profit organisations" and participating in political activities on the territory of the Russian Federation which has not submitted a notification under the procedure established by the first paragraph of the present article, the federal state registration authority shall enter that public association in the aforementioned register.

A public association entered in the inventory of unregistered public associations performing the functions of a foreign agent shall inform the federal state registration authority or territorial agency thereof in a form established by the federal state registration authority, every quarter, of the amount of monetary funding and/or other property received from foreign sources during the reporting period, the aims pursued by the expenditure of that monetary funding and use of other property, whether these have actually been spent and used, and also any changes in the information indicated in the third paragraph of the present article.

The material produced and/or disseminated by a public association entered in the inventory of unregistered public associations performing the functions of a foreign agent, material

¹⁴ The original Russian text is available at: http://www.consultant.ru/document/cons_doc_LAW_6693/ (last accessed 14 June 2021).

¹⁵ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

sent by such a public association to state authorities, local self-government authorities, educational and other organisations, and information relating to the activities of that public association disseminated via the mass media shall be accompanied by a reference to the fact that this material/information has been produced, disseminated and/or sent by an unregistered public association performing the functions of a foreign agent or relates to the activities of such a public association.

The material produced and/or disseminated by a founder, member, participant or leader of a public association entered in the inventory of unregistered public associations performing the functions of a foreign agent or a person who is a member of an organ of such a public association, when carrying out political activities, material sent by those individuals to state authorities, local self-government authorities, educational and other organisations in connection with the carrying out of political activities, and information relating to the political activities of such persons disseminated via the mass media shall be accompanied by a reference to the fact that this material/information has been produced, disseminated and/or sent by a founder, member, participant or leader of an unregistered public association performing the functions of a foreign agent or a person who is a member of an organ of such a public association.

In the event of a public association entered in the inventory of unregistered public associations performing the functions of a foreign agent ceasing to participate in political activities on the territory of the Russian Federation and receiving monetary funding and/or other property from foreign sources, that public association shall be entitled to submit an application to the federal state registration authority or territorial agency thereof, in a form established by the federal state registration authority, to be removed from that inventory.

Upon receiving such an application from a public association, the federal state registration authority or territorial agency thereof shall immediately carry out a check on that public association, giving notice thereof to the prosecution authorities under the procedure established by Article 10 paragraph 12 of Federal Law no. 294-FZ of 26 December 2008 "On protection of the rights of legal entities and individual entrepreneurs in the exercise of state inspection/supervision and municipal inspection". Depending on the findings of the check carried out, the federal state registration authority or territorial agency thereof shall, within one month following its completion, take a decision on whether to remove the public association from the aforementioned inventory or refuse to remove it. This decision may be appealed against by the public association in court.

B. New Article 39 as amended by Art. 3(2) of Draft Law No. 1057914-7¹⁶

Article 38: Supervision and control of public associations

The supervision over the observance of laws by public associations shall be carried out by the public prosecutor's office of the Russian Federation.

The authority taking decisions on state registration of public associations shall check that a public association's activities correspond to its statutory aims. In exercising such control the said body shall have the right to

- 1) to request from the governing bodies of public associations their administrative documents;
- 2) To send their representatives to participate in activities conducted by public associations;

¹⁶ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

3) to conduct not more often than once a year the inspection of conformity of the activity of public associations, including the expenditure of funds and use of other property, to their statutory aims in the order determined by the federal executive power body, which is carrying out the functions of normative-legal regulation in the sphere of justice, except for the case, specified in the fifth part of the present article;

4) to request and receive information on the financial and economic activities of public associations from state statistics authorities, the federal executive body authorised to control and supervise taxes and levies, and other bodies of state supervision and control, as well as from credit and other financial organisations;

5) in the case of revealing the violation by public associations of the Constitution of the Russian Federation and legislation of the Russian Federation, or committing actions contradicting their statutory aims, the body which takes decisions on the state registration of public associations can issue a written warning to the governing bodies of these associations, stating the concrete grounds for issuing the warning and the period for eliminating the said violation, which is not less than one month. The warning issued by the body taking decisions on the state registration of public associations may be appealed by public associations to a higher authority or to a court.

The federal bodies of the state financial control, the federal body of the executive power authorised on the control and supervision in the field of taxes and fees shall establish the conformity of spending by public associations of the money and use of other property to the statutory purposes and shall report on the results to the body which has taken a decision on the state registration of a corresponding public association or a decision to enter it in the inventory provided for in of Article 29.1 of the present Federal Law.

The federal executive body authorized to perform the function of counteracting legalization (laundering) of proceeds of crime and the financing of terrorism and the financing of proliferation of weapons of mass destruction shall analyse the information on the operations of public associations received by it under the Federal Law "On counteracting legalization (laundering) of proceeds of crime and the financing of and financing of terrorism", and if there are grounds to indicate that this information is incomplete and/or unreliable or that the public association is not fulfilling or not fully fulfilling the requirements of the legislation of the Russian Federation, it shall inform the body which took the decision on the state registration of this public association or a decision to enter it in the inventory provided for in of Article 29.1 of the present Federal Law, at the request of this body or on its own initiative.

The federal body of the state registration at reception from the public association of the statement specified in part five of article 27 of the present Federal law, carries out check in relation to this public association immediately with notice of bodies of public prosecutor's office in an order established by part 12 of article 10 of the Federal law from December 26, 2008 N 294-FZ "About protection of rights of legal persons and individual businessmen at realization of the state control (supervision) and municipal control".

The federal body of state registration shall take a decision on exclusion of a public association from the register of non-profit organizations performing the functions of a foreign agent:

1) in case of termination of activity of a public association in connection with its liquidation or reorganisation in the form providing for termination of activity of a legal entity, or in connection with exclusion of a public association which has terminated its activity as a legal entity from the unified state register of legal entities;

2) if, as a result of an audit conducted on the basis stipulated by Part five of this Article, it is established that during the year preceding the day of submission of the application mentioned in Part five of Article 27 of this Federal Law, the public association did not

receive monetary funds and other property from foreign sources and (or) did not participate in political activities conducted on the territory of the Russian Federation;

3) if, as a result of an audit conducted on the grounds stipulated by Point 5 of this Article with regard to a public association which has previously been excluded from the register of non-profit organisations performing the functions of a foreign agent, it is discovered that the public association in the three years preceding the date of application referred to in Point 5 of Article 27 of this Federal Law has not received monetary funds and other assets from foreign sources and (or) has not taken part in political activities carried out by

4) if, as a result of the audit conducted on the grounds stipulated by part five of this article, it is established that the public association, not later than three months after its entry on the register of non-profit organisations performing the functions of a foreign agent, has refused to receive monetary and other property from foreign sources and has returned the monetary and other property to the foreign source from which it received them.

The decision on exclusion of a public association from the register of non-profit organizations performing the functions of a foreign agent in the case provided for by clause 1 of part six of this article shall be taken by the federal state registration body not later than five days from the date of making the relevant entry in the unified state register of legal entities.

The decision on exclusion of a public association from the register of non-profit organisations performing the functions of a foreign agent in cases provided for by clauses 2 - 4 of part six of this article, or on refusal to exclude a public association from such register shall be taken by the federal state registration body not later than three months from the date of receipt of the application specified in part five of article 27 of this Federal Law.

The decision to refuse to exclude a public association from the register of non-profit organizations performing the functions of a foreign agent shall be taken by the federal body of state registration in case if according to the results of the check carried out on the basis provided for in part five of this article it is established that the public association has presented unreliable information on termination of its activities as a non-profit organization performing the functions of a foreign agent. This decision may be appealed against by the public association in court.

V. AMENDMENTS TO THE FEDERAL LAW "ON SANCTIONS AGAINST INDIVIDUALS INVOLVED IN VIOLATIONS OF FUNDAMENTAL HUMAN AND CIVIL RIGHTS AND FREEDOMS OF RUSSIAN FEDERATION CITIZENS"¹⁷

A. New Art. 2.1 as added by Art. 5(1) of Draft Law No. 1057914-7¹⁸

Article 2.1

1. A physical individual, regardless of their citizenship or lack thereof, may be declared to be a physical individual performing the functions of a foreign agent in the event of them carrying out, on the territory of the Russian Federation in the interests of a foreign State, its authorities, an international or foreign organisation, foreign citizens or stateless persons (hereinafter - "foreign source"), political activities within the sphere, aims and forms defined in paragraph 6 of Article 2 of the Federal Law "On non-profit organisations", and/or the purposeful gathering of information on the military and military-technical activity of the Russian Federation, the receipt of which by a foreign source may be used against the security of the Russian Federation (where there are no constituent elements of the crimes provided for in Articles 275 and 276 of the Criminal Code of

¹⁷ The original Russian text is available at: http://www.consultant.ru/document/cons_doc_LAW_139994/ (last accessed 14 June 2021).

¹⁸ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

the Russian Federation), in connection with pressure exerted on them by a foreign source or by Russian citizens or organisations acting in the interests of a foreign source, expressed in support for the aforementioned types of activity (including the provision of monetary funding or other property or logistical and methodological assistance). A list of information on the military and military-technical activity of the Russian Federation, the receipt of which by a foreign source may be used against the security of the Russian Federation, shall be determined by a federal executive authority responsible for security.

2. A person whose activity meets the criteria set out in paragraph 1 of the present article shall, under the procedure established by a federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations, submit an application for inclusion on the list of physical individuals performing the functions of a foreign agent. A person who is not a Russian Federation citizen and who is permanently resident outside the territory of the Russian Federation and intends to carry out activities linked to the performance of the functions of a foreign agent after their arrival in the Russian Federation shall, prior to their entry to the Russian Federation, give notification thereof to the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations under the procedure established by it.

3. On the basis of the information submitted under the procedure provided for in paragraph 2 of the present Article, the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations shall keep a list of physical individuals performing the functions of a foreign agent, which shall be posted on an openly accessible site on the Internet information and telecommunications network. The procedure for keeping and posting that list on the Internet information and telecommunications network shall be established by the aforementioned authority. In the event of discovering activity by a physical individual performing the functions of a foreign agent who has not submitted an application/notification under the procedure established in paragraph 2 of the present Article, the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations shall place that individual on the list of physical individuals performing the functions of a foreign agent. The decision to place an individual on the list of physical individuals performing the functions of a foreign agent may be appealed against in court.

4. The following shall be exempt from the obligation to submit an application for inclusion on the list of physical individuals performing the functions of a foreign agent:

1) staff of diplomatic representations, staff of consular establishments of foreign States in the Russian Federation, and also representatives of foreign state authorities and international organisations which are on the territory of the Russian Federation by official invitation;

2) foreign journalists accredited in the Russian Federation, including those declared by foreign media, performing the functions of a foreign agent, in accordance with Russian Federation legislation on the mass media;

3) other persons by decision of the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations, adopted under the procedure established by it in agreement with federal executive authorities responsible for security, state guard, foreign intelligence and defence.

5. In the event of a foreign journalist accredited in the Russian Federation carrying out activities linked to the performance of the functions of a foreign agent which are incompatible with their professional activity as a journalist, the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the

registration of non-profit organisations shall place them on the list of physical individuals performing the functions of a foreign agent.

6. A physical individual placed on the list of physical individuals performing the functions of a foreign agent shall, no less than once every six months, submit to the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations or territorial agency thereof a report on their activities linked to the performance of the functions of a foreign agent, including information on the aims pursued by the expenditure of monetary funding and use of other property received from foreign sources and whether these have actually been spent and used. The form of this report and the procedure for submitting it shall be established by the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations.

7. A physical individual placed on the list of physical individuals performing the functions of a foreign agent shall be under obligation to make reference to that status when carrying out activities linked to the performance of the functions of a foreign agent, including when dealing with state authorities, local self-government authorities, public associations and educational organisations. The material produced and/or disseminated by a physical individual placed on the list of physical individuals performing the functions of a foreign agent, and information relating to the activities of that physical individual linked to the performance of the functions of a foreign agent disseminated via the mass media shall be accompanied by a reference to the fact that this material/information has been produced and/or disseminated by a physical individual performing the functions of a foreign agent or relates to the activities of such a physical individual.

8. A person placed on the list of physical individuals performing the functions of a foreign agent may not be appointed to a post in state authorities and local self-government authorities.

9. In the event of ceasing activities linked to the performance of the functions of a foreign agent, an individual may lodge an application with the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations or territorial agency thereof to be removed from the list of physical individuals performing the functions of a foreign agent. The federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations or territorial agency thereof shall, within 60 days following receipt of that application, take a decision to remove the individual from the list of physical individuals performing the functions of a foreign agent or pronounce a reasoned decision refusing to remove them. The form of the application for removal of a physical individual from the list of physical individuals performing the functions of a foreign agent shall be established by the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations.";

B. New Art. 6 as amended by Art. 5(2) of Draft Law No. 1057914-7¹⁹

Article 6

1. The scope of the present Federal Law (with the exception of Article 2.1 of the present Federal Law) and sub-paragraph 7 of the first paragraph of Article 27 of Federal Law no. 114-FZ of 15 August 1996 "On the procedure for exit from and entry to the Russian Federation" (as per the present Federal Law) shall extend to citizens of States which have taken a decision to refuse entry to Russian Federation citizens to their territory and to seize assets of Russian Federation

¹⁹ Venice Commission, [CDL-REF\(2021\)050](#), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

citizens on grounds of Russian Federation citizens' involvement in human rights violations in the Russian Federation.

2. The scope of the present Federal Law shall extend to persons whose activities meet the criteria listed in paragraph 1 of Article 2.1 of the present Federal Law.

3. Article 3.3 of this Federal Law covers the persons whose activities fall under the characteristics listed in Part 1 of Article 3.3 of this Federal Law.

VI. AMENDMENTS TO THE FEDERAL LAW "ON THE BASES OF PUBLIC OVERSIGHT IN THE RUSSIAN FEDERATION"²⁰

A. New Art. 13(6) as amended by Art. 6 of Draft Law No. 1057914-7²¹

Article 13. Public councils under federal executive authorities, public councils under legislative (representative) and executive authorities of constituent entities of the Russian Federation

[...]

6. The requirements to the candidates for the membership in a public council under a federal executive power body shall be developed by the respective federal executive power body together with the Public Chamber of the Russian Federation. The right to nominate candidates for members of public councils is granted to public associations and other non-governmental non-commercial organizations, the aims of activity of which are representation or protection of public interests and (or) performance of expert work in the sphere of public relations, with the exception of non-profit organisations performing the functions of a foreign agent. The composition of a public council, formed from the number of candidates selected on a competitive basis, is approved by a head of a corresponding federal executive power body in coordination with the council of the Public Chamber of the Russian Federation. The chairman of the public council shall be elected by the members of the public council from among themselves.

VII. AMENDMENTS TO THE FEDERAL LAW "ON FUNDAMENTAL GUARANTEES OF ELECTORAL RIGHTS AND THE RIGHT TO PARTICIPATE IN REFERENDUMS OF RUSSIAN FEDERATION CITIZENS"²²

A. New Art. 2(35)(1) as amended by Art. 1(1) of Draft Law No. 1057892-7²³

Article 2. Basic Terms and Concepts

For the purposes of this Federal Law, the terms and concepts used herein shall be construed as follows:

[...]

²⁰ The original Russian text is available at: http://www.consultant.ru/document/cons_doc_LAW_165809/ (last accessed 14 June 2021).

²¹ Venice Commission, [CDL-REF\(2021\)050](http://www.consultant.ru/document/cons_doc_LAW_37119/), Russian Federation - Federal law amending individual legislative Acts of the Russian Federation as regards establishing additional measures to counteract threats to national security.

²² The original Russian text is available at: http://www.consultant.ru/document/cons_doc_LAW_37119/ (last accessed 14 June 2021).

²³ Venice Commission, [CDL-REF\(2021\)047](http://www.consultant.ru/document/cons_doc_LAW_37119/), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

35.1) a candidate affiliated with a person performing the functions of a foreign agent – a candidate who, during the two-year period prior to the official promulgation/publication of the decision to hold elections and/or during the period of electoral campaigning for the corresponding elections:

a) is/was a member of an organ of a non-profit organisation performing the functions of a foreign agent and/or is/was a founder, member, participant, leader or staff member thereof;

b) is/was a member of an organ of an unregistered public association performing the functions of a foreign agent and/or is/was a founder, member, participant or leader thereof;

c) is/was a founder, manager or staff member of a foreign media outlet, performing the functions of a foreign agent or a founder, manager or staff member of a Russian legal entity (or is/was a member of its governing bodies) set up by a foreign media outlet performing the functions of a foreign agent;

d) carries out/has carried out political activities and receives/has received monetary funding and/or other property-related assistance from a non-profit organisation, unregistered public association or physical individual performing the functions of a foreign agent, including via intermediaries, for the carrying out of political activities. "Political activities" shall be taken as meaning the activities indicated and carried out in the forms established by paragraph 6 of Article 2 of the Federal Law "On non-profit organisations";

35.2) a candidate who is a physical individual performing the functions of a foreign agent - a candidate entered on the list of physical individuals performing the functions of a foreign agent by the federal executive authority exercising functions in the devising and implementation of state policy and legal/statutory regulation in the sphere of the registration of non-profit organisations;

B. New Art. 3 as amended by Art. 1(2) of Draft Law No. 1057892-7²⁴

Article 3: Principles of elections and referendum in the Russian Federation

1. A citizen of the Russian Federation shall participate in elections on the basis of universal, equal and direct suffrage by secret ballot.

2. A citizen of the Russian Federation shall participate in a referendum on the basis of universal, equal and direct suffrage by secret ballot.

3. Participation by a citizen of the Russian Federation in elections and referendums shall be free and voluntary. No one shall have the right to exert pressure on a citizen of the Russian Federation with the aim of compelling him (her) to participate or not to participate in elections and a referendum or to obstruct his (her) free expression of his (her) will.

4. A citizen of the Russian Federation residing outside its territory shall enjoy the full extent of electoral rights in elections to federal State government bodies and shall have the full right to participate in a referendum of the Russian Federation. Diplomatic missions and consular offices of the Russian Federation shall be obliged to assist a citizen of the Russian Federation in implementing the electoral rights stipulated by this Federal law and other federal laws when holding elections to federal State government bodies and the right to participate in a referendum of the Russian Federation.

²⁴ Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

5. The activities of the commissions in preparing and holding elections and referendum, counting votes, establishing the results of voting, and determining the results of elections and referendum shall be carried out openly and publicly.

6. Foreign citizens, except in the case stipulated in paragraph 10 of Article 4 of the present Federal Law, stateless persons, foreign organisations, international organisations and international civil society movements, non-profit organisations and unregistered public associations and foreign media outlets performing the functions of a foreign agent and Russian legal entities set up by foreign media outlets performing the functions of a foreign agent may not carry out activities militating for or against the nomination of candidates or lists of candidates, the election of registered candidates, the promotion of an initiative for a referendum and the holding of a referendum or the achievement of a certain result in elections or a referendum, nor may they participate in other forms in electoral campaigns or referendum campaigns. The participation of those individuals and representatives of the aforementioned organisations in the capacity of foreign/international observers shall be regulated in accordance with federal law.

7. Elections and referendums shall be organised and conducted by the commissions. Interference in the work of the commissions by the legislative (representative) and executive bodies of state power, local self-government bodies, organisations, officials and other citizens is not allowed.

C. New Art. 33 as amended by Art. 1(3) of Draft Law No. 1057892-7²⁵

Article 33. Conditions of Candidate Nomination

1. The nomination of candidate(s), including as part of a list of candidates, shall be notified to the election commission in accordance with the procedure prescribed by law.

2. Corresponding election commission is considered notified, and candidate is considered nominated, acquires the rights and responsibilities of a candidate provided for by this Federal Law, another law after a corresponding election commission receives a written application of nominated person with his consent to stand for election in corresponding electoral district and commitment not to participate in activity incompatible with status of a deputy or with occupation of other elective position. This application shall contain surname, first name and patronymic; date and place of birth; residential address; series, number and data of issue of passport or document equivalent to citizen's passport, name or code of body that issued passport or document equivalent to citizen's passport; education; main place of work or service; position (occupation, if there is no main place of work or service). If a candidate is a deputy and exercises his powers on a temporary basis, this application shall contain information on this and the name of corresponding representative body. A candidate may indicate in his application his membership in a political party or not more than one other public association registered not later than in one year prior to the voting day in the order established by the law and his status in such political party, public association on condition of presentation together with application of a document confirming this data and officially certified by permanent operating leading body of political party, other public association, or permanent operating leading body of structural subdivision of political party, other public association authorized by statute of political party, other public association. Together with application a candidate shall present a copy of passport or document equivalent to citizen's passport, copies of documents confirming the data on education, main place of work or service, position (occupation) stated in application, as well as on candidate being a deputy.

²⁵ Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

2.1 If a candidate has a conviction that is not withdrawn or spent, it shall be stated in application referred to in Clause 2 of this Article.

If a candidate is a physical individual performing the functions of a foreign agent or a candidate affiliated with a person performing the functions of a foreign agent, this information shall be stated in the declaration, provided for in paragraph 2 of the present article.

2.2 Together with the application provided for in paragraph 2 of this Article, the following shall be submitted

a) A copy of the passport (certain pages of the passport determined by the Central Election Commission of the Russian Federation) or the document which replaces the passport of a citizen, certified accordingly by the candidate or the authorised representative of the electoral association. The law may provide that the passport or the document substituting a citizen's passport shall be presented by the candidate when he personally submits documents to the election commission in accordance with clause 5 of this article; a copy of the passport or the document substituting a citizen's passport shall be made at the election commission in the presence of the candidate and certified by the signature of the person accepting the application and the documents attached thereto;

b) if the law does not stipulate another term for submitting copies of the said documents in accordance with clause 14.3 of Article 35 of the present Federal Law - copies of documents confirming the information indicated in the application about education, main place of work or service, position held (occupation), as well as about the candidate being an MP, certified by the candidate or an authorized representative of the election association respectively;

c) if the candidate has changed his/her surname or first name or patronymic - copies of the relevant documents.

3. Together with the application stipulated by paragraph 2 of this article, or on the basis of paragraph 14.3 of Article 35 of this Federal Law, information about the amount and sources of income of the candidate (each candidate from the list of candidates), and about the property owned by the candidate (each candidate from the list of candidates) by right of ownership (including joint ownership), about deposits in banks, securities must be presented to the corresponding election commission within a different period. The said information shall be submitted in the form according to Annex 1 to the present Federal Law, which may include additional information if it is provided for by the federal "law". The federal "law" may provide for the necessity to provide information on the amount and sources of income and property of the candidate's spouse. A candidate for the position of the highest official of a subject of the Russian Federation (the head of the highest executive body of state power of a subject of the Russian Federation) shall also submit information on the amount and sources of income and property of his spouse and underage children as provided for by law. In elections to the representative body of the municipality appointed in connection with the dissolution of the municipality representative body under Part 2.1 of Article 73 of the Federal Law of October 6, 2003 N 131-FZ "On General Principles of Local Self-Government in the Russian Federation, a candidate for deputy from among the persons who were members of the body and in respect of whom the court finds fault for not holding a representative body of the municipality in a competent session during the term

3.1 When holding elections to federal public authorities, public authorities of constituent entities of the Russian Federation, elections of heads of municipal districts, heads of municipal districts and heads of urban districts, together with the application provided for in paragraph 2 of this article, or on the basis of paragraph 14.3 of Article 35 of this Federal Law at another time to the election commission must also be submitted in the "form" prescribed by a presidential decree:

a) information on immovable property owned by the candidate, his spouse and underage children located outside the territory of the Russian Federation, on the sources of receipt

of funds at the expense of which the said property was acquired, on property obligations outside the territory of the Russian Federation of the candidate, as well as information on such obligations of his spouse and underage children;

b) information about their expenditures as well as about the expenditures of their spouses and underage children with respect to each transaction involving acquisition of a land plot, other real estate, a vehicle, securities, stocks (shares, interests in charter (share) capital of organizations) made within the last three years if the amount of transaction exceeds the total income of the candidate and his/her spouse for the last three years preceding the conclusion of the transaction and about the sources of funds at the expense of which the transaction was made.

3.2 The procedure for verification of the information specified in clause 3.1 of this article shall be established by a decree of the President of the Russian Federation.

When holding elections to federal state authorities, state authorities of constituent entities of the Russian Federation, elections of heads of municipal districts, heads of municipal districts and heads of urban districts, a candidate must close accounts (deposits), stop keeping cash and valuables in foreign banks located outside the Russian Federation, and (or) dispose of foreign financial assets by the time the documents required for registration of the candidate or the candidate list are submitted. At the same time, the term "foreign financial instruments" shall be used in this Federal Law in the meaning defined by Federal Law No. 79-FZ of May 7, 2013 "On Prohibiting Certain Categories of Individuals from Opening and Holding Accounts (Deposits), Storing Cash Money and Valuables in Foreign Banks Located outside of the Russian Federation, and Owning and (or) Using Foreign Financial Instruments".

4. In elections of deputies of representative bodies of municipalities in which electoral districts are formed in accordance with the average norm of representation of voters not exceeding five thousand voters, candidates are not obliged to submit to the corresponding election commission the information specified in paragraph 3 of this article, unless otherwise provided by the law of a subject of the Russian Federation.

5. The documents specified in Clauses 2, 2.2, 3 and 3.1 of this Article shall be presented by the candidate (except for the candidate nominated in the list of candidates) personally. The documents listed in clauses 2, 2.2, 3 and 3.1 of this Article may be submitted at the candidate's request by other persons in cases when the candidate is ill, or detained in custody of suspected or accused persons (in which case the authenticity of the candidate's signature on the application in writing shall be certified by a notary public or the administration of a hospital, where the candidate is receiving medical treatment or the administration of the detention facility where suspected or accused persons are detained), in other cases established by law.

5.1 If a disabled person is nominated by a candidate, including as part of a list of candidates, and therefore is unable to write an application for consent to run for the relevant constituency, certify a signature sheet, or complete or certify other documents required by law, this person has the right to use the assistance of another person to do so. At the same time, the authority of the person assisting in completing or certifying the documents referred to in paragraphs 2, 2.2, 3 and 3.1 of this article must be notarised.

6. The election commission shall make a submission to verify the reliability of the information about the candidates submitted in accordance with clauses 2, 2.1 and 3 of this article, as well as the information about the candidates for the position of a senator of the Russian Federation submitted by the candidate for the highest official position of a subject of the Russian Federation (head of the highest executive body of state power of a subject of the Russian Federation), to verify the requirements provided for by clause 3.3 of this article to the respective If the said submission is received ten days or less before election day, the corresponding bodies shall report the results of the verification within the time limit established by the election commission.

6.1 Verification of compliance with the requirements stipulated by Clause 3.3 of this Article shall be carried out on the grounds established by the Federal Law "On Prohibiting Certain Categories of Individuals from Opening and Holding Accounts (Deposits), Holding Cash and Valuables in Foreign Banks Located outside the Russian Federation, Owning and (or) Using Foreign Financial Instruments".

6.2 The Central Election Commission of the Russian Federation, election commissions of the constituent entities of the Russian Federation, when verifying the accuracy of the information submitted by candidates, including information received from other election commissions, shall request from credit organizations the information they have on accounts and deposits of candidates, and in cases stipulated by federal law, information on accounts and deposits of spouses and children of minors of candidates.

6.3 The Central Election Commission of the Russian Federation, election commissions of constituent entities of the Russian Federation, when verifying the reliability of information submitted by candidates, including information received from other election commissions, shall request from registry holders and depositories the information they have on securities belonging to candidates, and in cases provided for by federal law, information on securities belonging to spouses and minor children of candidates.

6.4 The Central Election Commission of the Russian Federation, election commissions of constituent entities of the Russian Federation shall send requests to credit institutions, registry holders and depositories for information on accounts, deposits of candidates, their spouses and underage children, as well as securities belonging to the above persons and receive such information in the form of electronic documents using information resources of the Central Bank of the Russian Federation.

6.5 A request for information sent by the Central Election Commission of the Russian Federation, election commissions of constituent entities of the Russian Federation to credit institutions, registry holders and depositories must contain the following information about candidates, their spouses and minor children: surname, name, patronymic (if available), series and number of passport or document which replaces a citizen's passport, date of birth, place of birth, address of residence.

The procedure for receipt by credit institutions, registry keepers and depositories of requests for information from the Central Election Commission of the Russian Federation and election commissions of constituent entities of the Russian Federation and the procedure for sending by credit institutions, registry keepers and depositories the information available to them shall be established by the Central Bank of the Russian Federation upon agreement with the Central Election Commission of the Russian Federation.

6.7 The results of verification of the information specified in clauses 6.2 and 6.3 of this article received by the Central Election Commission of the Russian Federation, election commissions of constituent entities of the Russian Federation from credit organizations, registry keepers and depositories shall be transmitted to the election commissions who have submitted to the Central Election Commission of the Russian Federation, the election commission of the constituent entity of the Russian Federation the corresponding data about the candidates, their spouses and minor children, when they check the reliability of the information submitted by the candidates.

7. The electoral commission shall provide voters with information on the candidates submitted for nomination, to the extent established by the electoral commission organising the elections, including information that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent.

8. The Election Commission shall send to the media information about the revealed facts of unreliability of the information submitted by the candidates.

9. The period established by law, which includes nomination of candidates or lists of candidates, as well as collection of signatures of voters in support of nomination of candidates or lists of candidates or other forms of support of nomination, shall be at least 40 days in elections to federal bodies of state power (at early elections - at least 30 days), at elections to bodies of state power of subjects of the Russian Federation - at least 30 days, at elections to local self-government bodies - at least 20 days.

D. New Art. 37(9) as amended by Art. 1(4) of Draft Law No. 1057892-7²⁶

Article 37. Collection of Signatures in Support of Nomination of Candidates, Lists of Candidates, Referendum Initiative

[...]

9. If a candidate for deputies of legislative (representative) body of state power of the subject of the Russian Federation, candidate for head of municipal formation, candidate for deputies of representative body of municipal formation, whose data are indicated in signature list has a conviction that is not withdrawn or spent, data on candidate's conviction shall be indicated in a signature list. If a candidate for deputies of legislative (representative) body of state power of the subject of the Russian Federation, candidate for head of municipal formation, candidate for deputies of representative body of municipal formation, whose data are indicated in signature list, in application on his consent to stand for body of state power of the subject of the Russian Federation, body of local self-government in accordance with Clause 2, Article 33 of this Federal Law stated his membership in political party of this election association, this data shall be indicated in signature list.

If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, information to that effect must be stated on the signature list. In the event of signatures being collected in support of the nomination of a list of candidates, which includes a candidate who is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, information must be stated on the signature list that the electoral association concerned is nominating a candidate/candidates performing the functions of a foreign agent or a candidate/candidates affiliated with a person performing the functions of a foreign agent.

E. New Art. 45(5.1) as amended by Art. 1(5) of Draft Law No. 1057892-7²⁷

Article 45. Informing of Voters and Referendum Participants

5.1. Voter information on a candidate who is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent shall be accompanied by an indication that the candidate holds such a status.

²⁶ Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

²⁷ *Ibidem*.

F. New Art. 48(9.4) as amended by Federal Law No. 91-FZ of 20.04.2021²⁸

Article 48. Election Campaigning, Referendum Campaigning

[...]

9.4. The campaign material of the candidate who is a natural person acting as a foreign agent or a candidate affiliated with a person acting as a foreign agent must contain information that the candidate is a natural person acting as a foreign agent or a candidate affiliated with a person acting as a foreign agent. The campaign material of the electoral association, which has nominated a candidate for the corresponding elections (including the list of candidates), who is a natural person, performing the functions of a foreign agent or a candidate affiliated with a person performing the functions of a foreign agent, must contain information that the electoral association has nominated (including the list of candidates) such a candidate. This information must be clearly visible (clearly distinguishable by ear) and occupy at least 15 per cent of the area (volume) of the campaign material.²⁹

G. New Art. 51(4.1) as amended by Art. 1(7) of Draft Law No. 1057892-7³⁰

Article 51. Election Campaigning, Referendum Questions Campaigning on Television and Radio

[...]

4.1 Registered candidates may participate in joint campaign events only personally (including on behalf of an electoral association only registered candidates nominated by that electoral association for the corresponding election), except for cases stipulated by federal law. In case of participation in a joint campaign event of a registered candidate who is an individual performing the functions of a foreign agent or a registered candidate affiliated with a person performing the functions of a foreign agent, his speech should be preceded (accompanied) by the information that this candidate is an individual performing the functions of a foreign agent or a candidate affiliated with a person performing the functions of a foreign agent. In the event of participation in a joint campaigning event by a candidate who is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, their statement shall be preceded/accompanied by a reference to the fact that the candidate concerned is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent.

H. New Art. 52(6) as amended by Federal Law No. 91-FZ of 20.04.2021³¹

Article 52. Terms and Conditions of Election Campaigning, Referendum Campaigning in Print Periodicals

²⁸ The original Russian text is available at: <http://publication.pravo.gov.ru/Document/View/0001202104200045> (last accessed 14 June 2021).

²⁹ Art. 1(6) of Draft Law No. 1057892-7 had proposed to supplement Article 48 with a paragraph 9.4 worded as follows: "9.4. The campaign material of a candidate who is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent and of the electoral association having nominated such a candidate shall contain a reference to the fact that the candidate concerned is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent." (see, [CDL-REF\(2021\)047](http://publication.pravo.gov.ru/Document/View/0001202104200045), *op. cit.*).

³⁰ Venice Commission, [CDL-REF\(2021\)047](http://publication.pravo.gov.ru/Document/View/0001202104200045), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

³¹ The original Russian text is available at: <http://publication.pravo.gov.ru/Document/View/0001202104200045> (last accessed 14 June 2021).

[...]

6. Campaign materials of a candidate who is a natural person performing the functions of a foreign agent, a candidate affiliated with a person performing the functions of a foreign agent, or an electoral association that nominated such candidate(s) (including in the list of candidates) in the respective elections must be placed in the periodical print media, information that the candidate is a natural person performing the functions of a foreign agent or a candidate affiliated with a person performing the functions of a foreign agent, or that the electoral association has nominated such candidate (such candidates) (including as part of the list of candidates), shall be placed in accordance with clause 9.4 of Article 48 of this Federal Law.³²

I. New Art. 54(2) as amended by Federal Law No. 91-FZ of 20.04.2021³³

Article 54. Conditions for Production and Distribution of Printed, Audio-Visual and Other Campaigning Materials

[...]

All campaign materials of the candidate performing functions of a foreign agent, of the candidate affiliated with the person performing functions of the foreign agent, of the electoral association which has nominated such candidate in the respective election (including as a member of the candidate list) shall contain information in compliance with clause 9.4 of Article 48 of this Federal Law.³⁴

J. New Art. 61(4) as amended by Art. 1(10) of Draft Law No. 1057892-7³⁵

Article 61. Polling Station

[...]

4. If a registered candidate, including candidates in the lists of candidates, has a conviction that has not been withdrawn or spent, the notice-board shall display information on such candidate's convictions. If a registered candidate, including one from a list of candidates, is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, information on this shall be displayed on the information stand.

³² Art. 1(8) of Draft Law No. 1057892-7 had proposed to insert a sentence in paragraph 6 of Article 52, after the words "who placed this publication", worded as follows: "The publication of campaign material of a candidate who is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent and of the electoral association having nominated that candidate shall be accompanied by a reference to the fact that the candidate concerned is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent or that the electoral association has nominated a candidate who performs the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent." (see, [CDL-REF\(2021\)047](#), *op. cit.*).

³³ The original Russian text is available at: <http://publication.pravo.gov.ru/Document/View/0001202104200045> (last accessed 14 June 2021).

³⁴ Art. 1(9) of Draft Law No. 1057892-7 had proposed to insert new second and third sentences worded as follows: "The campaign material of a candidate who is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent or of the electoral association having nominated that candidate shall contain information on this. Such information shall be clearly visible and take up no less than 15 percent of the surface area/volume of the campaign material."

³⁵ Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

K. New Art. 63(7.1) as amended by Art. 1(11) of Draft Law No. 1057892-7³⁶

Article 63. Ballot

[...]

7. If a registered candidate indicated in the ballot has a conviction that has not been withdrawn or spent, the ballot shall contain information on candidate's convictions.

7.1. If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, that information shall be stated on the voting slip, including in the event of an electoral association nominating on their voting list such a candidate, for whom it would not be required to post information under paragraph 6 of the present Article.

L. New Appendix 4.1 as amended by Art. 1(12) of Draft Law No. 1057892-7³⁷

Note. If a candidate whose details are mentioned on the signature list has or has a criminal record, information about his criminal record is mentioned in the signature list after his patronymic. If a candidate on whom information is contained in the signature list is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, it shall be stated in the signature list, after their surname, first name and patronymic, that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent. If the electoral association has nominated a candidate/candidates performing the functions of a foreign agent or a candidate/candidates affiliated with a person performing the functions of a foreign agent, on whom information is not given in the signature list, the signature list shall be accompanied by a reference to the fact that the electoral association has nominated a candidate/candidates performing the functions of a foreign agent or a candidate/candidates affiliated with a person performing the functions of a foreign agent. Such a reference shall be placed after the candidate information contained in the signature list. If the candidate, whose information is on the signature sheet, in his statement of consent to run, in accordance with clause 2, art. 33 of the federal law "On basic guarantees of the electoral rights and the right to participate in the referendum of the citizens of the Russian Federation", has indicated his affiliation to a political party or another public association, and his status in the political party or public association, information about this is put in the signature list after the patronymic or after information about candidate's criminal record, and if the candidate is a natural person acting as a foreign agent, or a candidate affiliated with a person acting as a foreign agent - after information about this. The signature sheet is made to be filled out on one side only and must contain five lines for voters' signatures.

M. New Appendix 5as amended by Art. 1(13) of Draft Law No. 1057892-7³⁸

Note. If a candidate whose details are mentioned on the signature list has or has a criminal record, information about the candidate's criminal record is mentioned after his name on the signature list. If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, it shall be stated in the signature list, after their surname, first name and patronymic (before the date of birth) that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent. If a candidate, whose information is on the signature sheet, in his statement of consent to run, in accordance with clause 2, article 33 of the

³⁶ *Ibidem.*

³⁷ *Ibidem.*

³⁸ Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

federal law "On the basic guarantees of the electoral rights and the right to participate in the referendum of the citizens of the Russian Federation", has indicated his membership in a political party or another public association, and his status in the political party or in the public association, In the signature list this information shall be inserted after the information about the candidate's place of residence, or after the information about his criminal record, and if the candidate is a natural person acting as a foreign agent or a candidate affiliated to a person acting as a foreign agent - after the information about this. The signature sheet is made to be filled out on one side only and must contain five lines for voters' signatures.

N. New Appendix 6 as amended by Art. 1(14) of Draft Law No. 1057892-7³⁹

Note. If a candidate whose details are mentioned on the signature list has or has a criminal record, information about the candidate's criminal record is mentioned after his name on the signature list. If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, it shall be stated in the signature list, after their surname, first name and patronymic (before the date of birth) that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent. If a candidate, whose information is on the signature sheet, in his statement of consent to run, in accordance with clause 2, article 33 of the federal law "On the basic guarantees of the electoral rights and the right to participate in the referendum of the citizens of the Russian Federation", has indicated his membership in a political party or another public association, and his status in the political party or in the public association, In the signature list this information shall be inserted after the information about the candidate's place of residence, or after the information about his criminal record, and if the candidate is a natural person acting as a foreign agent or a candidate affiliated to a person acting as a foreign agent - after the information about this. The signature sheet is made to be filled out on one side only and must contain five lines for voters' signatures.

O. New Appendix 7.1 as amended by Art. 1(15) of Draft Law No. 1057892-7⁴⁰

Note. If a candidate whose details are mentioned on the signature list has or has a criminal record, information about the candidate's criminal record is mentioned after his name on the signature list. If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, it shall be stated in the signature list, after their surname, first name and patronymic (before the date of birth) that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent. If the electoral association has nominated a candidate/candidates performing the functions of a foreign agent or a candidate/candidates affiliated with a person performing the functions of a foreign agent, on whom information is not given in the signature list, the signature list shall be accompanied by a reference to the fact that the electoral association has nominated a candidate/candidates performing the functions of a foreign agent or a candidate/candidates affiliated with a person performing the functions of a foreign agent. Such a reference shall be placed after the candidate information contained in the signature list. If the candidate, whose information is on the signature sheet, in his statement of consent to run, in accordance with clause 2, art. 33 of the federal law "On basic guarantees of the electoral rights and the right to participate in the referendum of the citizens of the Russian Federation", has indicated his affiliation to a political party or another public association, and his status in the political party or public association, In the signature list this information shall be inserted after the information about citizenship of the candidate or after the information about candidate's criminal record, and if the candidate is a natural person acting as a foreign agent or a candidate affiliated with a person acting as a foreign agent - after the information about this.

³⁹ *Ibidem.*

⁴⁰ Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.

The signature sheet is made to be filled out on one side only and must contain five lines for voters' signatures.

P. New Appendix 8 as amended by Art. 1(16) of Draft Law No. 1057892-7⁴¹

Note. If a candidate whose details are mentioned on the signature list has or has a criminal record, information about the candidate's criminal record is mentioned after his name on the signature list. If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, it shall be stated in the signature list, after their surname, first name and patronymic (before the date of birth) that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent. If a candidate, whose information is on the signature sheet, in his statement of consent to run, in accordance with clause 2, article 33 of the federal law "On the basic guarantees of the electoral rights and the right to participate in the referendum of the citizens of the Russian Federation", has indicated his membership in a political party or another public association, and his status in the political party or in the public association, In the signature list this information shall be inserted after the information about the candidate's place of residence, or after the information about his criminal record, and if the candidate is a natural person acting as a foreign agent or a candidate affiliated to a person acting as a foreign agent - after the information about this. The signature sheet is made to be filled out on one side only and must contain five lines for voters' signatures.

Q. New Appendix 10 as amended by Art. 1(17) of Draft Law No. 1057892-7⁴²

Note. If a candidate whose details are mentioned on the signature list has or has a criminal record, information about the candidate's criminal record is mentioned after his name on the signature list. If a candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent, it shall be stated in the signature list, after their surname, first name and patronymic (before the date of birth) that the candidate is a physical individual performing the functions of a foreign agent or is affiliated with a person performing the functions of a foreign agent. If a candidate, whose information is on the signature sheet, in his statement of consent to run, in accordance with clause 2, article 33 of the federal law "On the basic guarantees of the electoral rights and the right to participate in the referendum of the citizens of the Russian Federation", has indicated his membership in a political party or another public association, and his status in the political party or in the public association, In the signature list this information shall be inserted after the information about the candidate's place of residence, or after the information about his criminal record, and if the candidate is a natural person acting as a foreign agent or a candidate affiliated to a person acting as a foreign agent - after the information about this. The signature sheet is made to be filled out on one side only and must contain five lines for voters' signatures.

⁴¹ *Ibidem.*

⁴² Venice Commission, [CDL-REF\(2021\)047](#), Russian Federation - Federal Law amending the Federal Law on fundamental guarantees of electoral rights and the right to participate in referendums of Russian Federation Citizens.