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Google LLC is fined for non-compliance with Russian law

On 26 November 2018, the Office of the Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor) in the Central Federal District initiated an administrative case against Google, LLC due to the company's failure to fulfill its obligations to connect to the federal state information system containing a list of information resources, information and telecommunication networks, access to which is restricted in Russia (FGIS).

In accordance with the Federal Law dated 27 July 2006 No. 149-FZ "On Information, Information Technologies and Information Protection", the search engine operator that distributes advertising on the Internet which is aimed at attracting the attention of consumers located in the Russian Federation, at the request of Roskomnadzor is obliged to connect to FGIS within 30 business days from the date of receipt of such a request.

Within 3 business days from the day of connection to FGIS, the search engine operator is obliged to stop showing in the search results information about information resources, information and telecommunication networks, access to which is restricted on the territory of the Russian Federation.

Violation of these obligations by operators of search engines involves administrative liability in accordance with Article 13.40 of the Administrative Code of the Russian Federation: an administrative fine on companies' officers - from 30,000 to 50,000 rubles, on legal entities - from 500,000 to 700,000 rubles.

Roskomnadzor sent the requirement to connect to FGIS to Google LLC at the end of October 2018, however, the company did not comply with this requirement, although in its response to Roskomnadzor it was indicated that the company believed that it was in compliance with the legislation of the Russian Federation. At the same time, according to the head of Roskomnadzor Mr. Alexander Zharov, since the agency monitors Google search results and found websites included in the unified registry of prohibited information in these search results, this served as irrefutable evidence that the corresponding filtering was not actually performed.

On December 11, 2018, the Office of Roskomnadzor in the Central Federal District considered on the merits the case of the respective administrative offense by Google LLC and imposed the fine on the company in the amount of 500,000 rubles. In the event of further noncompliance by Google LLC with the Russian legislation new administrative cases may be initiated against the company by Roskomnadzor within its competence.

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