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Russia

	2016	2017		
Internet Freedom Status	Not Free	Not Free	Population:	144.3 million
Obstacles to Access (0-25)	10	11	Internet Penetration 2016 (ITU):	76.4 percent
Limits on Content (0-35)	23	23	Social Media/ICT Apps Blocked:	Yes
Violations of User Rights (0-40)	32	32	Political/Social Content Blocked:	Yes
TOTAL* (0-100)	65	66	Bloggers/ICT Users Arrested:	Yes
			Press Freedom 2017 Status:	Not Free

* 0=most free, 100=least free

Key Developments: June 2016 – May 2017

- LinkedIn became the first international social media platform to be banned in Russia for failing to comply with data localization requirements (see "**Limits on Content**").
- LGBTI (lesbian, gay, bisexual, transgender, and intersex) users were censored and penalized, with at least one social media user forced to pay a hefty fine for commenting on LGBTI issues (see "**Prosecutions and Detentions for Online Activity**").
- Lawmakers sought to restrict anonymity online, introducing legislation that limited the availability of virtual private networks (VPNs) and required users to disclose personal information before accessing messaging services (see "**Surveillance, Privacy, and Anonymity**").

Introduction

Internet freedom declined in Russia over the past year as the government pressured communication and networking platforms to store Russian users' data on Russian territory and blocked the U.S.-based professional networking service LinkedIn after it declined to comply with these demands.

Facing major antigovernment protests across Russia in 2017 and a presidential election scheduled for March 2018, the authorities scrambled to tighten control over the internet. Lawmakers took every opportunity to push through legislation aimed at curbing unchecked expression of dissent online.

The space for anonymous online communication was reduced by new legal restrictions on VPNs and proxies, key tools employed by both activists and ordinary users to access censored content and guard against state surveillance. Another new law requires users of online messaging services to register with their phone numbers, linking their online communication with their real identities.

The government started enforcing laws passed in previous years that require private companies to facilitate ever-increasing state access to user data. Some firms yielded to data localization rules by moving servers to Russia, sparking concerns about privacy and surveillance. LinkedIn was the first major international platform to be blocked for refusing to comply with the 2015 data localization law, a move that observers say is intended to send a signal to other prominent companies.

Social media users and journalists were penalized for their expression online. LGBTI activists were charged with spreading "propaganda of nontraditional sexual relations" and ordered to pay hefty fines, while other users were punished for posting material deemed offensive to religious believers. Independent online journalists also faced a hostile environment, and one local journalist in the Siberian city of Minusinsk was murdered, likely in retaliation for his investigative reporting.

Obstacles to Access

Access to the internet is affordable in Russia, and connection speeds are high compared with those in the rest of the region. Internet penetration rates continue to increase. However, the information and communication technology (ICT) industry is concentrated, with a state-owned internet service provider (ISP) dominating the market and planning to grow further.

Availability and Ease of Access

Internet access in Russia continues to gradually expand. Despite economic strains and recent currency fluctuations, connections to the internet remain relatively affordable for most of the population. The average cost is equivalent to about 1 percent of an average salary. Monthly fees for both fixed-line broadband internet and mobile internet service in Moscow are as low as US\$5. However, while people with medium and higher incomes can easily afford access, 23 million Russians—over 15

percent of the population¹—lived below the poverty line as of mid-2016,² an increase of 2.7 million from the previous year.³

Key Access Indicators		
Internet penetration (ITU) ^a	2016	76.4%
	2015	73.4%
	2011	49.0%
Mobile penetration (ITU) ^b	2016	163%
	2015	160%
	2011	142%
Average connection speeds (Akamai) ^c	2017(Q1)	11.8 Mbps
	2016(Q1)	12.2 Mbps

^a International Telecommunication Union, "Percentage of Individuals Using the Internet, 2000-2016," <http://bit.ly/1cblxxY>.

^b International Telecommunication Union, "Mobile-Cellular Telephone Subscriptions, 2000-2016," <http://bit.ly/1cblxxY>.

^c Akamai, "State of the Internet - Connectivity Report, Q1 2017," <https://goo.gl/TQH7L7>.

A regional divide persists in Russia, with users in smaller, more remote towns and villages paying significantly more than users in major urban areas. Residents of the subarctic cities of Yakutsk and Novy Urengoy pay the highest prices in Russia, more than double the national average for monthly internet access. Internet speed in the country remains stable, with average connection speeds of 11.6 Mbps reported in the fourth quarter of 2016. This places Russia ahead of many of its Eurasian neighbors, but behind most European Union countries.⁴

Restrictions on Connectivity

During the coverage period, there were no major government-imposed internet outages. However, some new regulations may make it easier for the government to carry out such disruptions in the future.

In May 2017, President Vladimir Putin approved a new "Information Society Development Strategy," which aims to guide the development of ICT policy until 2030. The strategy broadly seeks to increase the autonomy of Russia's internet, signaling authorities' intention to wield greater control online. Among other things, the document states that imported ICT equipment should gradually be replaced with domestically made alternatives.⁵ The strategy also directs officials to ensure that Russian "spiritual and cultural values" are represented in internet governance policy (see Media, Diversity, and Content Manipulation).

1 Pavel Kantyshev, Elizaveta Sergina "Ministry of Communications will make a copy of the Runet" [in Russian], *Vedomosti*, January 13, 2017, <http://www.vedomosti.ru/technology/articles/2017/01/13/672826-minekonomrazvitiya-rezervnyu-kopiyu>

2 "The number of Russians living in poverty reached over 23 million" [in Russian], *Lenta.ru*, June 27, 2016, <https://lenta.ru/news/2016/06/17/poverty/>

3 Georgy Peremitin, "The number of the poor in Russia increased by more than two million in 2015" [in Russian], *RBC*, December 10, 2015,

4 See Akamai: <https://www.akamai.com/kr/ko/multimedia/documents/state-of-the-internet/q4-2016-state-of-the-internet-connectivity-report.pdf>

5 "Russia approves new information society development strategy," *Meduza*, May 10, 2017, <https://meduza.io/en/news/2017/05/10/russia-s-approves-new-information-society-development-strategy-through-2030>; <http://publication.pravo.gov.ru/Document/View/0001201705100002?index=0&rangeSize=1>

ICT Market

The communications market in Russia is still relatively concentrated. In 2016, about 68 percent of the market was controlled by five companies⁶ State-owned Rostelecom holds 37 percent of the broadband internet market, followed by ER-Telecom with 10 percent, Mobile TeleSystems (MTS) with 9 percent, Vimpel Communications (Beeline) with 7 percent, and TransTeleKom (TTK) with 5 percent. The remaining market share is split among smaller, local ISPs. Rostelecom's share continues to grow, with a 7 percent increase in users between 2015 and 2016.

The market for mobile phone access is similarly concentrated. In 2016, four major companies—MTS, Megafon, Vimpel Communications, and Tele2—controlled 99 percent of the market.⁷

Regulatory Bodies

The ICT and media sector is regulated by the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor), which falls under the Ministry of Communications and Mass Media. Roskomnadzor is responsible for implementing many laws governing the internet in Russia. It carries out orders issued by the Prosecutor General's Office to block content that is deemed extremist or contains calls for participation in unsanctioned public protests, according to a law that went into effect in 2014. Roskomnadzor is also in charge of implementing the so-called "Bloggers' Law," which requires bloggers with more than 3,000 daily readers to register with the regulator; the 2015 data localization law, which requires that international companies store the personal data of Russian users within the country; and the set of antiterrorist amendments known as "Yarovaya's Law" (see Surveillance, Privacy, and Anonymity).

In addition to conducting its own monitoring of the internet, Roskomnadzor receives complaints about online content from the public, the courts, and other official bodies, such as the Prosecutor General's Office.⁸ However, the extent to which Roskomnadzor effectively limits content is unclear, and reports indicate that over half of the websites blacklisted by the regulator continue to operate.⁹

Limits on Content

The Russian authorities censor a wide range of topics online, most often under the pretext of combating "extremism." Content subject to blacklisting or removal includes LGBTI expression, information on the conflict in Ukraine, and material related to the political opposition. The international professional networking platform LinkedIn was blocked during the coverage period after failing to comply with data localization requirements. Online outlets are subject to political and economic pressure to publish Kremlin-friendly content, and the government actively manipulates public opinion through state-controlled media and paid commentators.

6 "Broadband in Russia: 2016 year results" [in Russian], TMT Consulting, January 2017, <http://bit.ly/2zC5SZM>

7 Advanced Communication & Media, "Cellular Data, Q4 2014," accessed July 14, 2016, http://www.acm-consulting.com/news-and-data/data-downloads/doc_download/140-1q-2015-cellular-data.html

8 Daniil Turovsky, "How Roskomnadzor operates" [in Russian], *Meduza*, March 13, 2015,

9 "More than half of sites blocked by Roskomnadzor continue to operate" [in Russian], *Meduza*, February 16, 2017, <https://meduza.io/news/2017/02/16/bolee-poloviny-zablokirovannyh-roskomnadzorom-saytov-prodolzhayut-rabotat>

Blocking and Filtering

Russian authorities have continued to use laws against extremism and other legislation to restrict access to content related to the political opposition, the conflict with Ukraine, and the GBTI community. According to the SOVA Centre for Information and Analysis, a Moscow-based nonprofit, hundreds of thousands of websites are blocked, often without proper justification¹⁰ Several communication platforms were also newly blocked within the coverage period for failing to grant authorities access to user data.

The authorities have wide discretion to block content online. From 2012 to 2013, the government enacted legal amendments that gave several agencies—including Roskomnadzor, the Prosecutor General's Office the Federal Service for Surveillance on Consumer Rights and Human Wellbeing (Rosпотребнадзор), and the Federal Drug Control Service—the authority to make decisions about blocking various categories of information. Currently, these agencies have the power to block the following types of content without a court order: information about suicide, drug propaganda, images of child sexual abuse, information about juvenile victims of crimes, materials that violate copyright, content related to extremism, and calls for unsanctioned public actions or rallies. Any other information may be blocked by a court order, provided that the court finds the content illegal

In most cases the legal framework offers no clear criteria for evaluating the legality of content, and authorities do not always offer a detailed explanation for blocking decisions. The lack of precise guidelines sometimes leads telecom operators, which are responsible for complying with blocking orders, to carry out the widest blocking possible so as to avoid fines and threats to their licenses. Telecom operators are obliged to regularly consult the "blacklist" of banned websites, updated by Roskomnadzor. Moreover, the law does not specify how ISPs should restrict access; they could focus, for example, on the internet protocol (IP) address, the domain name, or the URL of the targeted page. Often the authorities do not consider it necessary to clearly indicate the specific pages that are meant to be blocked on a given site. According to RosKomSvoboda, 96 percent of accidental blockings were caused by blocking orders carried out on the basis of IP addresses.¹¹

Data localization rules are increasingly used as a pretext to restrict certain platforms. In November 2016, LinkedIn became the first major international platform to be blocked in Russia for failing to comply with data localization requirements (see Surveillance, Privacy, and Anonymity).¹² Roskomnadzor stated that the block was necessary in order to protect Russian users' personal data, and implemented the restriction after a court in Moscow upheld its legality.¹³ Observers have speculated that the move may be intended to serve as a warning to other foreign platforms. ISPs can now face large fines if they do not ensure that LinkedIn, which previously had around six million Russian users,

10 Marya Kravchenko, Alexander Verhovskiy, "Misuse of anti-extremism legislation in Russia in 2015" [in Russian], *Sova Center*, March 2, 2016 <http://www.sova-center.ru/misuse/publications/2016/>

11 RosKomSvoboda, "Distribution of blocked sites across departments" [in Russian]. Accessed on March 10, 2017, <https://reestr.rublacklist.net/visual/>

12 Irina Chevtayeva, "LinkedIn ban in Russia is recognized as legal" [in Russian], *Vedomosti*, November 10, 2016, <http://www.vedomosti.ru/technology/articles/2016/11/10/664394-blokirovka-linkedin>

13 "Roskomnadzor explained the decision to block LinkedIn by leaks of user data" [in Russian], *Vc.ru*, October 26, 2016, <https://vc.ru/n/rkn-vs-linkedin>

is inaccessible in the country.¹⁴ The LinkedIn app was also no longer available to Russian users on Google Play and Apple's iTunes app store as of January 2017.¹⁵

The communication app Zello was also blocked in April 2017, ostensibly for failing to register as an information disseminator under the Law on Information, Information Technology, and Information Security, which would grant authorities access to much of the service's data.¹⁶ Prior to being blocked, Zello, which allows mobile phones to be used like walkie-talkies, had been employed by Russian truck drivers to coordinate protests and strike actions against a controversial road-tax program.¹⁷ The Chinese messaging app WeChat was blocked in May 2017, also for failing to register as a disseminator of information, though it was subsequently unblocked after complying with Roskomnadzor's requests.¹⁸

Authorities cracked down on online resources that have been used to mobilize civic activism. As major antigovernment protests were held in dozens of cities across Russia in 2017, authorities focused on censoring online sources of information on upcoming demonstrations. The prosecutor general asked Roskomnadzor to initiate the blocking of websites that were allegedly inciting public disorder. One of the pages targeted was a group on the social networking site VKontakte called "We Demand Systemic Changes in the Country."¹⁹

Earlier in the coverage period, ahead of Russia's parliamentary elections in September 2016, Roskomnadzor blocked four websites that contained material encouraging citizens to boycott the vote. The regulator stated that the websites, which it did not name, were blocked for encouraging citizens to break the law.²⁰ The authorities continue to censor information on the political opposition, including the websites and blogs of leading opposition figures Aleksey Navalny and Garry Kasparov, which were originally blocked by Roskomnadzor in 2014 for inciting illegal activity.²¹

The government frequently relies on extremism laws to censor critical content. An image of President Putin with exaggerated makeup was added to a government list of banned extremist content in April 2017. The image was found to imply that Putin has a "nontraditional sexual orientation," and first caught the authorities' attention when it was shared on VKontakte.²²

Ukraine and the Russian-occupied territory of Crimea remain topics of particular sensitivity for Russian authorities, and numerous Ukrainian websites have been deemed extremist and blocked. Ukrainian news websites *Korrespondent*, *Bigmir*, and *Liga* were blocked without a court order for

14 "LinkedIn is now officially blocked in Russia," *Tech Crunch*, November 17, 2016, <https://techcrunch.com/2016/11/17/linkedin-is-now-officially-blocked-in-russia/>.

15 Anastasia Golitsyna, "LinkedIn has been removed from the Russian AppStore and Google Play" [in Russian], *Vedomosti*, January 12, 2017, <http://www.vedomosti.ru/technology/articles/2017/01/08/672104-prilozhenie>

16 See: Zello <http://bit.ly/2mjBtub>.

17 "Russia blocks walkie-talkie app Zello as truckers strike," *Global Voices*, April 10, 2017, <https://advox.globalvoices.org/2017/04/10/russia-blocks-walkie-talkie-app-zello-as-truckers-strike/>.

18 "We Chat: Not in Russia, you don't," *Global Voices*, May 7, 2017, <https://globalvoices.org/2017/05/07/wechat-not-in-russia-you-dont/>; See also: http://www.rbc.ru/technology_and_media/11/05/2017/59142fac9a794774b5add598

19 "Russian web censor cracks down ahead of next anti-corruption protests," *Global Voices*, March 31, 2017, <https://globalvoices.org/2017/03/31/russian-web-censor-cracks-down-ahead-of-next-anti-corruption-protests/>.

20 "Russia's internet watchdog blocks sites calling for election boycott," *Moscow Times*, July 8, 2016, <https://themoscowtimes.com/news/russias-internet-watchdog-blocks-sites-calling-for-election-boycott-54518>.

21 "Russia blocks internet sites of Putin critics," *Reuters*, March 13, 2014, <http://www.reuters.com/article/us-russia-internet-idUSBREA2C21L20140313>.

22 "It's now illegal to share an image of Putin as a gay clown," *Washington Post*, May 4, 2017, https://www.washingtonpost.com/news/worldviews/wp/2017/04/05/its-now-illegal-in-russia-to-share-an-image-of-putin-as-a-gay-clown/?utm_term=.2f6dd2d9b5a5; <http://minjust.ru/ru/node/243787>

quoting Refat Chubarov, the leader of the Crimean Tatar national movement in Ukraine, as saying that Crimea should be returned to Ukraine.²³ In May 2016, Krym.Realii (Crimea.Realities), a project of Radio Free Europe/Radio Liberty, was blocked within Russia and Crimea by Roskomnadzor after Crimea's de facto prosecutor general accused it of inciting interethnic hatred and extremism.²⁴ In an earlier example, the website of the Consumer Rights Defenders Society was blocked for several months until September 2015, after the group posted an article recommending that Russian travelers enter Crimea through Ukraine, a statement seen by some as undermining Russia's claim of sovereignty over Crimea. Roskomnadzor restricted access to these sites under Federal Law No. 398, known as "Lugovoy's Law," which allows authorities to block websites for extremism on orders from the Prosecutor General's Office, without a judge's approval

The authorities continued blocking content deemed offensive to religious believers. A popular satirical group on VKontakte, MDK, was blocked in December 2016 after they posted a picture of Jesus Christ that Roskomnadzor deemed illegal under a 2013 law against offending religious believers' feelings. The group later moved to another VKontakte address, overcoming the block.²⁵

Russian users rely on circumvention tools to access censored content, though the continued widespread availability of such tools is under threat after the parliament passed a law in July 2017 requiring ISPs to block the websites of VPN and proxy services that allow users to access banned content (see Surveillance, Privacy, and Anonymity). It remains uncertain how aggressively the authorities will enforce the law, which comes into effect in November 2017. Prior to the new law's passage, Roskomnadzor blocked a local VPN service called HideMe.ru. The court decision that authorized the restriction stated that the service had provided access to forbidden extremist content.²⁶

Providers of public internet access, including libraries, cafés, and educational institutions, are responsible for ensuring that the content available to their users is filtered in compliance with Article 6.17 of the administrative code on protecting children from harmful information.²⁷

Content Removal

Roskomnadzor typically receives orders from government bodies, including the Prosecutor General's Office and the Federal Drug Control Service, to enforce the censorship of content deemed illegal; in some cases, Roskomnadzor itself identifies illegal content. It must then instruct the hosting provider to issue a warning to the website. Website owners have the right to appeal the restriction in court, but they are often given a short window of time to do so. As a result, most owners quickly delete the banned information rather than risk having the entire site blocked. If the content is not removed, the page is then included on a blacklist, and ISPs must block it within 24 hours after receiving a warning from Roskomnadzor. ISPs face fines for failing to block websites included on the blacklist²⁸

23 SOVA Center for Information and Analysis, "Chronology of the Internet filtration in Russia" [in Russian], February 29, 2016, <http://www.sova-center.ru/misuse/publications/filtr/2016/01/d33687/>

24 23TASS, "Online media "Crimea.Realities" is banned in Russia" [in Russian], May 16, 2016, <http://special.itar-tass.com/politika/3274509>.

25 Andrey Frolov, "Results of the year: The largest blocking sites in the Runet in 2016" [in Russian], vc.ru, December 28, 2016, <https://vc.ru/p/block-2016>

26 Andrey Frolov, "Roskomnadzor blocked the VPN service HideMe.ru and promised to close Hide.m." [in Russian], January 12, 2017, <https://vc.ru/n/hideme-block>, Vc.ru,

27 Sova Center, "Inappropriate enforcement of anti-extremist legislation in Russia in 2015," June 6, 2016, <http://www.sova-center.ru/en/misuse/reports-analyses/2016/06/d34694/>.

28 Sova Center, "Putin approved fines for providers for avoiding blocking sites" [in Russian], February 22, 2017 <http://www.sova-center.ru/misuse/news/lawmaking/2017/02/d36452/>

For websites that are registered as mass media, Roskomnadzor has additional powers to issue warnings to the editorial board about “abuse of freedom of mass media.” Article 4 of the Law on Mass Media indicates that such abuse can include, for example, incitement to terrorism, extremism, propaganda of violence and cruelty, information about illegal drugs, and obscene language. If a media outlet receives two warnings within a year, Roskomnadzor has the right to apply for a court order to shut down the outlet. Usually, warnings from Roskomnadzor contain instructions to remove or edit the offending material. In 2016, the agency issued 64 warnings, half of which were for obscene language.²⁹ The *New Times*, a news outlet known to be critical of the Kremlin, received a warning for obscene language. The article in question, published in November 2016, was about laws that criminalize insulting religious beliefs.³⁰

The Law on Mass Media also requires outlets to explicitly state, when they refer to a banned organization, that the group in question is banned in Russia.³¹ MediaZona, an independent online media outlet, was fined in February 2017 for writing about “extremist” organizations without specifying that they were banned in the country.³² The editor in chief of MediaZona claimed that Roskomnadzor utilizes an automated system to track the publication of so-called extremist content online.³³

Russian authorities regularly target LGBTI content, relying on a law that prohibits the promotion of “nontraditional sexual relations.” In October 2016, Roskomnadzor warned the website of Children-404, an online support group for Russian LGBTI teenagers, that it would be blocked unless it entirely changed the type of material posted on its site. Roskomnadzor spokesman Vadim Ampelonsky suggested that the website would be safe if it switched to simply posting photos of kittens.³⁴ The group’s VKontakte page had been targeted in September 2015, along with several other LGBTI pages on the social networking platform, after a court in Barnaul found that they violated the law. VKontakte complied with the order, claiming that Roskomnadzor would have otherwise blocked its entire service.³⁵

Foreign companies do not always comply with the Russian authorities’ demands to remove content. Twitter, according to its transparency report, complied with only 28 percent of 522 requests for content removal in the second half of 2016.³⁶ During the same period, Facebook restricted access to 121 items “for allegedly violating local laws related to extremism, alcohol sale, illegal gambling, and the promotion of self-harm and suicide.”³⁷ Meanwhile, Google received 11,164 requests from the

29 “Roskomnadzor: regional media received warnings for obscene language in 2016” [in Russian], Rossiyskaya Gazeta, December 17, 2016, <https://rg.ru/2016/12/17/roskomnadzor-v-2016-godu-preduprezhdeniia-za-mat-poluchali-regionalnye-smi.html>

30 “The New Times received a warning from Roskomnadzor for abusive language”, Tjournal.ru, December 2, 2016, <https://tjournal.ru/38072-the-new-times-poluchil-preduprezhdenie-ot-roskomnadzora-za-matnoe-slovo>

31 “The media were explained how to write about the “Right Sector” and UNA-UNSO”, [in Russian], Izvestia, February 13, 2015, <http://izvestia.ru/news/583048>

32 “Roskomnadzor has issued a fine to Mediazona for news without a note about extremism” [in Russian], “Gazeta.ru, February 21, 2017, https://www.gazeta.ru/tech/news/2017/02/21/n_9715499.shtml

33 “Roskomnadzor launched a robot to find violations in the media” [in Russian], Rbc.ru, February 21, 2017, <http://www.rbc.ru/rbcfreenews/58ac828f9a794771f6d7e654>.

34 “Roskomnadzor advised Children-404 to post cats” [in Russian], Gay.ru, October 20, 2016, <http://www.gay.ru/news/rainbow/2016/10/12-34722.htm>

35 “Access to Children 404 group blocked for VKontakte users in Russia,” Russia Beyond the Headlines, September 25, 2015, https://rbth.com/news/2015/09/25/access_to_children-404_group_blocked_for_vkontakte_users_in_russia_49555.html.

36 Twitter, “Transparency report – Russia”, <https://transparency.twitter.com/en/removal-requests.html>

37 Facebook, “Government Requests Report: Russia, July 2016–December 2016,” <https://govtrequests.facebook.com/country/Russia/2016-H2/>

Russian government to restrict content from July to December 2016, and complied in 72 percent of these cases.³⁸

In July 2015, President Putin approved a law on “the right to be forgotten,” requiring search engines to remove links to false or outdated information about an individual.³⁹ The petitioning individual must prove that the information warrants removal, though a court order is not required. The Russian search engine Yandex had voiced opposition to the law, arguing that altering search results violated the constitutional right to seek, obtain, produce, and spread information.⁴⁰ The company also noted the added burden it would face in making decisions about which content to remove. Though “right to be forgotten” laws exist in other countries, Russia’s law fails to provide limits for cases in which access to the information is in the public interest or the person in question is a public figure.⁴¹ The SOVA Centre for Information and Analysis, which reports on extremism in Russia, was affected by the law after Google notified it in early 2016 that two pages on its website were to be excluded from search results. The pages contained information about skinhead groups in Russia.⁴²

In March 2016, three months after the “right to be forgotten law” took effect, Yandex released data showing that it had received 3,600 removal requests, 51 percent of which sought to remove truthful but outdated information, often related to crimes. Yandex approved 27 percent of the requests it received.⁴³

Search engines and news aggregators such as Google News and Yandex.Novosti (Yandex.News) have been placed under additional pressure since an amendment to the Law on Information, Information Technology, and Data Protection entered into force in January 2017.⁴⁴ The new law requires aggregators with over a million daily users to prevent the dissemination of terrorist content, pornography, depictions of cruelty, state secrets, and other forbidden material, or face fines for failure to comply.⁴⁵ News aggregators are also responsible for the accuracy of information disseminated through their platforms, with some exceptions, such as direct quotes from the media.⁴⁶ The law has forced aggregators to favor media that are officially registered with Roskomnadzor, for which they are not held responsible. Some independent media outlets and bloggers have consequently been excluded from search results on Yandex.Novosti. For example, the popular independent outlet *Meduza*, registered in Latvia, no longer appears in search results.⁴⁷

Media, Diversity, and Content Manipulation

As the space for independent print and broadcast media in Russia shrinks, online publications and

38 Google, “Transparency Report--Russia,” <https://www.google.com/transparencyreport/removals/government/RU/?hl=en>

39 Tetyana Lokot, “President Putin Signs Russian ‘Right to Be Forgotten’ Into Law”, *Global Voices*, July 17, 2015, <http://ow.ly/ZVkr3>

40 Yandex, “Right to forget about search,” [in Russian] June 5, 2015, <http://ow.ly/ZVklE>

41 Article 19, “Legal analysis: Russia’s right to be forgotten,” September 16, 2015, <https://www.article19.org/resources.php/resource/38099/en/legal-analysis-russia-s-right-to-be-forgotten>

42 Ekaterina Bryzgalova, “The right to be forgotten might be changed” [in Russian], August 23, 2016, *Vedomosti*, <http://www.vedomosti.ru/technology/articles/2016/08/23/654182-zakon-prave-zabvenie>

43 Yandex, “About the implementation of the right to be forgotten,” [in Russian] March 25, 2016, <http://ow.ly/ZVlfr>

44 Consultant Plus, Act 208, June 23, 2016, http://www.consultant.ru/document/cons_doc_LAW_200019/

45 Ekaterina Bryzgalova, “Deputies satisfied demands of the Internet industry” [in Russian], *Vedomosti*, June 13, 2016, <https://www.vedomosti.ru/technology/articles/2016/06/14/645179-novostnim-agregatoram>

46 “The draft law about news aggregators passed Duma,” [in Russian] *BBC Russian*, June 10, 2016, http://www.bbc.com/russian/news/2016/06/160610_duma_news_aggregator

47 “How a new law is making it difficult for Russia’s news aggregators to tell what’s news,” *Moscow Times*, April 7, 2017, <http://themoscowtimes.com/articles/how-a-new-law-is-making-it-difficult-for-russias-news-aggregators-to-tell-whats-going-on-57657>

social networks have become increasingly important platforms for critical expression and civic mobilization, with 48 percent of Russians now turning to the internet to find trustworthy news sources.⁴⁸ Several online resources are more popular than the biggest television channels among younger urban audiences. Those sites are Google, Yandex, VKontakte, YouTube, and Mail.ru.⁴⁹

However, while Russians are still able to access a wide variety of outside sources, many independent online media outlets within Russia have been forced to shut down over the past two years due to increasing government pressure. Self-censorship is encouraged by the vague wording of restrictive legislation, the seemingly arbitrary manner in which these laws are enforced, and the near-total ineffectiveness of judicial remedies.⁵⁰ Laws prohibiting “extremist” content and the government’s crackdown on certain media outlets have had a chilling effect on free speech, particularly with regard to such sensitive topics as governance failures, corruption, the war with Ukraine, the annexation of Crimea, violations of civil rights, religion, and the LGBTI community. The new “Information Society Development Strategy” adopted in May 2017 directs officials to ensure that Russian “spiritual and cultural values” are represented in internet governance policy,⁵¹ potentially foreshadowing further censorship.

Russian authorities have been haphazardly enforcing the 2015 data localization law against foreign companies, an expensive exercise that would place Russian users’ data within the Russian government’s jurisdiction. The professional networking platform LinkedIn was blocked in Russia in November 2016 for failing to comply with data localization requirements (see Blocking and Filtering). Government officials have indicated that larger foreign platforms, such as Facebook, could face a similar fate if they fail to comply with the data localization rules.⁵² Separately, VPN provider Private Internet Access decided to pull out of the country in July 2016 after some of its servers were seized by authorities; it had refused to log user activity as required by Yarovaya’s Law.⁵³

With a presidential election approaching in March 2018, authorities ramped up pressure on Russian platforms to comply with restrictive legislation. LiveJournal, a popular Russian-owned blogging platform with approximately 15 million active monthly users,⁵⁴ agreed to move its servers from the United States to Russia in December 2016 in compliance with the data localization law.⁵⁵ Following the move, LiveJournal updated its terms of service, banning “political solicitation” on the platform, as well as content that violates the laws of the Russian Federation.⁵⁶ Observers have noted that “political solicitation” can be broadly interpreted, and may be used to stifle critical expression ahead of the election. Users have also raised concerns that LGBTI content, which is banned by the law on promo-

48 Public Opinion Foundation, “News on the internet”, January 25, 2016, <http://ow.ly/ZYd7X>

49 Anastasia Golitsyna, Ekaterina Bryzglova, “Yandex” is no longer the only Internet resource that has surpassed TV channels in its coverage [in Russian], *Vedomosti*, September 10, 2016, <http://www.vedomosti.ru/technology/articles/2016/09/13/656674-yandeks-telekanali-ohvatu>

50 Natalia Rostova, “Censorship in many media exists by default” [in Russian], *Open Democracy*, November 21, 2016 <http://bit.ly/2zSinRM>

51 “Russia approves new information society development strategy,” *Meduza*, <https://meduza.io/en/news/2017/05/10/russia-s-approves-new-information-society-development-strategy-through-2030>; <http://publication.pravo.gov.ru/Document/View/0001201705100002?index=0&rangeSize=1>.

52 “Russia tells Facebook to localize user data or be blocked,” *Reuters*, <https://www.reuters.com/article/us-russia-facebook/russia-tells-facebook-to-localize-user-data-or-be-blocked-idUSKCN1C11R5>

53 “We are removing our Russian presence,” Private Internet Access, July 2016, <https://www.privateinternetaccess.com/forum/discussion/21779/we-are-removing-our-russian-presence>

54 See: <http://www.russiansearchtips.com/2016/03/top-social-networks-in-russia-latest-trends-in-winter-2015-2016/>

55 See: RosComSvoboda <https://rublacklist.net/24441/>

56 See: LiveJournal <https://www.livejournal.com/legal/tos-en.bml>

tion of “nontraditional sexual relations,” may be targeted.⁵⁷ In another sign that authorities are seeking to limit the availability of digital tools in the run-up to the election, Yandex Money announced in January 2017 that it would no longer allow money transfers for political purposes. The platform had been heavily used for crowdfunding by opposition hopeful Aleksey Navalny.⁵⁸ VKontakte imposes similar rules on users: It only allows political advertising by officially registered candidates and parties, excluding the vast majority of Russia’s genuine political opposition.⁵⁹

Online outlets continue to face government pressure to publish news in line with the Kremlin’s views. RBC, a major media group that includes an online news portal, sacked its top editors in May 2016, reportedly under pressure from the Kremlin.⁶⁰ Leaked records of a meeting among newly hired editors indicate that the outlet will no longer address politically sensitive topics.⁶¹ RBC had previously been renowned for its critical investigative journalism. Yelizaveta Osetinskaya, one of the fired editors, stated that the media group had become an infuriating “red rag” for the Kremlin because of its coverage of the Panama Papers—leaked documents that revealed the suspicious financial dealings of Putin’s associates—though the Kremlin denied any involvement in the dismissals at RBC.⁶²

Russian authorities use paid commentators to influence online content. This issue came to international prominence following revelations that Russian trolls had attempted to influence the United States presidential election in 2016 by manipulating discussions and disseminating fake news.⁶³ Well before that controversy, however, journalistic investigations had revealed that a “troll factory,” the Internet Research Agency located in St. Petersburg, stood at the center of coordinated Russian trolling activities, attacking both domestic and international targets.⁶⁴

Domestically, Russian trolls have been observed commenting on news sites and on social media, zealously defending Putin while smearing his critics. They frequently interject to promote a Kremlin-friendly narrative in response to controversial topics, asserting, for example, that opposition leader Boris Nemtsov was killed by his own friends, not at the order of the Kremlin.⁶⁵ Russian women have reported being subject to especially vicious, though less organized, trolling. A report by *Wired* revealed that Anna Zhavnerovich, a Moscow woman who was severely beaten in a domestic violence incident, was subjected to a deluge of incessant online harassment after publishing her story online. The abuse focused on her gender, and images of her bloodied face were transformed into memes celebrating violence against women and widely circulated on online forums. The incident

57 “Russian owned LiveJournal bans political talk,” *Gizmodo*, <https://io9.gizmodo.com/russian-owned-livejournal-bans-political-talk-adds-ris-1794143772>.

58 “Russia poised to ban crowdfunding for political purpose,” *Global Voices*, January 1, 2017, <https://globalvoices.org/2017/01/23/russia-poised-to-ban-crowdfunding-for-political-purposes/>

59 “Russia’s biggest social network now allows political ads but not for everyone,” *Global Voices*, June 6, 2016, <https://globalvoices.org/2017/06/06/russias-biggest-social-network-now-allows-political-ads-but-not-for-everyone/>

60 Ksenia Boletskaya, “RBC is not approved for reading,” [in Russian] *Vedomosti*, May 13, 2016 <http://ow.ly/E9yx300CFxU>

61 “If someone thinks that everything is possible at all, it’s not so” – Meeting of RBC employees with the new management: decoding “ [in Russian], *Meduza*, July 8, 2016 <https://meduza.io/feature/2016/07/08/esli-kto-to-schitaet-cto-mozhno-pryamo-voobsche-vse-eto-ne-tak>

62 Max Seddon, “Editors at Russia’s RBC media group sacked after Putin article,” *Financial Times*, May 18, 2016, <http://ow.ly/iJX3300CG5T>.

63 Craig Timberg “Russian propaganda effort helped spread ‘fake news’ during election, experts say” *Washington Post*, November 24, 2016, https://www.washingtonpost.com/business/economy/russian-propaganda-effort-helped-spread-fake-news-during-election-experts-say/2016/11/24/793903b6-8a40-4ca9-b712-716af66098fe_story.html?utm_term=.c2f028dc66b9

64 “The former employee lost the court to the “troll factory” [in Russian], *Meduza*, February 22, 2017, <https://meduza.io/news/2017/02/22/byvshaya-sotrudnitsa-proigrala-sud-fabrike-trolley>

65 See: <https://www.theguardian.com/media/2016/nov/06/troll-armies-social-media-trump-russian>

underscored the prevalence in Russia of a misogynistic online culture, in which women are regularly punished for speaking out against abuse and sexism.⁶⁶

Onerous regulatory requirements and restrictive laws affecting online media have pushed some outlets to downsize, change owners, or exit the market altogether. Amendments to the Law on Mass Media that came into force on January 1, 2016, prohibited foreign citizens and organizations from owning more than a 20 percent stake in a Russian media outlet. As a result, foreign media holdings have left Russia and, in some cases, transferred ownership to Russian entities.⁶⁷ According to Roskomnadzor, 821 media outlets changed their shareholder structure following the introduction of the legislation.⁶⁸ For example, in 2015 the German publishing house Axel Springer sold its Russian assets, including the Russian edition of *Forbes* (both the magazine and the website Forbes.ru), to Aleksandr Fedotov, the owner of Artcom Media Group.⁶⁹

Authorities are increasingly using Russia's 2012 "foreign agents" law to smear organizations known to be critical of the government. The law requires nongovernmental organizations (NGOs) that receive some foreign funding and engage in vaguely defined "political activities" in Russia to register as "foreign agents." The latest amendments to the law, passed in 2016, increase the authorities' ability to crack down on such groups.⁷⁰ The label has been applied to many well-respected organizations, including the SOVA Centre and the Russian branch of Transparency International.⁷¹

Furthermore, a May 2015 law allowed the government to designate foreign organizations as "undesirable," barring the dissemination of information from the blacklisted entities. Individuals and smaller, independent outlets have been affected by the 2014 "Bloggers' Law," which requires sites with 3,000 or more daily visitors to register as mass media outlets. Such registration means bloggers can no longer remain anonymous and are held legally responsible for the content posted on their site, including comments made by third parties.

Russian users can still access critical content online, but independent Russian outlets are increasingly publishing from abroad due to the repressive environment at home. Perhaps the most notable example is *Meduza*, a critical online news outlet launched in Latvia. The authorities have sought to restrict such outlets indirectly by, for example, preventing their content from appearing in local search engines (see Content Removal).

Digital Activism

Despite continued government pressure, the internet remains the most versatile and effective tool

66 "Russian trolls attack," *Wired*, October 2017, <https://www.wired.com/2017/10/russian-trolls-attack/>

67 Anastasia Bazenkov, "Foreign publishers quit Russia over media ownership law," *Moscow Times*, September 9, 2015, <http://ow.ly/ZYf2C>

68 Ksenia Boletskaya "Founders of more than 120 media did not limit the control of foreigner ownership – Roskomnadzor" [in Russian], *Vedomosti*, August 1, 2016 <http://www.vedomosti.ru/technology/articles/2016/08/02/651330-uchrediteli-bolee-chem-120-smi-ogranichili-kontrol-inostrantsev-roskomnadzor>

69 Seregy Sobolev, Elizaveta Surganova "Forbes has sold its media assets in Russia" [in Russian], *RBC*, September 17, 2015 http://www.rbc.ru/technology_and_media/17/09/2015/55fac4649a79475f61fcb158

70 "Федеральный закон от 02.06.2016 г. №179-ФЗ" [Federal Law of 02.06.2016 #179-FZ], President of the Russian Federation, 2 June 2016, <http://kremlin.ru/acts/bank/40857>

71 "The Ministry of Justice recognized Sova as a foreign agent" [in Russian], *Regnum*, December 30, 2016 <https://regnum.ru/news/polit/2223767.html>; Anna Kozonina, "We are in a good company: how foreign agents live in Russia" [in Russian], *Furfur*, August 4, 2016, <http://www.furfur.me/furfur/changes/changes/218529-kak-zhivut-inostrannye-agenty>; Petr Kozlov, "Russian Transparency International is recognized as a foreign agent" [in Russian], April 7, 2015, <http://www.vedomosti.ru/politics/articles/2015/04/08/rossiiskaya-transparency-international-priznana-minyustom-inostrannim-agentom>

for activism in the country, hosting frequent efforts to confront state propaganda, fight corruption and organize protests. Prominent opposition activist Aleksey Navalny's YouTube channel is a popular source for information on corruption. In March 2017, the channel released a video documenting an investigation by Navalny's Anticorruption Foundation (FBK), which exposed links between Prime Minister Dmitry Medvedev and a real-estate empire worth 70 billion rubles (US\$1.2 billion). The video has been viewed over 25 million times,⁷² and despite being ignored by mainstream Russian media,⁷³ it served as a catalyst for the largest street protests since 2012.⁷⁴ Observers noticed that the number of young people, schoolchildren, and university students participating in the demonstrations was unusually high.⁷⁵

In July 2017, approximately 1,000 protesters demonstrated in Moscow against increasing repression online and demanded the exoneration of Russians arrested for the content they posted, including video blogger Ruslan Sokolovsky, who was convicted of insulting religious feelings for sharing a video of himself playing the popular gaming app Pokémon Go in a church (see Prosecutions and Detentions for Online Activities).⁷⁶ The protesters, who also mobilized in support of a mathematician detained for allegedly advocating terrorism online, chanted slogans including "Truth is stronger than censorship" and "Free country, free internet"; at least three were reportedly arrested.⁷⁷

Violations of User Rights

In recent years, Russian authorities have substantially restricted user rights by passing laws that increase penalties for expression online while expanding the government's access to personal data. More social media users than ever before have been arrested for voicing dissent, and many face lengthy prison sentences. In July 2016, the government passed legislation that will compel service providers to grant authorities access to encrypted communications, which is likely to expose more users to legal repercussions for their activities online.

Legal Environment

Although the constitution grants the right to free speech, this right is routinely violated, and there are no special laws protecting online expression. Online journalists do not possess the same rights as traditional journalists unless they register their websites as mass media. Russia remains a member of the Council of Europe and a party to the European Convention on Human Rights and Fundamental Freedoms, which enshrines the right to freedom of expression. However, over the past few years, Russia has adopted a set of laws and other acts that, coupled with repressive law enforcement and judicial systems, have eroded freedom of expression in practice. Courts tend to side with the executive authorities, refusing to apply provisions of the constitution and international treaties that protect the basic rights of journalists and internet users.

72 "He is not Dimon", YouTube Channel of Fbk, March 2, 2017 https://www.youtube.com/watch?v=qrwk7_GF9g

73 "The effect of an unexploded bomb: how the media did not notice Navalny's investigation about Medvedev" [in Russian], Tvrain.ru, March 3, 2017 https://tvrain.ru/articles/smi_o_navalnom-428925/

74 "How many people took to the streets on March 26 and how many were detained? Protest map" [in Russian], Meduza, March 27, 2017 <https://meduza.io/feature/2017/03/27/skolko-lyudey-vyshli-na-ulitsy-26-marta-i-skolko-zaderzhali-karta-protesta>

75 Yuri Saprykin, "Ice is melting" [in Russian], Eco Moskv, March 29, 2017 <http://echo.msk.ru/blog/inliberty/1953150-echo/>

76 "Russians protest state censorship of the internet," Deutsche Welle, <http://www.dw.com/en/russians-protest-state-censorship-of-the-internet/a-39807536>

77 "Thousands march through Moscow to call for internet freedom," ABC News, July 24, 2017, <http://www.abc.net.au/news/2017-07-24/thousands-march-through-moscow-to-call-for-internet-freedom/8736736>

In July 2016, the Russian government introduced some of the harshest legislative amendments in post-Soviet Russia. Collectively known as Yarovaya's Law, they altered nearly a dozen laws with wide ramifications for internet freedom.⁷⁸ The changes introduced prison terms of up to seven years for publicly calling for or justifying terrorism online.⁷⁹ The harsh penalties and broad wording of the offenses open the door to abuse, namely the criminalization of legitimate, nonviolent expression on the internet.

Penalties for extremism were increased as recently as 2014, with the passage of a series of amendments to the criminal code. The maximum punishment for online incitement to separatism or calls for extremism was set at five years in prison⁸⁰ while that for incitement to hatred was set at six years.⁸¹ In addition, the mere opening of a criminal case could serve as a basis for the inclusion of the accused on a list of extremists maintained by the Federal Financial Monitoring Service. Individuals on this list are restricted from certain professions, and their bank accounts can be frozen, even if they have not been convicted.

Russia's definition of extremism is particularly broad. According to Andrei Richter, senior adviser at the Organization for Security and Co-operation in Europe's Office of the Representative on Freedom of the Media, Russia penalizes expression that is not necessarily abusive or discriminatory in nature.⁸² Moreover, the interpretation of extremism has gradually expanded to include not only incitement of national, racial, or religious enmity, or humiliation of national dignity, but also propaganda of exceptionalism, superiority, or inferiority of citizens on grounds of their religion, nationality, or race, and public justification of terrorism

Russian users may also be prosecuted under a host of older laws in the criminal code that can be applied to online speech. Russian law establishes penalties for general defamation (Article 128.1 of the criminal code), defamation against a judge or prosecutor (Article 298.1), insulting the authorities (Article 319), calls for terrorism (Article 205.1), insulting religious feelings (Article 148), calls for extremism (Article 280), calls for separatism (Article 280.1), and incitement of hatred (Article 282). The law also proscribes spreading false information on the activities of the Soviet Union in World War II (Article 354.1), displaying Nazi symbols or symbols of organizations deemed extremist (Article 20.3 of the administrative code), and the dissemination of extremist materials (Article 20.29 of the administrative code).

Prosecutions and Detentions for Online Activities

Criminal charges are widely used in Russia to stifle critical discussion online. Individuals have been targeted for their posts on social media, including reposts. Most arrests within the coverage period

78 Consultant Plus, Act 375, Amendment to the Russian Criminal Code, Introducing Additional Counterterrorism Measures and Ensuring Public Safety, <http://bit.ly/2dt782G>

79 Consultant Plus, Act 375, Amendment to the Russian Criminal Code, Introducing Additional Counterterrorism Measures and Ensuring Public Safety, <http://bit.ly/2dt782G>

80 Criminal Code of the Russian Federation, Article 280.1 "Public calls to separatism," http://www.consultant.ru/document/cons_doc_LAW_10699/8b38952a3e743c7996551cbfe4b32d4d336a35ad/; Criminal Code of the Russian Federation, Article 280, "Public calls to extremist activity," http://www.consultant.ru/document/cons_doc_LAW_10699/c10532ab76df5c84c18ee550a79b1fc8cb8449b2/.

81 Criminal Code of the Russian Federation, Article 282, "Incitement to hatred," http://www.consultant.ru/document/cons_doc_LAW_10699/d350878ee36f956a74c2c86830d066eafce20149/.

82 Written comment provided by Andrei Richet via LinkedIn on March 27, 2016.

fell under Article 282 (“actions aimed at inciting hate or enmity”) and Article 280 (“public calls for extremist activity”) of the criminal code.

- Math teacher Dmitriy Bogatov was charged in April 2017 with inciting mass disorder and making public calls for terrorism. He was placed in pretrial detention, then transferred to house arrest in July. The charges related to two comments on an online forum made by a user with Bogatov’s IP address. One comment called on protesters to bring improvised weapons to a demonstration, and the other linked to a Kanye West video clip that depicts protesters attacking police with Molotov cocktails. Bogatov maintained that he did not post the comments, and insisted that, because he uses the Tor anonymity network, his IP address could have been shared by other users within the network.⁸³
- An employee at a kindergarten, Yevgeniya Chudnovets, was accused of disseminating images of child sexual abuse in December 2016 after she shared a short video of people abusing a child on VKontakte. Police responded to the video, which helped them to arrest and imprison the perpetrators. However, Chudnovets was subsequently sentenced to five months in jail for sharing the clip. This outcome was widely criticized in the media as unjust, and she was released in March 2017.⁸⁴
- A Sochi resident, Oksana Sevastidi, was imprisoned for high treason in March 2016 over a text message she sent to a friend in neighboring Georgia prior to the Russian invasion of the country in August 2008. Sevastidi faced a penalty of seven years in prison, but in March 2017, President Putin pardoned her.⁸⁵
- In December 2016, Siberian blogger Aleksey Kungurov was charged with inciting terrorism and sentenced to two years’ imprisonment for writing a blog post that criticized Russia’s military intervention in Syria.⁸⁶
- Authorities continue to arrest journalists and commentators on trumped-up charges that are supposedly unrelated to their online activity. For example, a court in Chechnya sentenced Zhalaudi Geriyev, a writer for an independent online news outlet, to three years in prison on drug charges in September 2016. The case was widely believed to be bogus, serving as retribution for the journalist’s work.⁸⁷
- In July 2016, a court in the city of Perm fined a local resident, Vladimir Luzgin, RUB 200,000 (US\$3,400) for reposting a historical article detailing the 1939 Molotov-Ribbentrop Pact and the joint invasion of Poland by Nazi Germany and the Soviet Union.⁸⁸
- Sofiko Arifdzhanova, a journalist with the online outlet Otkrytaya Rossiya (Open Russia), was detained following the anticorruption protests in March 2017. She had been reporting on the events rather than participating, and was one of 17 journalists arrested across the coun-

83 “Math lecturer Dmitry Bogatov Under House Arrest,” *The Moscow Times*, <https://themoscowtimes.com/articles/math-lecturer-dmitry-bogatov-under-house-arrest-58481>.

84 “Evgeny Chudnevets was released from the colony” [in Russian], Meduza, March 6, 2017 <https://meduza.io/news/2017/03/06/evgeniyu-chudnovets-osvobodili-iz-kolonii>

85 “Putin pardoned Oksana Sevastidi, convicted for SMS” [in Russian], Meduza, March 7, 2017 <https://meduza.io/news/2017/03/07/putin-pomiloval-oksanu-sevastidi-osuzhdennuyu-za-sms>

86 See Reporters Without Borders <https://rsf.org/en/news/rsf-calls-release-blogger-who-criticized-russian-policy-syria>,

87 See: Reporters Without Borders <https://rsf.org/en/news/no-evidence-court-confirms-three-year-term-chechen-journalis>

88 See: RosKomSvoboda <https://rublacklist.net/18549/>

try during the demonstrations. Arifdzhanova faced a possible 15-day jail sentence; as of mid-2017 her trial had been postponed twice.⁸⁹

Russian authorities displayed an increasing intolerance for critical expression about religion, particularly any expression that could undermine the Russian Orthodox Church. Several social media users were prosecuted within the coverage period for violating the 2013 law criminalizing public actions that “insult believers’ religious feelings.”⁹⁰

- Ruslan Sokolovsky, a blogger from Yekaterinburg, was convicted of inciting religious hatred and insulting believers’ religious feelings in May 2017 after posting a YouTube video of himself playing the popular gaming app Pokémon Go in a Russian Orthodox Church. The judge, declaring that Sokolovsky’s video disrespected society and offended religious sentiments, handed down a three-and-a-half-year suspended sentence. Sokolovsky said he would have likely been sentenced to prison if not for the significant media interest in the case.⁹¹
- Local law enforcement in Belgorod launched criminal proceedings against a 21-year-old woman who posted a video of herself lighting a cigarette on a church candle in May 2016. The woman faces a maximum term of three years in prison under the law against insulting religious feelings.⁹²
- In February 2017, Chechnya’s public prosecutor sought criminal charges against video blogger and comedian Ilya Davydov over a 2012 video in which he joked about reading the Quran while sitting on a toilet. Davydov had fled Russia in January after receiving threats over the matter.⁹³

LGBTI activists have been punished under Russia’s law against promoting “nontraditional sexual relations” for their expression and activism online.

- Yevdokiya Romanova, an LGBTI activist, was found guilty of “spreading propaganda of non-traditional sexual relationships among minors on the internet” in October 2017 after she shared information on Facebook about the Youth Coalition for Sexual and Reproductive Rights, a group that advocates for access to information about health and sexuality. Romanova was fined RUB 50,000 (US\$865).⁹⁴
- In January 2016, Sergey Alekseyenko of Murmansk was similarly found to have distributed such “propaganda” after he posted a supportive message on the VKontakte page of an LGBTI nonprofit organization. Alekseyenko was fined RUB 100,000 (US\$1,300).⁹⁵

Surveillance, Privacy, and Anonymity

89 See: Reporters Without Borders <https://rsf.org/en/news/reporter-trial-covering-protest>

90 <https://www.rferl.org/a/russia-prosecuting-insults-to-religious-feelings/28678284.html>

91 “Russian Who Played Pokémon Go in Church Is Convicted of Inciting Hatred,” *The New York Times*, May 11, 2017, https://www.nytimes.com/2017/05/11/world/europe/pokemon-go-ruslan-sokolovsky-russia.html?_r=0

92 “Russian woman faces prison for lighting her cigarette with a church candle,” *The Moscow Times*, February 3, 2017, <https://themoscowtimes.com/news/russian-woman-faces-prison-for-lighting-her-cigarette-with-a-church-candle-57041>

93 “Chechen Prosecutor’s Office demands to punish blogger for humorous video about Quran,” *Caucasian Knot*, February 4, 2017, <http://www.eng.kavkaz-uzel.eu/articles/38349/>.

94 See: Human Rights Watch <https://www.hrw.org/news/2017/09/19/russian-activist-court-gay-propaganda-charge>

95 “Russian LGBT activist fined for propaganda of homosexuality online,” *Global Voices*, January 22, 2016, <https://globalvoices.org/2016/01/22/russian-lgbt-activist-fined-for-propaganda-of-homosexuality-online>

Russian lawmakers have continued to enact legislation giving authorities ever-increasing powers to conduct intrusive surveillance. In the year leading up to the March 2018 presidential election, the parliament also passed laws that erode opportunities for anonymous activity online.

A law that calls for the blocking of VPN services that allow access to banned content was adopted in July 2017.⁹⁶ VPNs that agree to restrict their clients' access to websites deemed illegal will not be blocked, though it is unclear how many providers have cooperated with authorities. The law passed amid increasing pressure against VPNs; authorities had forced VPN provider Private Internet Access out of Russia in 2016, while haphazardly blocking smaller VPN services (see Blocking and Filtering and Media, Diversity, and Content Manipulation). In addition to inhibiting users' ability to bypass Russia's censorship regime, the new law is likely to narrow opportunities for users to browse anonymously after it comes into effect in November 2017.⁹⁷

Another law adopted in July 2017, an amendment to the Law on Information, Information Technology, and Information Security, will force users of social media platforms and communication apps to register with their mobile phone numbers, effectively linking their online activity with their real identity.⁹⁸

Russian lawmakers have also sought to limit the privacy safeguards of encryption. The package of antiterrorism amendments passed in July 2016, known as Yarovaya's Law, mandates that online services offering encryption must assist the Federal Security Service (FSB) with decoding encrypted data. Though this is an impossible task for many service providers—those, for example, that use end-to-end encryption—companies that fail to cooperate could face a RUB 1 million fine (US\$15,000). The Electronic Frontier Foundation has suggested that the impossibility of full compliance is a deliberate feature of the law, giving Russian authorities great leverage over the affected companies.⁹⁹ Yarovaya's Law also gives the authorities increased access to user data by requiring telecoms and "organizers of information distribution on the internet" to store the content of users' online communications—including text, video, and audio communications—for up to six months, while metadata must be stored for up to three years in the case of telecoms and one year in the case of the other entities, such as websites and apps. Russian authorities will have access to this data without a court order.¹⁰⁰

The data localization law enacted in September 2015 requires foreign companies that possess Russian citizens' personal data to store their servers on Russian territory, potentially enabling easier access for security services.¹⁰¹ Some foreign companies, such as Uber and Viber,¹⁰² have reportedly moved to comply with the law. The blogging platform LiveJournal, which is Russian owned but was founded in the United States, transferred its servers from the United States to Russia in December 2016, sparking concerns about censorship and privacy on the platform (see Media, Diversity, and Content Manipulation).

96 See: <http://publication.pravo.gov.ru/Document/View/0001201707300002?index=1&rangeSize=1>

97 "Explainer: What is Russia's new VPN law all about?" BBC <http://www.bbc.com/news/technology-41829726>

98 See: <http://publication.pravo.gov.ru/Document/View/0001201707300031>

99 Electronic Frontier Foundation, "Russia asks impossible in its new surveillance laws," July 2016, <https://www.eff.org/deeplinks/2016/07/russia-asks-impossible-its-new-surveillance-laws>

100 Elizaveta Archangelskaya, Alyona Sukharevskaya, "Yarovaya's law: what an 'anti-terrorist' law means for internet users," RBC, June 24, 2016 http://www.rbc.ru/technology_and_media/24/06/2016/576c0a529a79471bc44d2b57?from=rbc_choice

101 Vladimir Prokushev, "Journalists Andrei Soldatov and Irina Borogan: the internet is for the enlightened," [in Russian] *Horizontal Russia*, February 26, 2016, <http://ow.ly/ZVHMP>

102 "Uber agreed to move the personal data of Russians to Russia" [in Russian], *Lenta.ru*, July 19, 2015, <https://lenta.ru/news/2015/07/10/uber/>; Vladimir Zykov, "Viber moved its servers to Russia" [in Russian], *Izvestia*, December 19, 2015, <http://izvestia.ru/news/593438>

The Russian government employs SORM, or “system for operational investigative measures,” for its online surveillance activities. Under current legislation, in order to receive an operating license, ISPs are required to install technology that allows security services to monitor internet traffic. ISPs that do not comply with SORM system requirements are promptly fined, and may lose their licenses if problems persist. The current version, SORM-3, uses deep packet inspection (DPI) technology, enhancing the ability of the security services to monitor content on all telecommunications networks in Russia. SORM has been used for political purposes in the past, including the targeting of opposition leaders. In a November 2012 Supreme Court case involving Maksim Petlin, an opposition leader in the city of Yekaterinburg, the court upheld the government’s right to eavesdrop on Petlin’s phone conversations because he had taken part in “extremist activities,” namely antigovernment protests.

Russian authorities are technically required to obtain a court order before accessing an individual’s electronic communications data. However, the authorities are not required to show the warrant to ISPs or telecom providers, and FSB officers have direct access to operators’ servers through local control centers. Experts note that there is no information about government efforts to punish security officers who abuse their power.¹⁰³ ISPs and mobile providers are required to grant network access to law enforcement agencies conducting search operations, and to turn over other information requested by the Prosecutor General’s Office, the Interior Ministry, the FSB, or the Investigative Committee.

Intimidation and Violence

Attacks on journalists are relatively common in Russia, and authorities display a lack of will to meaningfully investigate instances of violence. The human rights organization Agora reported 49 attacks and threats against bloggers and online journalists in 2016, compared with 26 and 28 cases in 2014 and 2015, respectively.¹⁰⁴

Yelena Milashina, a journalist working for the independent newspaper and website *Novaya Gazeta*, was subjected to a campaign of threats after publishing an investigation about the systematic abuse and murder of gay men in Chechnya.¹⁰⁵ After the piece was published, religious clerics in Chechnya delivered a sermon calling for violent retribution against Milashina and other journalists. The sermon, read out in a mosque in the capital, Grozny, was broadcast on state television. Shortly afterward, *Novaya Gazeta* received envelopes in the mail containing an unidentified white powder.¹⁰⁶ Milashina has since fled Russia amid increasing threats to her safety.¹⁰⁷

In May 2017, Dmitriy Popkov, editor in chief of the local newspaper and online outlet *Ton-M* in Minusinsk, was shot and killed in his home by unidentified assailants. Popkov was known for his critical reporting on corruption and abuse of power in the city and its region.¹⁰⁸

Threats are sometimes issued directly by state officials. In January 2017, the head of the Cheche

103 Aleksey Alikin “SORM in public,” [in Russian], *Russkaya Planeta*, July 29, 2013, http://rusplt.ru/policy/policy_3890.html

104 “Social media users are in martial law” [in Russian], *Meduza*, February 7, 2017 <https://meduza.io/feature/2017/02/07/polzovатели-сотсетей-на-военном-положении>

105 See: *Novaya Gazeta* <https://www.novayagazeta.ru/articles/2017/04/01/71983-ubiystvo-chesti>

106 “Threats over gay crackdown coverage force journalist into hiding,” CNN, April 25, 2017, <http://www.cnn.com/2017/04/25/europe/russia-chechnya-gay-men-journalist-hiding/index.html>

107 See: Amnesty International <https://www.amnesty.org.uk/russian-journalists-fear-their-lives>

108 CPJ, “Editor shot dead in Russia’s Siberia,” May 2017, <https://cpj.org/2017/05/editor-shot-dead-in-russias-siberia.php>

parliament wrote on Instagram that the editor of the online news outlet *Caucasian Knot* should have his teeth ripped out.¹⁰⁹

Authorities used intimidation tactics to thwart coverage of major anticorruption protests held in cities across Russia in March 2017. After state media failed to cover the protests, Navalny's Anticorruption Foundation arranged a live-streamed broadcast from its office. Police sought to interrupt the broadcast, raiding the building during the live stream after supposedly receiving a tipoff about a bomb threat. Later, police returned, cutting power and internet service and temporarily detaining everyone present in the office.¹¹⁰

Vkontakte users and group administrators are also sometimes victims of intimidation and violence. In March 2016, two strangers brutally assaulted Aleksandr Markov, an administrator of the VKontakte group "Criminal Regime," which is critical of Kremlin policies, at his St. Petersburg apartment; the assailants pushed Markov down a staircase and beat him. In June 2016, another Criminal Regime administrator, Yegor Alekseyev, was attacked on the street by two men and suffered a broken nose, a concussion, and a fractured skull. Also in June, a VKontakte employee known for his antigovernment posts was physically attacked on the street by unidentified men who called him a national traitor, a Jew, and a member of a "fifth column."¹¹¹

Technical Attacks

Cyberattacks against independent media, blogs, and news portals continue to inhibit Russian internet users' ability to access such sites.

A major distributed denial-of-service (DDoS) attack struck the local opposition news website *Novo Tomsk* in February 2017, pushing the site temporarily offline. Its editors suggested that the attack were retaliation for investigative articles they had published about local Tomsk officials.¹¹² Independent and opposition outlets in Russia are frequently subjected to DDoS attacks. Outlets targeted in the past include the websites of *Novaya Gazeta* and TV Dozhd.

In recent years, dozens of Russian civil society activists and journalists have been notified of attempts to compromise their accounts online, including Telegram and Gmail accounts, suggesting a coordinated campaign to access their private information.

In May 2016, activists Oleg Kozlovsky and Georgiy Alburov reported that their Telegram accounts had been hacked through the messaging app's SMS log-in feature. The activists never received an SMS notification of the log-in requests, and later discovered that their mobile phone carrier, MTS, had switched off SMS delivery for their SIM cards for several hours on the night of the breach. Though it remains unclear who hacked their accounts, Kozlovsky and Alburov strongly suspect that MTS colluded with the FSB to access their private communications.¹¹³ Kozlovsky was targeted again

109 "Glavred of the "Caucasian Knot" took the words of the Chechen speaker as a threat" [in Russian], BBC, January 7, 2017 <http://www.bbc.com/russian/news-38542738>

110 Anti-Corruption Fund, "Anti-corruption rallies gather thousands of people in nearly 100 Russian cities," March 26, 2017, // fbk.info/english/press-releases/post/307/.

111 "Violence against Russian web dissidents raises fresh fears for internet freedoms," The Guardian, June 23, 2016, <https://www.theguardian.com/world/2016/jun/23/violence-against-russias-web-dissidents-raises-fresh-fears-for-internet-freedoms>.

112 "Tomsk oppositionists attacked by hackers" (in Russian) 1-Line, March 7, 2017 <http://1line.info/politika/item/64803-na-oppozitsionerov-napali>

113 "Neither pro-Kremlin pundits nor opposition safe from hackers," The Moscow Times, May 4, 2016, <https://themoscowtimes.com/articles/ neither-pro-kremlin-pundits-nor-opposition-safe-from-hackers-52782>.

in October 2016, when a group of Russian journalists and activists received a notification from Google that “government-backed hackers” were trying to gain access to their accounts. At least 16 people received this message within a similar time frame, including journalist Ilya Klishin and Bellingcat researcher Aric Toler.¹¹⁴

The pro-Russian “hacktivist” group CyberBerkut has been known to target Kremlin critics, leaking private information it obtained using phishing tactics. A May 2017 report by Citizen Lab found that personal files belonging to David Satter, an American journalist and author who has published books critical of the Kremlin, were stolen and leaked on CyberBerkut’s blog. The documents had been modified in an attempt to create the appearance that opposition activists, including Navalny, were paid by foreign governments.¹¹⁵

114 Google warned Russian activists and journalists of attempts by secret services to access their email,” Meduza, October 11, 2016, <https://meduza.io/news/2016/10/11/google-predupredil-rossiyskih-aktivistov-i-zhurnalistov-o-popytkah-spetssluzhb-vzlomat-ih-pochtu>.

115 Citizen Lab, “Tainted leaks: disinformation and phishing with a Russian nexus,” May 2017, <https://citizenlab.ca/2017/05/tainted-leaks-disinformation-phish/>