

TAKING CONTROL?

**INTERNET CENSORSHIP
AND SURVEILLANCE IN**

RUSSIA

update

This is an update of the report ["Taking Control? Internet Censorship and Surveillance in Russia"](#) published by RSF in November 2019. The deadline for this update was 1 July 2021. You can find the English version at: www.reporter-ohne-grenzen.de/russiareport-update

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TABLE OF CONTENTS

1 Overview	5
2 Laws restricting media and internet freedom Chronology from December 2019 to July 2021	9
3 Lawsuits and brutality Journalists, bloggers and tech companies under attack	22
4 Taking aim at international platforms Authorities up the pressure on Facebook, Google and Twitter	35
5 Digital security training and scholarships How RSF supports journalists and bloggers	49
6 Recommendations	52



1 OVERVIEW

What a contrast to the mood in the country before the last elections in the summer of 2019! Back then, tens of thousands took to the streets after opposition candidates were excluded from regional elections in the biggest protests the country had seen since the 2011/12 demonstrations against Vladimir Putin. In September 2021, the people of Russia will elect new deputies to the State Duma (the lower house of the Russian parliament), and once again there are hardly any independent candidates on the lists. Yet there is no sign of mass protests this time. What has changed?

This update to the RSF report "[Taking Control? Internet Censorship and Surveillance in Russia](#)" (published in November 2019) focuses on the period between the 2019 elections and the parliamentary elections in September 2021. It describes how the Kremlin has severely restricted press freedom and freedom of expression over the last 18 months, the pressures independent journalists in Russia now face, and how these conditions are nurturing self-censorship.

Under the shadow of the coronavirus pandemic, the Russian parliament rushed through a slew of new laws in 2020 and 2021. Under the new provisions, almost any news website or individual can be declared a "foreign agent" – a designation that massively obstructs or even completely prevents their work. People can be charged with defamation simply for making a general statement such as "the police are corrupt", and in the worst case face multi-year prison sentences. The authorities can use the "fake news" label to block information that contradicts the official version of events – including reports on conditions in hospitals or on the demonstrations in support of opposition politician Alexei Navalny.

According to the human rights group *OVD-Info*, during the protests for Navalny's release that took place in January, February and April 2021, police arrested more than ten thousand people – including dozens of reporters. The security forces frequently used violence during these arrests, and also intimidated journalists with "preventive visits" to their homes. **Sergei Smirnov**, the editor-in-chief of news website *Mediazona*, was arrested in January 2021. After two weeks in detention he was released, but four employees of the student magazine *Doxa* have been under de facto house arrest since April.

←
A demonstration in
Novosibirsk on 21 April
2021 calling for the
release of Kremlin critic
Alexei Navalny. Calls to
join the protests spread
rapidly on social networks.
© picture alliance / dpa / TASS /
Kirill Kukhmar



↑
At the studios of independent television channel *Dozhd*, which was classified as a "foreign agent" on 20 August 2021.

© picture alliance / Associated Press / Denis Kaminev

The Kremlin's sharpest weapon in its fight against independent media is the "foreign agent" legislation. Since December 2020, the entries in the foreign agent register at the Ministry of Justice have almost quadrupled (from 11 to 43, as of 25 August 2021). Half of them have been added to the list in the months leading up to the State Duma elections in September 2021: first *Meduza*, the most popular independent Russian-language news website, followed shortly afterwards by business news site *VTimes*, then the investigative online newspaper *The Insider* in July and most recently, in August, the investigative news website *istories* (*Vashnye Istori*) and the Kremlin-critical TV channel *Dozhd*. In addition to media outlets and news websites, 25 individuals have been added to the list, most of them journalists, but also human rights defenders and activists.

At least five news websites that are critical of the Kremlin have shut up shop due to these developments in the months leading up to the elections. The popular news aggregator *Newsru.com* [announced](#) at the end of May that quality journalism was no longer possible under the present conditions. News website *VTimes* closed down at the beginning of June, citing among other things the [risk](#) of criminal prosecution for its employees. The investigative news outlet *Proekt Media* was classified as an "undesirable organisation" in mid-July, and announced its [closure](#) immediately afterwards. Its editor-in-chief **Roman Badanin** and deputy editor **Mikhail Rubin**, both of whom have been designated "foreign agents", [left the country](#) shortly afterwards. On 5 August, the online news outlets *Otkrytye Media* and *MBK Media*, both financed by exiled ex-oligarch Mikhail Khodorkovsky, also [ceased their operations](#) after media regulator *Roskomnadzor* blocked their websites and classified several of their employees as "foreign agents".

Investigative journalists, in particular, have been harassed with house searches and interrogations. In April, officers from the FSB domestic intelligence service spent hours searching the home of *istories* editor-in-chief **Roman Anin**, also confiscating computers and phones and questioning the journalist about his research on a close confidant of Vladimir Putin. At the end of June, the homes of several members of *Proekt Media's* editorial team were searched after they published a report questioning how Interior Minister Vladimir Kolokoltsev's family accumulated its wealth. **Roman Dobrokhoto**v, founder and editor-in-chief of *The Insider*, who was



instrumental in exposing the intelligence officers suspected of poisoning Kremlin critic Alexei Navalny, was targeted at the end of July. During their search of his flat the police confiscated not only phones and computers, but also his passport, which is tantamount to forbidding the journalist from leaving the country.

The Russian leadership has also ramped up the pressure on international online platforms before of the elections. After online calls to protest the imprisonment of opposition politician Alexei Navalny quickly led to mass demonstrations, courts began imposing huge fines on platforms for “inciting minors to commit unlawful acts” and for failing to delete banned content. Tellingly, it was Western platforms that were worst affected, rather than networks like Tiktok and V Kontakte, where most of the protest messages were shared. Twitter was ordered to pay ten times more in fines than Russian network V Kontakte in the first half of 2021. In spring 2021, media regulator *Roskomnadzor* also slowed down the data transfer speed of Twitter – the least-used Western platform in Russia – for several weeks in what was seen as a clear warning to larger networks such as Google and Facebook.

Russia is ranked 150th out of 180 states in RSF’s World Press Freedom Index – behind countries such as Pakistan or Mexico. Reporters Without Borders considers President Vladimir Putin and the head of the Chechen Republic, Ramzan Kadyrov, to be among the worst [predators of press freedom](#) worldwide, and the Russian media regulator *Roskomnadzor* among press freedom’s worst [digital predators](#). Since Putin took office in 2000, at least 37 journalists have been killed as a result of their work. Hardly any of these crimes have been solved by the authorities. In the run-up to the parliamentary elections in September 2021, the Kremlin is not only taking rigorous action against independent journalists within Russia, but has also signalled with the expulsion of long-time *BBC* correspondent **Sarah Rainsford** that foreign reporters will only be allowed to go about their work unhindered as long as they refrain from criticising those in power in the Kremlin too strongly.

↑ Roman Dobrokhoto, one of Russia's leading investigative journalists, after being questioned by the police on 28 July 2021. Security forces had searched his flat for hours beforehand.

© picture alliance / dpa / TASS / Anton Novoderezhkin

The deadline for this report was 1 July 2021. This chapter was updated on 25 August 2021.



A police officer stands guard at a courthouse in the Rostov-on-Don region. Trials against dissidents often take place behind closed doors.

© picture alliance / AP Photo

2 LAWS RESTRICTING MEDIA AND INTERNET FREEDOM

The Russian parliament has been very active since the beginning of the coronavirus pandemic and has passed a vast amount of laws within a very short time. President Putin signed approximately **one hundred** legislative acts into law on 30 December 2020 alone, many of which restrict media freedom and freedom of expression on the internet, and also contravene the Russian constitution as well as international human rights standards. The wording is often vague and open to interpretation, allowing the authorities to block unwelcome reporting or discussion on social networks almost at will. Harsher punishments for many alleged offences and the arbitrary application of the laws are fuelling insecurity and fear among the population.

↓ Many laws are vaguely worded and can be interpreted almost at will. They hang over bloggers and journalists like a sword of Damocles.

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9

In terms of their content, the new laws aim in three directions. First, the **foreign agent legislation** has been significantly expanded and may now be used not only against politically active NGOs or journalists working on behalf of foreign media, but against almost any individual or loose grouping. Those affected face constant harassment by the authorities as well as stigmatisation. Second, the government has taken steps to tighten its **control over content** and **restrict access to information**. For example, coverage of World War II must conform to certain guidelines, and “insulting” veterans is now a punishable offence. Moreover, data on the property of state officials is now strictly confidential, and anyone who disseminates allegedly false information faces several years in prison. Third, a number of offences are now subject to considerably harsher **punishments**: the defamation legislation has been extended and it once again carries the threat of several years’ imprisonment. Providers and platforms that fail to follow the instructions of the state’s media regulator to block certain content must reckon with heavy fines. The same applies for companies that sell smart devices on which Russian apps have not been pre-installed as the default option.



Legislation on “foreign agents” expanded

The mass protests of 2011/2012 against electoral fraud and Vladimir Putin’s third term as president not only marked the birth of internet censorship in Russia, but also saw the introduction of the legislation on “foreign agents”. The scope of these laws has been continually expanded ever since. The cornerstone is Federal Law No. 121-FZ, signed by Putin on 20 July 2012 – just a few months after the mass demonstrations on Moscow’s Bolotnaya Square. Under this law, **organisations** that are politically active in Russia and receive money from abroad must register as a “foreign agent” in an official state register. From then on, they must label any content they publish as the product of a “foreign agent” and are also obliged to disclose their finances in detail.¹

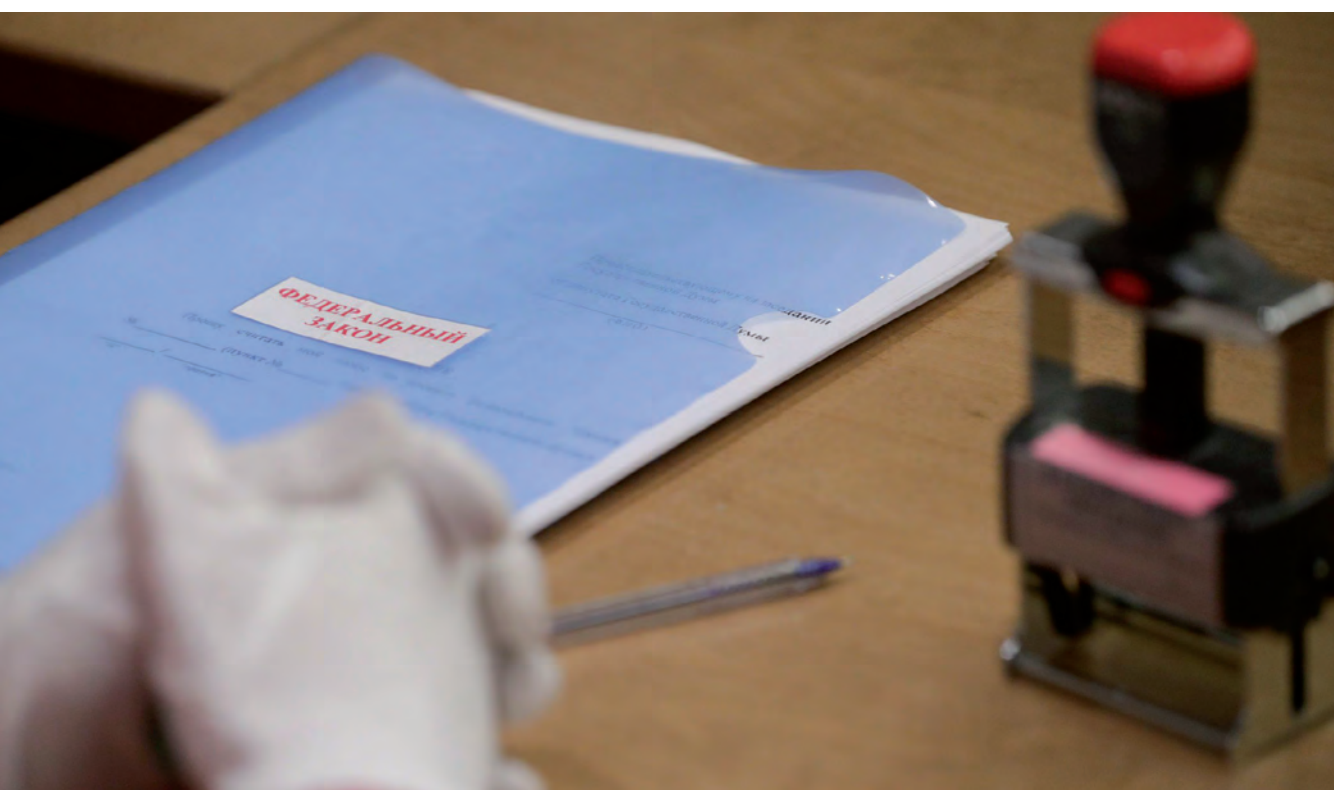
[Federal Law No. 327-FZ](#) of 25 November 2017² extended these requirements to **media** that are registered abroad or receive funding from there. The first media outlets to be affected by the regulation and added to a new [register](#) at the Russian Ministry of Justice were the US international broadcasters *Voice of America* and *Radio Free Europe/Radio Liberty (RFE/RL)*, as well as several regional broadcasters in the *RFE/RL* network, including those in Crimea (annexed by Russia in 2014), Siberia, and in the North Caucasus (see [RSF report “Taking Control?”](#), Chapter 2). [Federal Law No. 426-FZ](#) of 2 December 2019 paved the way for **individual journalists** and bloggers who receive money from abroad to be classified as “foreign agents”.

On 28 December 2020, the Russian Ministry of Justice added [three journalists](#) to its [register](#) of “foreign media performing the functions of a foreign agent”: **Lyudmilla Savitskaya** and **Sergei Markelov**, who work for the Russian-language service of *Radio Free Europe/Radio Liberty*, and **Denis Kamalyagin**, editor-in-chief of online

Proposed laws are often quickly approved by the Russian parliament.
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¹ This law originally only applied to not-for-profit organisations that are registered as legal persons in Russia, for example foundations or associations.

² Unless otherwise stated, the dates in this chapter refer to the day the legislation in question was signed into law by President Vladimir Putin – the final stage in the legislative process before publication of the law.





newspaper *Pskovskaya Gubernia*.³ They must now submit regular reports on their activities and finances and have lost certain civil rights, including the right to work in the civil service or in local administration and to access confidential documents.

[Federal Law No. 481-FZ](#) of 30 December 2020 once again extended the scope of the foreign agent legislation so that now **individuals** or **unregistered** organisations – in other words, any group or movement – can also be classified as a foreign agent if they are politically active and receive support from abroad. Carrying out research or conducting opinion polls are now considered political activities. Simply being invited to an event by a foreign foundation and reimbursed for the costs for travel and hotel accommodation qualifies as receiving “foreign support”. The law also covers “organisational and methodical assistance” from abroad – which can basically be understood to refer to any contact with foreign partners.

At the same time, the penalties for persons and organisations that fail to register as foreign agents even though under the law they qualify as such, or that are already registered but file incomplete financial or activity reports, have increased significantly. [Federal Law No. 525-FZ](#) of 30 December 2020 amends Article 330.1 of the Russian Criminal Code and foresees up to two years’ imprisonment for media that repeatedly violate the foreign agent legislation. Individuals face **up to five years’ imprisonment** for the same offence or if they are found guilty of gathering information from the “military and military-technical” sector on behalf of foreigners.

Extensive labelling obligations

Since the foreign agent legislation was first introduced in 2012, those affected must label all their published materials and posts on social media as well as business letters and emails with a disclaimer identifying these materials as content from a “person/organisation performing the functions of a foreign agent”. In [autumn 2020](#), the Russian state media regulator *Roskomnadzor* issued a regulation specifying the wording and design to be used in this notice by media and journalists registered as “foreign agents”. The prescribed text is quite long ([24 words](#)), and the font size must be double that of the rest of the text and must not be superimposed on images or graphic elements. Radio content must be accompanied by a corresponding

³ In addition, the feminist activist artist Darya Apakhonchich and the well-known human rights activist Lev Ponomarev were added to the register. Ponomarev announced in March 2021 that due to mounting pressure he was [dissolving](#) his civil society initiative “For Human Rights”, which has been active in Russia for more than 20 years.

15-second audio statement and video content or podcasts by a text declaration. These must be repeated after every break. Failure to comply can lead to fines of up to five million roubles (approx. €54,100⁴).

In addition, any information about such organisations or individuals in the media or on media websites must also contain a reference to their “foreign agent” status. [Federal Law No. 14-FZ](#) of 24 February 2021 introduces fines of up to 50,000 roubles (approx. €560) if this reference is [missing](#). Individuals or groups that are classified as foreign agents but fail to indicate their status as such face fines of up to 500,000 roubles (approx. €5,600).



Galina Arapova, media lawyer and director of the Mass Media Defense Center:

These laws were enacted for a simple reason: to silence critical voices ahead of the parliamentary elections in September and to suppress civil society debate, especially on the internet. In theory, the legislation now also applies to Russian employees of foreign media, so for example drivers, accountants, translators and technicians. Anyone and everyone can be declared a foreign agent if the political will to do so exists.”

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Obligation to pre-install Russian apps

[Federal Law No. 425-FZ](#) of 2 December 2019 requires computers, smartphones and other smart devices sold in Russia to come [pre-installed](#) with Russian software.⁵ The law was originally intended to enter into force in July 2020, but this was [postponed](#) several times, until it became [effective](#) on 1 April 2021. In January 2021 the government published a [list of applications](#) to be pre-installed. These include Yandex services (browser, search engine, map service), the email provider Mail.ru, the messenger service ICQ, the social networks Vkontakte and Odnoklassniki, the Russian state’s public services portal Gosuslugi and antivirus software from the Russian cybersecurity company Kaspersky. Many of these companies are registered as [“organisers of dissemination of information”](#) (Russian abbreviation: ORI) with media regulator *Roskomnadzor*, and are thus obliged to store users’ data and make it accessible to law enforcement agencies. [Federal Law No. 54-FZ](#) of 24 March 2021 foresees fines of up to 200,000 roubles (approx. €2,200) in the event of noncompliance with this regulation.

⁴ The sums given correspond to the exchange rate on the day the legislation was signed into law or the event in question took place.

⁵ In December 2020, the obligation to install “Russian software” was amended to “software from the Russian Federation or from countries of the Eurasian Economic Union”. In addition to the Russian Federation, this includes Belarus, Kazakhstan, Armenia and Kyrgyzstan.

Artem Kozlyuk, head of NGO *Roskomsvoboda*

“This pre-installation of software not only entails additional work for the manufacturers and additional junk on users’ phones, but also increases the possibilities for the state to monitor people, create movement profiles, read private communications, and so on.”



© Artem Kozlyuk

Up to five years behind bars for disseminating false information

Two laws signed by Vladimir Putin on 1 April 2020, at the height of the first wave of the coronavirus pandemic, drastically increased the penalties for disseminating false information. [Federal Law No. 99-FZ](#) adds [items 10.1 and 10.2](#) to Article 13.15 of the Code of Administrative Offences, which state that fines of up to three million roubles (approx. €34,700) may be imposed for the public dissemination of false information that appears to be a factual report in the media or on the internet about threats to people's lives or safety or about measures adopted by the government to protect the population against those threats. In the event that people or property are harmed or the public order is massively disrupted as a result of such information, the fine can increase to up to five million roubles, or in the event of repeated offences, up to ten million roubles (€57,900 and €115,800, respectively). [Federal Law No. 100-FZ](#) provides for three years' imprisonment for “knowingly disseminating false information” about threats to the health or safety of the population, and up to five years in the event of “severe consequences” such as the death of a person (Articles [207.1](#) and [207.2](#) of the Russian Criminal Code).

↓
The Moscow metro has free Wi-Fi everywhere, even dozens of metres underground.

© picture alliance / Sergei Bobylev / dpa / TASS





© Natalya Malysheva

**Natalya Malysheva, journalist and press secretary
of NGO *Roskomsvoboda***

The laws on alleged “fake news” can be used as a universal instrument for exerting pressure on organisations and media that criticise or question the actions of the state in dangerous situations. Their vague wording means that they can be used for censorship – whether or not the country is under a state of emergency. For example, online media can be prohibited from reporting on shortages of protective masks or suspicions that the true extent of infections is being concealed.

**Threats against platforms that block the content
of Russian websites**

[Federal Law No. 482-FZ](#) of 30 December 2020 allows *Roskomnadzor* to block access to internet platforms that block “socially relevant information” or certain content published by Russian media. For this purpose, a register of online platforms that violate “fundamental human rights and freedoms, as well as the rights and freedoms of citizens of the Russian Federation” is introduced. The Prosecutor General’s Office, in consultation with the Ministry of Foreign Affairs, decides which entities are to be added to the register. Access to these websites may be slowed down or fully or partially [blocked](#). The explanatory note to the bill stated in November 2020 that platforms such as Twitter, Facebook and Youtube had blocked the content of Russian state media such as international broadcaster *RT* or news agency *Ria Novosti* on at least 20 occasions since April 2020. Under [Federal Law No. 19-FZ](#) of 24 February 2021 (see below), platforms will face fines of up to three million roubles (approx. €33,500) in such cases.



Heavy fines for providers or platforms that fail to block content

[Federal Law No. 511-FZ](#) of 30 December 2020 adds Article 13.41 to the Code of Administrative Offences, which foresees heavy fines for internet providers, platforms or website operators that fail to block content that is banned in Russia. Such content includes public calls for extremist activities, child pornography, information about drugs and other content that authorities deem objectionable. Failure to block such content as instructed can bring a fine of up to eight million roubles (approx. €87,700), which may increase to up to [up to 20 percent of a company's annual turnover](#) for repeated offences. The initiators of the law [explained](#) that this regulation was aimed primarily at foreign social networks such as Youtube, Facebook and Twitter which do not block content as required.

Social networks obliged to delete illegal content

[Federal Law No. 530-FZ](#) of 30 December 2020 (which entered into force on 1 February 2021) obliges social network companies to monitor all content published on their platforms and take down content deemed illegal under Russian law within 24 hours. The law defines “social networks” as websites that are visited by more than 500,000 users in Russia per day for the purpose of exchanging information in Russian or one of the other languages of the Russian Federation. The “illegal” content encompasses calls for minors to commit unlawful acts, content that expresses “blatant disrespect for society and the state”, information about “undesirable” organisations, calls for participation in unauthorised events, as well as swear words, defamatory statements and alleged “fake news”. In cases of doubt, social network companies must first block content and inform media regulator *Roskomnadzor*, which then decides whether the posts in question are to remain permanently blocked. In addition, social networks must provide an electronic complaint form for users whose content has been blocked and respond to complaints within three days. Violations can incur penalties under Article 13.41 of the Code of Administrative Offences, including fines of up to 20 percent of a company’s annual turnover (see above, Federal Law No. 511-FZ).





President Putin addresses the Council of Legislators in April 2021. Many draft laws are introduced into parliament at the initiative of his administration.

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Data about property of state officials under wraps

[Federal Law No. 515-FZ](#) of 30 December 2020 prohibits companies and authorities from publishing the personal data of members of security services, and in particular data on their property. The new legislation extends the circle of those whose data enjoys this special protection to include not only the employees of ministries, the judiciary, the Accounts Chamber of Russia, the secret services, the military, the police and customs (also known in Russian as the *siloviki*), but also “persons close to them”. In addition, the type of data under special protection now includes not only data the publication of which would pose a direct threat to the “life, health or property” of the person concerned, but all data on these persons and their property. All those who – according to *Roskomnadzor* – process personal data must comply with the law. This currently applies to almost [420,000 companies and authorities](#), including the Federal Service for State Registration (Rosreestr) and its (real estate) databases, other publicly accessible databases run by Russian authorities, as well as a large number of private mobile phone companies.



© Ivan Begtin

Ivan Begtin, open data specialist and founder of NGO *Information Culture*

This bill is aimed almost entirely at reporters and investigative journalists. It clearly violates the Russian law on the mass media. If journalists write about records that are deemed confidential, they'll say in court that they were guided by the public interest, which Russia's media law articulates, while the other side will cite this new legislation. This is a public-interest violation. The public will have no way of learning about corruption. It all resembles the government's actions in 2017 when it [allowed](#) state companies to withhold information about suppliers and contractors and classified all purchases made by the Defense Ministry, FSB, and SVR (Foreign Intelligence Service). The new legislation continues this practice.

Source: [Meduza](#)



Up to five years in jail for defamation

[Federal Law No. 538-FZ](#) of 30 December 2020 reintroduced prison sentences for defamation. This offence was decriminalised in Russia in 2011, but Putin had it reincorporated into the Criminal Code after the mass protests in 2012, although for almost a decade it was not subject to custodial sentences (see [RSF report "Taking Control?"](#), Chapter 2). Since the beginning of 2021, anyone who publishes allegedly slanderous statements in the media – or online in general under the new legislation – can be imprisoned for up to two years. "Serious offences", including accusations of corruption, carry the risk of up to five years in prison.

A particularly controversial aspect of this legislation is that, in addition to allegedly slanderous statements directed against individuals, those directed against a group of "individually unidentifiable" persons are now also criminalised, meaning that even general statements such as "police officers are corrupt" could be punishable. Whereas previously only natural persons could be held accountable for defamation, under [Federal Law No. 513-FZ](#) of 30 December 2020 legal persons – for example media organisations, editorial departments, or website providers – can also be prosecuted and face fines of up to three million roubles (approx. €32,900) if convicted.

Fines for not installing surveillance technology and other offences

[Federal Law No. 19-FZ](#) of 24 February 2021 stipulates hefty fines for telecommunications and internet service providers that fail to fulfil the requirements of Russia's "sovereign internet law" ([Federal Law No. 90-FZ](#) of 1 May 2019, see [RSF report "Taking control?"](#), Chapter 2). Compliance with the law involves, among other things, installing surveillance technology that allows the authorities to [monitor](#) and direct data traffic directly, without the assistance of telecommunications and internet service providers. If this "technical equipment for counteracting threats" (TSPU⁶) is not installed or operated according to the regulations, companies face fines of up to one million roubles (approx. €11,200). In addition, the law foresees fines of up to three million roubles (approx. €33,500) for platforms that block the content of Russian media, and also increases the penalties for noncompliance with the regulations regarding the handling of [personal data](#).

↑
"Against internet censorship", says the banner in this ad for the Russian NGO [Roskomsvoboda](#). The lawyers of the organisation monitor and take action against laws that restrict internet freedom and increase state surveillance.

Roskomsvoboda / CC BY 4

⁶ Abbreviation of the Russian designation "технические средства противодействия угрозам" ("technical equipment for counteracting threats")



↑
Moscow's Red Square
on 9 May 2021. Many
veterans take part in the
annual Victory Day parade.
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“Falsifying history” and insulting veterans banned

[Federal Law No. 58-FZ](#) of 5 April 2021 puts “knowingly disseminating false information” about the activities of the Soviet Armed Forces during World War II on par with trivialising Nazi crimes. Offenders face fines of up to three million roubles (approx. €33,300). Signed on the same day, [Federal Law No. 59-FZ](#) provides for even harsher penalties if such information is disseminated online, including fines of up to five million roubles (approx. €55,600) or [up to five years in prison](#). The same penalties apply for insulting war veterans in the media or online. Human rights organisation *Roskomsvoboda* [compared](#) this new legislation with the controversial Article 282 of the Russian Criminal Code (“Incitement of hatred and enmity, organising an extremist group”). Several hundred people per year were convicted on the basis of this article between 2014 and 2017, until Vladimir Putin softened it somewhat in October 2018 (see [RSF report “Taking Control?”](#), Chapter 5).

International platforms must open offices in Russia

[Federal Law No. 236-FZ](#) of 1 July 2021 requires foreign technology companies running platforms visited by more than 500,000 users per day in Russia to open a branch office in the country by 1 January 2022. The offices are to ensure that companies comply with Russian laws and can be held accountable for violations.⁷ The law [covers](#) social networks, email and messenger services as well as the Russian version of Wikipedia, search engines and online trading platforms. With immediate effect, these companies must set up a kind of virtual office on the website of media regulator *Roskomnadzor* through which communication with the state authorities is to be handled, and also provide a contact form for users on their site. Noncompliance with the law can lead to restrictions on the company's payment transactions and advertising and, in extreme cases, the slowing down or complete blocking of services.

⁷ For comparison: Germany's [Network Enforcement Act](#) passed in 2017 obliges operators of platforms with more than two million users in Germany to appoint a person who is authorised to receive service of process in regulatory fine and civil proceedings, and to publish details of this person on their website so that they can be contacted by users. They must respond to enquiries and complaints within 48 hours.



Police officers arrest a man during a demonstration for jailed opposition politician Alexei Navalny in Moscow on 31 January 2021. Criminal proceedings were opened against dozens of protesters.
© picture alliance / dpa / Sputnik / Alexey Maishev

“SIMPLY WRITING WHAT YOU THINK IS DANGEROUS NOWADAYS”

Lawyer Svetlana Kusevanova of the *Mass Media Defence Centre* explains why many Russian laws are open to interpretation and why not only journalists need to fight for their fundamental right to freedom of expression.



© Sasha Grig

Ms Kusevanova, why is the parliament so focused on the internet now?

The internet is a space that is difficult for the state to control. Dissatisfied people share their views, organise themselves into groups and arrange to meet for rallies there. The conventional news channels can be controlled, but the internet is developing so quickly that the legislators can barely keep up with their regulations. No sooner is one thing banned than something new appears. It's like a game of cat and mouse. Many members of the state Duma see the internet as a whole as a bad thing. They don't even try to understand it – so they just ban everything. But that doesn't work very well.

You mean things are being banned randomly?

No, many laws are responses to current developments. When those in power realised that it was hard to control what is said about the president and high-ranking politicians on social media, they had “disrespectful” statements banned. As more and more investigative reports on corruption and unjust enrichment emerged, defamation laws were tightened and access to data on the property of state officials was restricted. In February, Navalny was convicted of defaming a veteran – now we have a law against insulting veterans.

So most of the laws are designed to tackle individual cases?

Only to a certain extent. They are adopted on the basis of concrete events. But they are often worded in a way that makes them very flexible; they are ambiguous clauses that can be applied as deemed necessary. Take “blatant disrespect for society” – what is that supposed to mean? You might have a vague idea of what is meant, but in court “vague” is not enough; we need clearly defined legal terms. Laws like this are being passed all the time, and we don't know if they will ever be applied later on – but they're there and they intimidate people. Self-censorship is growing.

Is the wording of the law on fake news also that ambiguous?

Absolutely! The law makes it possible to ban any position that deviates from the official one: during the pandemic, it was reports about poorly equipped hospitals or special payments to doctors by the state. Now it's more about how many people were at a protest rally. Are the authorities' figures or those of the activists correct? In this situation, any information that can't be substantiated is potentially false. But proving such facts is not so easy – and that's where the problem lies. Because anything that contradicts the official narrative is difficult to substantiate since it's not documented anywhere. Journalists publish very valuable information for society. But their reports are often based on anonymous sources. They can't provide any publicly accessible evidence to back them up. This is why such reports are immediately considered “fake news”.

You also harshly criticised the new regulations on defamation. Why?

As a lawyer, they make my hair stand on end. What the law now stipulates fundamentally contradicts the concept of defamation, because defamation is always directed against a specific person. Here in Russia, however, criticism of an unspecified group of people is now also considered defamation. So any accusation, no matter how general it may be – even something like “the police are corrupt” – can be interpreted as defamation. How the authorities are supposed to conduct normal legal proceedings with such regulations is beyond me. Russia had developed a very good legal practice regarding defamation since the 1990s, which also incorporated rulings by the European Court of Human Rights – but now all this can be destroyed in one fell swoop.

There are now so many laws on alleged “foreign agents” – who exactly can be affected by them?

(Kusevanova chuckles) We have four different types of “foreign agent” – sometimes not even those labelled as agents can figure out what’s what. First you have the NGOs – our centre, for example; second, loose groupings and movements that are not officially registered; third, individuals; fourth, “foreign media performing the functions of a foreign agent” – and that’s where things get complicated, because these can be media outlets like *Radio Free Europe* and *Meduza*, or individuals: at the end of 2020, five individuals were added to the corresponding register, including three journalists.

Because they are politically or journalistically active and receive foreign support, right?

Yes, but the two things needn’t even be connected! The people in question may have received the money from abroad for something that has nothing to do with their political or journalistic work. So in theory, anyone who earns money on Youtube with advertisements could be declared a foreign agent, regardless of what kind of content they disseminate. The fact that this doesn’t happen just goes to show how selectively our laws are applied.

Where do you get the motivation to do your work?

The cases we fight for are not only important for journalists, but for each and every individual. Many people see freedom of expression as something that only concerns journalists and not themselves. They don’t realise that life changes fundamentally when this fundamental right is restricted. But all the legal proceedings against ordinary users show us what happens if we don’t defend freedom of expression.

What do you recommend users should do?

Arm yourselves with knowledge! In Russia, you can no longer simply spread information without thinking about what the consequences might be. You have to know the laws. Our centre tries to explain in podcasts and seminars what people are still allowed to say and what is not allowed. Nowadays I think ten times before I post something on Facebook. Simply writing down what you are thinking is dangerous in our country today.

Svetlana Kusevanova has been working since 2003 for the *Mass Media Defence Centre* in Voronezh, which was designated a “foreign agent” in 2015. She represents journalists, photographers and bloggers before Russian courts and the European Court of Human Rights in Strasbourg. She was the winner of the “Lecturer of the Year” award in the 2020 *Russian Privacy Awards*.

3 LAWSUITS AND BRUTALITY

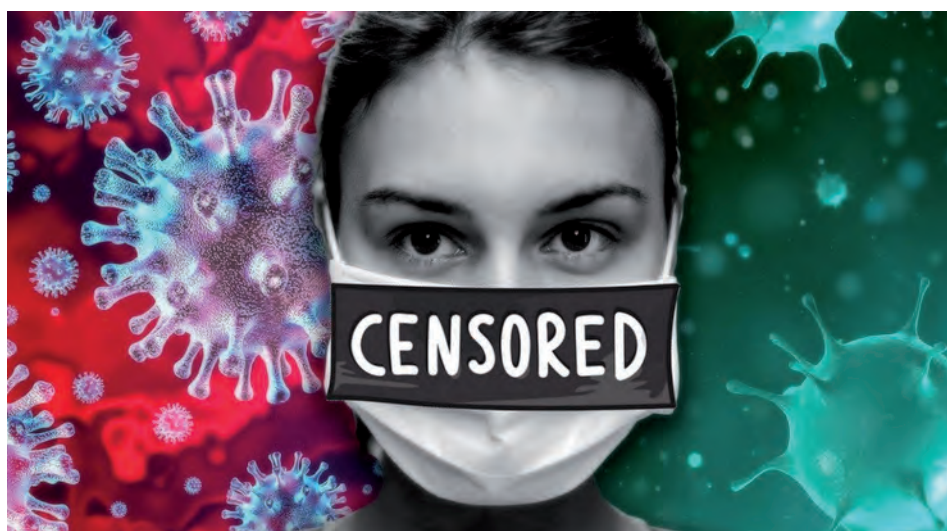
22

In the last eighteen months, the conditions for independent journalists working in Russia have become particularly difficult. If their reports on the coronavirus pandemic differed in any way from the information provided by the authorities, they risked being prosecuted for spreading “fake news”. According to the human rights group *Agora*, in 2020 almost twice as many people were assaulted or threatened for statements made online than in previous years. During the weeks of demonstrations in support of imprisoned opposition politician Alexei Navalny, dozens of media workers were arrested, some were beaten, and several received “preventive” visits from the police. In the run-up to the parliamentary elections in autumn 2021 the state is cracking down on investigative journalists and independent online media whose reports reveal a different world from that portrayed on state television news.

In Russia, as in many other countries, the work of journalists has been severely hampered by the [coronavirus pandemic](#) — on the one hand because of government measures aimed at containing the spread of the virus, and on the other hand because the state has only allowed a certain version of the events to appear in the news, and has taken rigorous action against journalists whose reports deviated from the official version. In Moscow, St. Petersburg and other cities, there were periods in spring 2020 when people were only allowed to leave their homes if they could present a digital pass in the form of a [QR code](#) on their smartphone. The *Journalists' and Media Workers' Union (JMWU)* [criticised](#) that together with the excessive use of facial recognition systems to enforce [quarantine requirements](#), this compromised the protection of journalists' sources. *Syndicate-100*, a newly [founded](#) coalition of independent media outlets, launched a project in May 2020 that allowed doctors

→
More than 1,000 web pages containing alleged disinformation about the coronavirus pandemic were blocked by media regulator *Roskomnadzor* until the end of 2020.

© Roskomsvoboda / CC BY 4





to [anonymously](#) report which hospitals were suffering from shortages of protective equipment after medical staff were [banned](#) from contacting the [media](#) on their own initiative in several regions of the country.

At the same time, media workers have come under massive legal pressure. The State Duma passed a law banning the dissemination of alleged false information in March 2019, but it was hardly ever implemented before the pandemic. In April 2020 the laws were significantly tightened: fines for the dissemination of information deemed to be fake news were increased from 1.5 to ten million roubles (approx. €115,800) and in the worst case offenders could face three to five years in prison (see Chapter 2). In the first three months of the pandemic alone, human rights group *Agora*, which systematically documents restrictions on freedom of expression on the internet, recorded [200 cases of prosecution](#) of citizens and organisations for allegedly circulating false news about Covid-19 – [many of them](#) journalists and activists. Overall, the number of interrogations, searches and court cases against journalists, bloggers or users who had simply forwarded or commented on information rose [significantly](#) compared to the previous year (see table p. 27). At the end of 2020, the Ministry of the Interior announced that since the start of the pandemic it had opened 450 administrative and 37 criminal cases related to the dissemination of “fake news”. One of the [first](#) journalists to be prosecuted was **Aleksandr Pichugin**, editor-in-chief of *Reportyor-NN*, an independent commentary and politics website based in Nizhny Novgorod. Pichugin had pointed to the [high risk of contagion](#) at church services in a satirical Telegram post. The prosecution requested a two-and-a-half-year prison sentence. In the end the journalist was [ordered](#) to pay a fine of 300,000 roubles (approx. €3,300) in November 2020.

Media regulator *Roskomnadzor* announced at the end of 2020 that it had [blocked](#) more than 1,000 web pages disseminating allegedly fake news related to the coronavirus pandemic in that year. Among the first media outlets forced to remove reports from their websites were radio broadcaster [Echo of Moscow](#) and news website [Govorit Magadan](#) at the end of March 2020. In mid-April, the anti-Kremlin newspaper [Novaya Gazeta](#) was ordered to remove an [article](#) from its site about the stigmatisation of people suffering from Covid-19 in the Chechen Republic in the

↑ This man protested for the release of Kremlin critic Navalny at a demonstration in Moscow on 23 January 2021. The state quelled the protests with massive police operations and violence.
© picture alliance / dpa / TASS / Sergei Savostyanov



↑ On 3 February 2021, the chief editor of *Mediazona*, Sergei Smirnov (centre), was sentenced to 25 days' detention in Moscow after he shared a joke on Twitter which was seen by the authorities as a call for unauthorised protests.

© picture alliance / dpa / TASS / Tverskoy District Court

North Caucasus region. Chechen leader Ramzan Kadyrov⁸ had previously blatantly threatened **Elena Milashina**, the author of the text, with violence and death for her reporting. When Russian [human rights activists](#) as well as the [European Union](#) called on the Russian government to follow up on the threats and protect Milashina, Kremlin spokesman Dmitry Peskov said he saw “[nothing unusual](#)” in Kadyrov’s statements and that the Kremlin was [not responsible](#) for protecting the journalist. In December 2020, Milashina received the Reporters Without Borders [Press Freedom Award](#) for her courageous reporting.

Arrests and “preventive” visits ahead of pro-Navalny demonstrations

The rights of journalists were also massively restricted during the protests for imprisoned Kremlin critic Alexei Navalny.⁹ On 23 January 2021, more than 50 reporters were temporarily [detained](#) at demonstrations in several cities. On 31 January, the *Journalists' and Media Workers' Union* reported [dozens](#) of [violations](#) of media workers' rights. The security forces frequently resorted to violence in these cases: in St. Petersburg, the correspondent of the radio station *Echo of Moscow*, **Arseni Vesnin**, was beaten during his arrest. In Moscow, police officers hit **Elizaveta Kirpanova**, a correspondent for the anti-Kremlin paper *Novaya Gazeta*, on the head with a truncheon, and also smashed the lens of her colleague **Viktoriya Odissonova's** camera. **Nikita Stupin**, a correspondent with independent news channel *Avtozak Live*, said he was assaulted with a taser. The police's attacks not only targeted reporters of national media but also those working for smaller outlets such as *Sota.Vision* or *Rusnews* and regional media such as *Znak.com* or *Yakutia. Info*.

The police also [harassed](#) journalists with “[preventive visits](#)” to their homes. During these visits law enforcement officers emphatically warned them against covering the demonstrations, and in some cases searched the premises. Among those who received such visits were *RFE/RL* journalist **Svetlana Prokopyeva** from Pskov,

⁸ Reporters Without Border considers Kadyrov to be one of the worst [predators of press freedom](#) worldwide.

⁹ In early 2021, tens of thousands of people protested in more than 100 Russian cities for Navalny's release.

According to human rights group *OVD-Info*, some [11,000 people were arrested](#) during the demonstrations on 23 and 31 January and on 2 February 2021. The group recorded more than [2,000 arrests](#) at the pro-Navalny protests on 21 April; once again, numerous [media workers](#) were among those arrested. [Criminal proceedings](#) are currently pending against more than 130 protesters.

Tikhon Dzyadko (*Dozhd*), **Alexander Plyushchev** (*Echo of Moscow*), **Nikita Girin** and **Elena Solovyova** (*Novaya Gazeta*), freelance journalists **Anastasia Lotareva** and **Sofia Russova**, **Nikita Sologub** and **Olga Romashova** (*Mediazona*), as well as **Vitaly Polyakov** from *Krasnoyarsk TV*. In Nizhny Novgorod, police called on the relatives of journalist **Margarita Murakhtaeva** and said that she was under investigation for taking part in a demonstration she had covered. Murakhtaeva works for the regional news site *Kozapress*, which was founded by her mother **Irina Slavina** in 2015. In October 2020, following a house search, Slavina, who was facing numerous trials and hefty fines, died of self-immolation in protest against the Russian state.

↓
This artwork is a show of solidarity with independent news website *Meduza*. The "M" on the wall features in its logo. The Ministry of Justice declared *Meduza* a "foreign agent" on 23 April 2021. Artist Evgeny Zubkov says the message of his artwork is: "You can't hide the truth."
© Evgeny Zubkov / [@frm46](#)



The [arrest](#) of **Sergei Smirnov** on 30 January 2021 also triggered a public outcry. Smirnov, editor-in-chief of the independent website *Mediazona*, which reports on the penal system, police brutality and judicial arbitrariness, was detained by officers outside his house in Moscow as he was about to go for a walk with his young son. He was charged with inciting unauthorised protests on Twitter after he retweeted a joke (referencing his resemblance to the singer of a well-known rock band) that also contained information about an upcoming pro-Navalny protest. More than 30 media outlets expressed solidarity with Smirnov. He was released shortly after his arrest, but a few days later he was sentenced to 25 days in [detention](#), although in the end the sentence was commuted to 15 days.

The public prosecutor's office is also prosecuting four employees of the online student magazine *Doxa* on charges of calling on people to demonstrate in January.

Armen Aramyan, Alla Gutnikova, Vladimir Metelkin and **Natalya Tyshkevich** had condemned the security forces' use of intimidation against protesting students in a Youtube [video](#) and called for solidarity. Security forces searched the homes of the four editors on 14 April 2021, and [criminal proceedings](#) were launched against them for inciting minors to commit "acts that pose a danger to their lives", for which they face up to three years in prison. Since the police raids in April, the four editors have lived under conditions similar to house arrest: they are not allowed to use the internet, they are only permitted to leave their homes between eight and ten o'clock in the morning, and they are banned from contacting anyone other than their lawyers and close relatives without permission from the investigating authorities. On 9 June, a court [extended](#) these measures until 14 September. At the end of May, a second lawsuit was launched against Vladimir Metelkin for [defamation](#).

↓
On 9 June 2021, a Moscow court extended the house arrest of four editors of student magazine *Doxa*. Armen Aramyan, Vladimir Metelkin, Alla Gutnikova and Natalya Tyshkevich (from left) nonetheless appear triumphant when they emerge from the courtroom.
© Elena Rostunova



Persecution of internet users in Russia

Source: [Agora / The Net Freedoms Project](#)

	2014	2015	2016	2017	2018	2019	2020
Violence/threats	26	28	50	66	59	57	103
Criminal prosecution ¹	132	202	298	411	384	200	289
involving prison sentences ²	no data available	18	32	48	45	38	31
Administrative pressure ³	1.448	5.073	53.004	22.523	4.402	3.917	2.341
Civil lawsuits	60	49	170	39	58	79	91

¹ Searches, arrests, interrogation, charges, criminal trials, imprisonment or fines

² Prison sentences or compulsory treatment at a psychiatric hospital (2016: three cases, 2017; 5)

³ Legal warning; ordered to alter or remove online content; fines

Note: Agora counts all cases in which authorities take action against users – i.e., those in which the freedom of expression and information of the persons concerned is violated and those involving for example right-wing extremist statements, hate speech or calls for violence.

Raids on investigative journalists

In the months leading up to the parliamentary elections the authorities have also intensified their crackdown on investigative reporters. On 10 April, the domestic intelligence service FSB conducted a 7-hour search of the [apartment](#) of **Roman Anin**, an investigative journalist and founder of online media outlet *istories* (*Vazhnie Istории*), during which they confiscated computers, phones and USB sticks. Anin was then repeatedly interrogated concerning his research on Putin confidant and chairman of Russian state oil company Rosneft Igor Sechin and his luxurious lifestyle. Rosneft had already filed [at least nine lawsuits](#) against members of the media who criticised the company in their reporting. On 28 June, security forces searched the homes of investigative journalist **Roman Badanin**, editor-in-chief of media outlet *Proekt*, and his colleague **Maria Sholobova**. **Mikhail Rubin**, the website's deputy editor-in-chief, was temporarily [detained](#). *Proekt*, one of Russia's best-known investigative sites, had published the results of [research](#) into the wealth of Interior Minister Vladimir Kolokoltsev's family on the same day. Shortly afterwards, the site was targeted by cyberattacks and rendered temporarily inaccessible.



→ Roman Anin, founder of investigative news website *istories*, was declared a "foreign agent" by the Ministry of Justice on 20 August 2021, along with five of his colleagues.

© picture alliance / Associated Press

CRITICAL MEDIA STRUGGLING TO SURVIVE

The government is using the “foreign agent” legislation in particular to crack down on media that are critical of the Kremlin. In 2017, US broadcaster *Radio Free Europe / Radio Liberty (RFE/RL)* was one of the first media to be added to the foreign agents register, but it refused to label its content as stipulated. As a result, in spring 2021 *RFE/RL* was sentenced to pay [fines](#) totalling more than [117 million roubles](#) (approx. €1 million) in over 500 cases of infringement. The broadcaster did not pay the fines, and on 14 May 2021 its Moscow-based bank accounts were [frozen](#).

On 23 April 2021, the Ministry of Justice also designated news site [Meduza](#), the most popular independent online newspaper on the Russian-language internet, as a “foreign agent”. The editorial team, which works from exile in neighbouring Latvia, was forced to close its offices in Riga and Moscow. It lost numerous advertising contracts as well as several members of staff, and has only been able to keep operating thanks to [crowdfunding](#). *Meduza* says it attracts more than 13 million unique visits per month, almost three-quarters of which are from users in Russia. The site targets a predominantly young audience with Instagram stories, news games and podcasts.

On 14 May 2021 the *VTimes* website, which is registered in the Netherlands, was also labelled a foreign agent. Shortly afterwards, the editors announced that they were [halting](#) operations because under the conditions that apply for foreign agents the outlet could neither gain access to interview partners nor continue to finance itself through advertising, and the risk of employees being [prosecuted](#) was too high. The website had been launched only a year earlier by a group of journalists who had [left](#) their jobs at the once respected business newspaper *Vedomosti* after it was [sold](#) to new owners with close ties to the Kremlin. In June 2021, the Foundation for the Protection of National Values founded by the pro-Kremlin oligarch Evgeny Prigozhin [called on](#) the Russian authorities to add website *Mediazona* to the foreign agents register. Launched by two activists of the punk rock band Pussy Riot, *Mediazona* has been reporting on conditions in Russian prisons, random arrests and police brutality since 2015 (see [RSF report “Taking control?”](#), Chapter 4).

Newsru.com, the most popular Russian-language news aggregator, announced its closure at the end of May 2021. “We are discontinuing our work for economic reasons, but ones caused by the political situation in our country,” the editors said in a [statement](#). The outlet explained that since 2014 its reporting had increasingly diverged from that desired by the state, leading to the cancellation of major advertising deals, and that the situation had worsened in 2021 following the adoption of various repressive laws. Quality journalism was no longer possible under these circumstances, the *Newsru.com* editors said.

Independent TV channel *Dozhd*, which regularly airs anti-Kremlin views, has also been affected by restrictions on its work. In mid-May it was [excluded](#) from the “Kremlin press pool” – the circle of journalists who have access to the highest-ranking politicians in the country and are directly informed by its leadership about important decisions. Since then, journalists from *Dozhd* no longer attend the daily press conferences held by Kremlin spokesman Dmitry Peskov. The latter [justified](#) their exclusion citing *Dozhd’s* coverage of unauthorised demonstrations in support of opposition politician Alexei Navalny.

PRESSURE ON IT SPECIALISTS AND ENTREPRENEURS

The authorities have repeatedly targeted IT specialists and entrepreneurs since Russia's Sovereign Internet Law (see [RSF report "Taking control?"](#), Chapters 2 and 6) came into force in November 2019. The most recent case is that of Oleksiy Semenyaka, a well-known IT and communications expert in Russia. The FSB domestic intelligence service [expelled](#) him from Russia on 3 June 2021 and [barred](#) him from re-entering the country for 25 years for allegedly spying for Ukraine's security service (SBU). At the time of his expulsion, Semenyaka was working for RIPE NCC, one of the five global Regional Internet Registries (RIRs), which manages IP addresses in the Eastern European and Eurasian region. He had previously worked for search engine provider Yandex, telecommunications company Megafon, the Russian branch of Deutsche Bank, Qrator Labs and other companies. Prior to his expulsion he had repeatedly [criticised](#) Russia's Sovereign Internet Law and pointed to [problems](#) with its technical implementation.

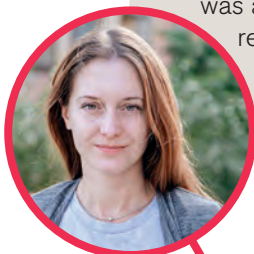
In December 2019, police raided the Moscow offices of NGINX, one of the world's most [widely used web servers](#), and interrogated the company's founders Igor Sysoyev and Maxim Konovalov. Shortly before the raid, Russian search engine provider Rambler.ru had filed a [lawsuit](#) against the two NGINX developers for alleged copyright violations committed more than 15 years ago. Several well-known international IT companies protested against the detention of the two entrepreneurs. A few days later Rambler [withdrew](#) its lawsuit against NGINX.

In mid-December 2019, the renowned scientist Alexei Soldatov, one of the co-founders of the Russian internet (RuNet) and father of well-known journalist and security services expert **Andrei Soldatov**, was placed under [house arrest](#). Alexei Soldatov and two of his business partners are under [criminal investigation](#) on charges of large-scale embezzlement. According to reports in Russian [media](#), the judiciary launched the proceedings at the Kremlin's request. The case revolves around the top-level domain .su (su stands for the former Soviet Union), which has been administered by various institutions led by Soldatov since its registration in the 1990s. Under the Sovereign Internet Law, it belongs to the "national domain zone", which the state aims to bring completely under its control.



RFE/RL journalist **Svetlana Prokopyeva** from Pskov was [fined](#) 500,000 roubles (approx. €6,160) on 6 July 2020. She had suggested in a [radio commentary](#) that a suicide bombing outside the Federal Security Service (FSB) building in Arkhangelsk was linked to the suppression of peaceful protests, for which she was charged with "justifying terrorism". The prosecution demanded a six-year prison sentence for the journalist, which prompted a spontaneous protest by dozens of other journalists in her support. After the sentence was announced, Prokopyeva solicited donations via social media to pay the fine and received five times the amount needed within just a few hours. She paid the fine and [donated](#) the rest to the *Mass Media Defence Centre*. In July 2021, Russia's Supreme Court [upheld](#) the sentence against Prokopyeva.

© Artem Avanesov



© Alexander Tolmachev



On 9 November 2020, journalist **Alexander Tolmachev** died in a penal colony shortly before he was due to be released after nine years in prison. Tolmachev was one of Rostov-on-Don's best-known journalists and was [imprisoned](#) because of his coverage of corruption in the region. According to his widow, the 65-year-old journalist was in very poor health as a result of the harsh conditions in the penal colony and the mistreatment to which he had been subjected. She said she suspected that shortly before his death he had contracted [Covid](#) but had not received any medical care.

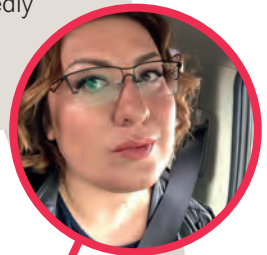


© picture alliance / Sergei Bobylev / TASS / dpa

On 10 June 2021 the authorities opened a court case against **Yury Dud**, Russia's most popular YouTuber, on the grounds that two of his video interviews contained online "[drug propaganda](#)". The proceedings were initiated by the "Safe Internet League", which searches the web for "dangerous" content on behalf of oligarch and staunch proponent of the Russian Orthodox Church, Konstantin Malofeyev.

The arrest of the governor of Khabarovsk Krai and opposition member Sergei Furgal in July 2020 triggered months-long protests in the city of Khabarovsk in southeast Russia. Several journalists who covered the demonstrations were [arrested](#). **Tatyana Khlyestunova**, a correspondent for the regional newspaper *Prosto Gazeta*, was arrested twice by security personnel at the end of 2020. A court case against her for allegedly "participating in an unauthorised event" was dropped after the journalist went on [hunger strike](#) for almost two weeks.

© Tatyana Khlyestunova



© Irina Slavina

On 2 October 2020, journalist **Irina Slavina** set herself on fire in Nizhny Novgorod and died shortly afterwards as a result of the [burns](#) she sustained. Security forces had searched her flat the day before. As editor-in-chief of the local news site *KozaPress*, Slavina had advertised with the slogan "No censorship, no orders from above". The 47-year-old had been prosecuted many times and sentenced to several heavy fines (see the [Russia Report 2019](#), Chapter 4) because of her work. Before her self-immolation, Slavina posted a message on Facebook saying "I ask you to blame the Russian Federation for my death."

● Khabarovsk

● Vladivostok



↑
Ivan Safronov during a court hearing on 30 June 2021. The journalist and military affairs expert faces up to twenty years in prison if convicted of treason.

© picture alliance / dpa / Moscow City Court

BEHIND BARS: JOURNALISTS AND BLOGGERS IN PRISON

The [arrest](#) of journalist and military affairs expert **Ivan Safronov** in Moscow on 7 July 2020 made international headlines. The 31-year-old had worked for the *Kommersant* and *Vedomosti* newspapers, reporting on military and defence issues, but left both publications in protest against political influence and in May 2020 became a consultant for the Russian space agency Roskosmos. Safronov is accused of passing on military secrets to the Czech Republic in 2017. He has been charged with high treason, for which he faces up to twenty years in prison. On 31 April 2021, security forces also arrested Safronov's lawyer, Ivan Pavlov. Criminal proceedings were opened against Pavlov on the grounds that he had made details from ongoing investigations public. Safronov's pre-trial detention was once again [extended](#) at the end of June 2021. Neither the journalist nor his lawyers have been [informed](#) of the substance of the charges he faces.



Alexander Dorogov (left) and **Yan Katelevsky** were [arrested](#) and beaten by 20 security officers near Moscow on 28 July 2020. The two deputy chief editors of website *Rosderzhava* specialised in reports on police corruption and were researching widespread bribery in the funeral business at the time of their arrest. They face [15 years in prison](#) for allegedly using extortion against a police officer, and have already been in pre-trial detention for over a year. Dorogov's lawyer says the journalist has been [beaten](#) by guards and fellow inmates and that his health has deteriorated considerably in prison.

© Yan Katelevsky



© Fortanga

Rashid Maisigov, a journalist for the news site *Fortanga*, was **arrested** in the republic of Ingushetia in southern Russia on 12 July 2019. Maisigov testified at his trial that he has been **tortured** in jail. In September 2020 the journalist was sentenced to **three years in prison** for drug possession, but he says the drugs were planted on him. The Russian human rights organisation Memorial considers the 33-year-old a **political prisoner**.

Abdulummin Gadzhiev was arrested in the North Caucasian republic of Dagestan on 14 June 2019. He mainly covered religious affairs for the independent **Daghestani** newspaper *Chernovik*. The prosecution initially charged him with “financing terrorism”, and in March 2020 **new charges** of carrying out “extremist activities” were brought against him. Gadzhiev now faces more than 30 years in prison.



© Chernovik



© Evgeniya Panina / babr24

Blogger **Alexander Valov** from Sochi in southern Russia was arrested on 19 January 2018 and – after eleven months in pre-trial detention – **sentenced** to six years in prison and fined 700,000 roubles (about €8,800). An appeals court **upheld** his unusually harsh sentence in September 2019. Valov, 36, was known for reporting critically on the local administration and the construction of sports facilities for the 2014 Olympic Games.

On 10 March 2021 Russia's FSB security service arrested **Vladislav Yesypenko** (right), a freelance correspondent for *Radio-Free Europe* *Radio Liberty's* regional news site *Crimea.Realities*, in Crimea (the Ukrainian peninsula annexed by Russia in

2014). Yesypenko says he was **tortured** and forced to make a **confession** on Russian state television channel *Crimea24*. He is accused of spying for Ukraine. On 28 March 2019, **Remzi Bekirov**, a Crimean Tatar journalist, was arrested. Bekirov had covered the persecution of Tatars in Crimea for the anti-government news site *graniru.org*, which is banned in Russia. He now **faces** life imprisonment for allegedly “organising the activities of a terrorist organisation”.



© Oleksandra Surhan / Krym.realii

© Krymskaya Solidarnost

VIOLENCE AGAINST JOURNALISTS



↑
Elena Milashina
received the RSF
Press Freedom Award
in December 2020
for her reporting from
Chechnya.

© Anna Artemeva /
Novaya Gazeta

In 2020 the number of people who were assaulted or threatened because of statements they made on the internet almost doubled compared to previous years, [according to](#) human rights group *Agora*. A large number of these cases involved independent journalists. In February 2020, **Elena Milashina**, a reporter for *Novaya Gazeta*, was [attacked](#) and beaten by around fifteen men and women in the lobby of her hotel in Grozny, the capital of the Chechen Republic in the North Caucasus region. Just two months later, in April 2020, Ramzan Kadyrov, the Chechnyan leader, blatantly threatened her with more violence after she reported on his [Covid policies](#) and the situation of homosexuals in the region. In neighbouring Dagestan, journalist **Svetlana Anokhina** received a death threat over the phone on 22 July. Anokhina is editor-in-chief of

Daptar.ru, an independent website which focuses on women's issues and had published an article criticising the authorities' inaction after a 23-year-old woman was allegedly murdered by her husband.

The North Caucasus is one of the most dangerous areas in all Russia for media workers. The murders of 17 of the 37 journalists killed in the country since Putin took office in 2000 were linked to their reporting on this region. Hardly any of these violent crimes have been solved to date.

On 30 June 2020, a police officer in St. Petersburg broke the arm of *Mediazona* reporter **David Frenkel** while he was at a polling station researching [irregularities](#) in that week's referendum on constitutional amendments. The authorities refused to investigate the incident and instead [fined](#) Frenkel for ignoring police orders and cautioned him for violating quarantine regulations. On 26 August, unidentified persons slashed the tyres of Frenkel's [car](#).

In the southeastern town of Khabarovsk, numerous journalists covering the months-long protests triggered by the dismissal and arrest of the region's opposition governor Sergei Furgal were [arrested](#), and several of them assaulted. On 15 October 2020, unidentified persons [abducted](#) and beat up **Sergei Plotnikov**, a reporter for the Youtube channel *Rusnews*. On 6 November, **Andrei Solomakhin**, who runs the Youtube video blog *Angel ID*, was beaten [unconscious](#) and injured with a taser in police custody, and then sentenced to a total of 13 days in [detention](#).

Natalya Zubkova, chief editor of the local online newspaper *Novosti Kiselyovska* in the Siberian town of Kiselyovsk, was forced to [flee](#) her hometown in February 2021 after unidentified persons attacked her on the street and threatened to kill her. The journalist has been harassed by local authorities for years because of her reporting. In the Siberian city of Blagoveshchensk, three unidentified men beat up **Andrei Afanasyev** on 9 June. Afanasyev works as a correspondent for *Radio Free Europe/Radio Liberty* and other outlets and covers cases of corruption and shady deals involving local powerholders.



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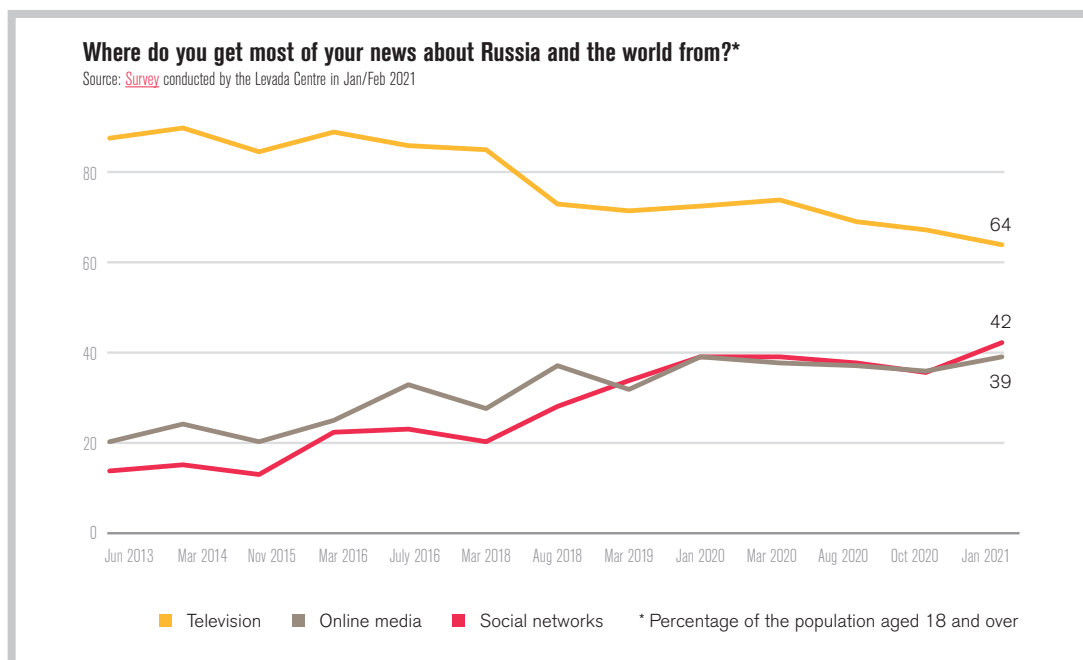
TAKING AIM AT

INTERNATIONAL PLATFORMS

35

Foreign social networks have become an important source of news for Russians. Popular bloggers and opposition journalists have audiences of millions on Youtube. For years, the state has been trying to force platforms to comply with Russian laws – without success. But in view of upcoming parliamentary elections in autumn 2021 and widespread popular support for poisoned and imprisoned opposition activist Alexei Navalny – much of which was enlisted online – it is now clamping down on these platforms. In recent months courts have imposed dozens of fines on social network operators for not deleting posts that are deemed illegal under Russian law, as well as for blocking content of Russian state-controlled media as “disinformation”. The Duma has also passed a law requiring foreign technology companies with more than 500,000 users daily to open offices in Russia. And the country’s media regulator recently slowed down Twitter’s data traffic for two months in what is seen as a clear warning to other platforms in the country.

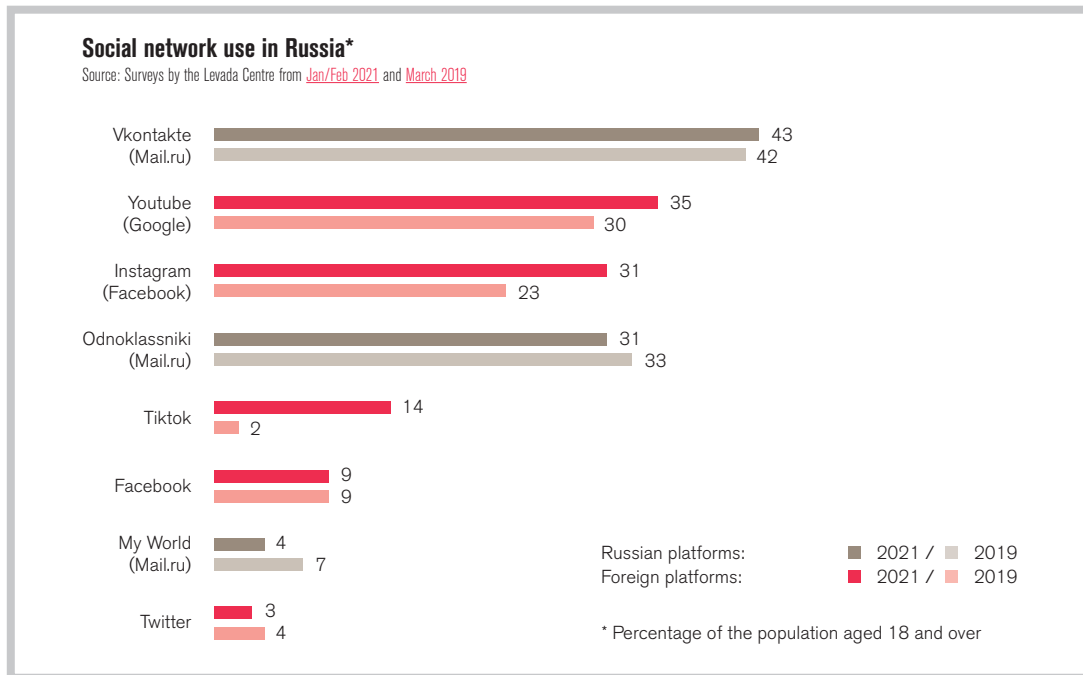
Social networks are now the second most important source of domestic and international political news after television for Russia’s population. According to a [survey](#) by independent polling agency the Levada Centre in February 2021, 64 percent of respondents get most of their news from television, 42 percent from social





The authorities targeted
Twitter in particular after
the demonstrations in
support of jailed Kremlin
critic Alexei Navalny.

© picture alliance / dpa / TASS /
Kirill Kukhmar

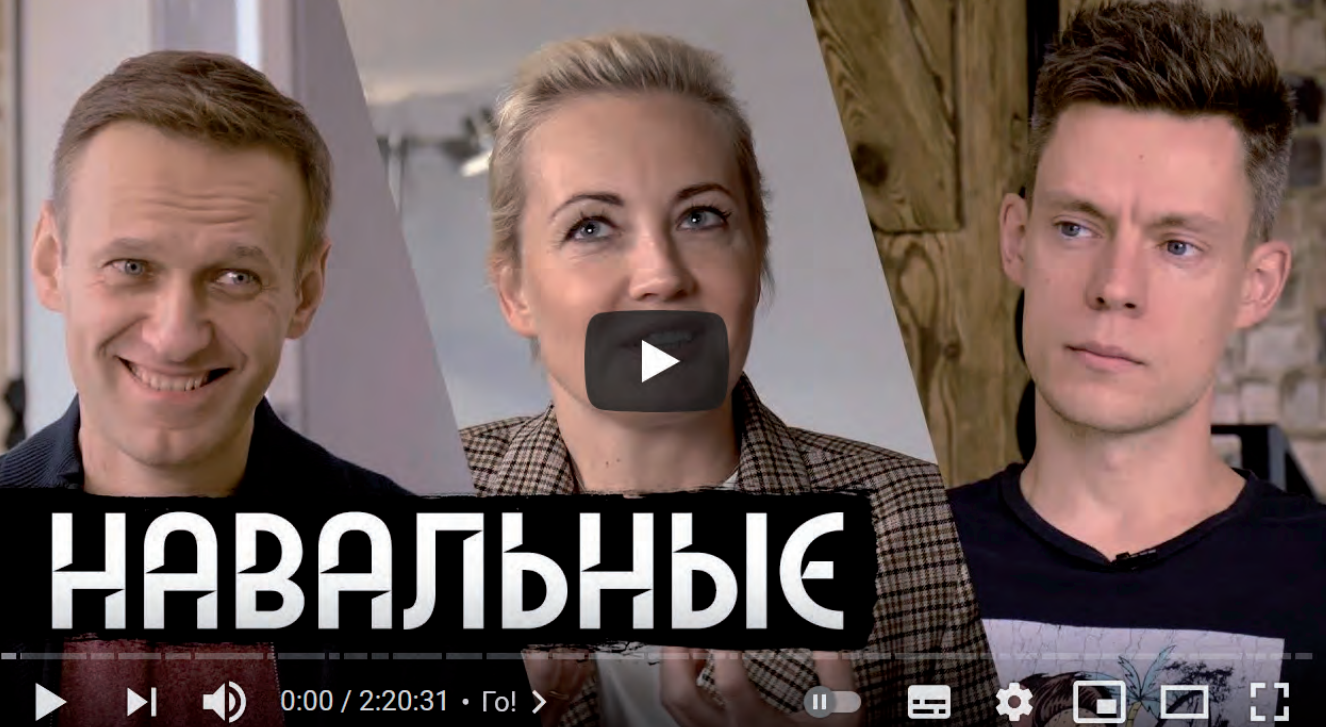


networks and 39 percent from online media. Social networks have thus overtaken online media as a news source, with more than half of the country's population (57 percent) using them on a daily basis.

Foreign platforms play a prominent role: the Russian Facebook counterpart Vkontakte is still the most widely used social network in the country (43 percent), but Youtube and Instagram are not far behind (at 35 percent and 31 percent, respectively). The Chinese video-sharing platform Tiktok (14 percent) has experienced a huge surge in popularity and is now used by seven times as many people as it was as two years ago, overtaking US social network Facebook. However, Facebook (9 percent) and Twitter (3 percent) have the [most active users](#) – i.e., those who publish the most content. Among the messenger services, which are now used by nearly 70 percent of the Russian population, Facebook-owned Whatsapp still leads by a wide margin (59 percent), according to a [survey](#) from March 2020.

➡ Platforms as information intermediaries

In expert discussions, RSF calls social networks such as Facebook, search engines such as Google or microblogging services such as Twitter “information intermediaries”. These services can no longer be assigned to the established categories of a) traditional media and b) mere intermediaries of – usually technical – information. Traditional media produce journalistic content and decide what relevance to attach to a particular topic. Intermediaries such as telecommunications operators or internet providers make the technical infrastructure available and transmit signals without evaluating information. Social networks, search engines and similar services are located between these two poles: they also provide infrastructure of their own and generally do not produce content themselves, but they do evaluate information according to relevance criteria using algorithms.



↑
Video blogger Yury Dud (right) posted a two-and-a-half-hour-long interview with Alexei Navalny and his wife Yulia in October 2020.

© Screenshot вДудь

International online platforms are vital channels for journalists to reach out to their audience. Former sports journalist **Yury Dud's** channel has more than nine million followers – a far larger audience than the [national](#) state [television channels](#). Dud, Russia's best-known Youtuber, posts interviews with big names from show business, but also with fierce critics of the Kremlin. Opposition activist Alexei Navalny's first [interview](#) after being treated for poisoning at Berlin's Charité hospital in October 2020 was with Dud. The two-and-a-half-hour-long video had more than 30 million views. Dud's documentaries on issues that the state television channels ignore are similarly popular: topics such as HIV in Russia, the Beslan school siege in the North Caucasus, or the Gulag prison camps (each attracting more than 20 million views).



↑
Business journalist Elizaveta Osetinskaya has had her own Youtube channel since 2017.

© picture alliance / AA /
Sergey Mihailichenko

Other independent journalists also reach millions via Youtube: the former television journalists [Alexei Pivovarov](#) and [Leonid Parfyonov](#)¹⁰; [Elizaveta Osetinskaya](#), founder of business news portal *The Bell*; [Katerina Gordeyeva](#), documentary filmmaker and producer of a video blog for news website *Meduza*; and [Irina Shikhman](#), whose video "[The Virus of Silence](#)" about how the state banned doctors and care staff from speaking out about conditions in Russian hospitals during the coronavirus pandemic attracted 4.5 million views. International platforms are just as important for opposition politicians as they are for anti-Kremlin journalists and news websites: Alexei Navalny's Anti-Corruption Foundation, for example, regularly publishes the results of its investigative research on Youtube. Its film about [Putin's palace](#) on the Black Sea, posted in January 2021, garnered 117 million views.¹¹ Navalny's [Twitter account](#) has 2.6 million followers and his [Facebook page](#) is followed by almost 570,000 people.

¹⁰ Parfyonov was one of the best known presenters of state-controlled news channel NTV before he was fired in 2004. See [RSF report "The Kremlin on every channel"](#). How the Russian state controls television." [in German]

¹¹ By comparison, Putin's New Year's address on 31 December 2020 was watched by about [26.5 million people](#) on state television. The Anti-Corruption Foundation was banned in Russia on 9 June 2021, but continues to reach several million people via videos on Youtube.

Laws targeting international platforms

The Russian leadership established a tight legal framework for the activities of international platforms several years ago. It passed laws that require these platforms to store the personal data of Russian citizens exclusively on servers located in Russia, to take down content deemed illegal by the media regulator, and that allow the intelligence services to monitor encrypted communications. Hardly any of the platforms complied with these regulations, and for a long time media regulator *Roskomnadzor* confined itself to talks behind closed doors and verbal threats, and then in 2018 started imposing the occasional, comparatively small [fine](#) (see [RSF report “Taking Control?”](#), Chapter 7).

But in the summer of 2020, the lax approach changed fundamentally. New laws targeting the activities of international platforms were introduced. The potential fines for companies that fail to block content banned in Russia were massively increased – in extreme cases to up to 20 percent of a company’s annual revenue. The state justified the measures by saying that foreign networks such as Youtube, Twitter, Instagram and Facebook did not filter out enough content. In addition, social network companies were [required](#) to monitor all posts on their platforms and delete illegal content themselves. Lawyers criticised the new regulations, calling them an [effective instrument](#) for silencing troublesome voices.

Another new law allows media regulator *Roskomnadzor* to restrict access to platforms that block Russian media content and thus deprive society of “relevant information”. The [explanatory statement](#) attached to the bill for this legislation said that platforms such as Twitter, Facebook and Youtube had blocked content of state-owned Russian media such as international broadcaster *RT* and news agency *Ria Novosti* on at least 20 occasions. A day before the bill was introduced in the Duma, the media regulator [complained](#) to Google that Youtube was no longer listing the channel of **Vladimir Solovyov**, one of the top journalists at state broadcaster *Russia-1*, in its automated “trending” section. Another dispute arose in September 2020 over a film about the [Beslan school siege](#) which Russian state television produced in response to the successful documentary by blogger **Yury Dud**. Youtube placed an age restriction on the film due to the violence in some of its scenes. *Roskomnadzor*, which otherwise makes a big issue about protecting minors, saw this as an [“act of censorship”](#).

↓
Media regulator *Roskomnadzor* slowed down access to Twitter for several weeks in spring 2021.

© Roskomsvoboda / CC BY 4



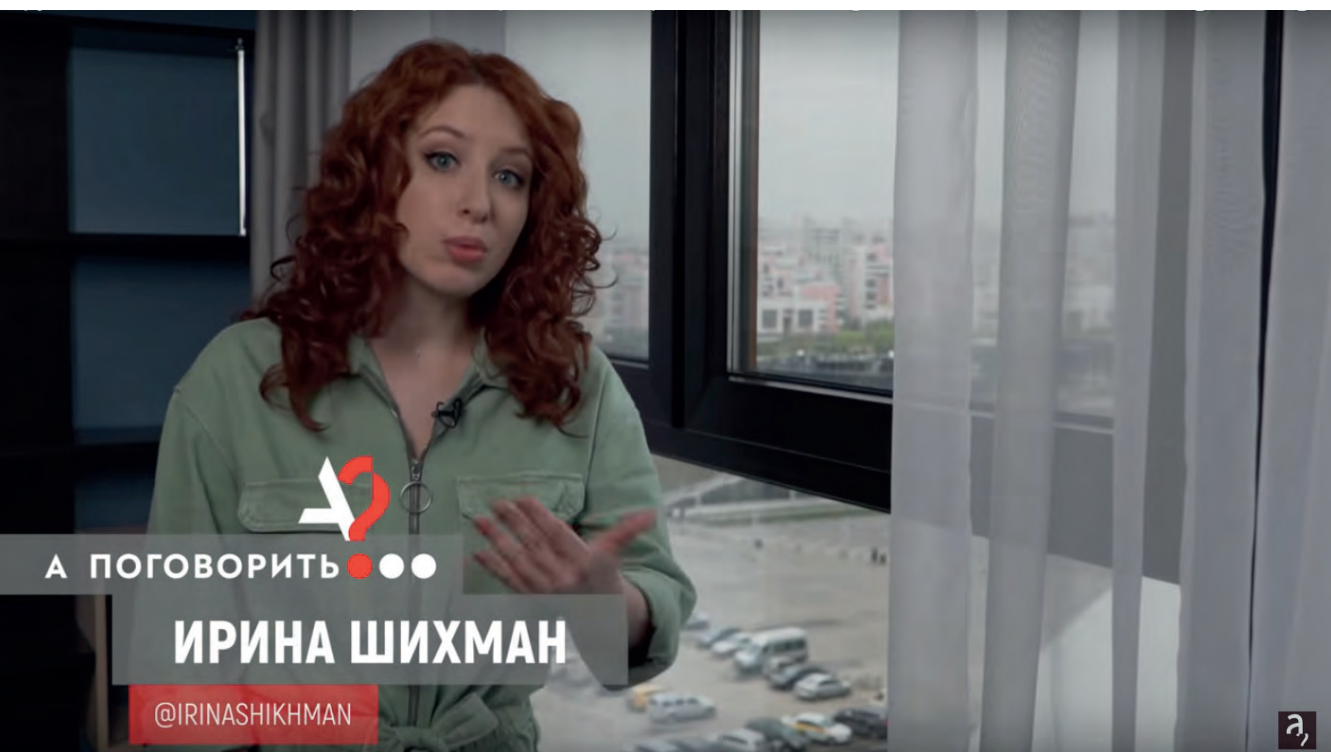
“Freedom for Navalny”: mass protests on social networks and on the streets

In January and February 2021, tens of thousands of people took to the streets in more than 100 Russian cities to demonstrate for Alexei Navalny's release from prison. The opposition activist, who was treated at Berlin's Charité hospital after being poisoned with the nerve agent Novichok, had been arrested at the airport on his return to Moscow on 17 January. The [hashtag “Freedom for Navalny”](#) ([#свободунавальному](#)) immediately started trending on Tiktok, and videos calling for people to rally in his support garnered more than 80 million views on the Chinese platform. Information about the protests was also shared on a massive scale on the Russian network Vkontakte. Media regulator *Roskomnadzor* warned [Tiktok](#) and [Vkontakte](#) to take down calls for minors to commit unlawful acts (i.e., participate in the protests). Shortly afterwards, it summoned representatives of Tiktok, Facebook, Telegram and Vkontakte for [talks](#) and launched several [administrative court proceedings](#) against the networks.

Since then, these platforms have been ordered to pay numerous fines for not deleting banned content and for inciting minors to commit illegal acts. In the first half of 2021 the fines amounted to between three and four million roubles (approx. €35,000 to €47,000) each for the Russian networks Vkontakte and Odnoklassniki and Chinese video-sharing platform Tiktok. For Western platforms, the fines were substantially higher: Facebook was ordered to pay 43 million roubles in total (about €496,000), Twitter 27.9 million roubles (€323,000) and Google 9.5 million roubles (€110,000). And there was more to come: at the end of June 2021, the media regulator initiated ten further [administrative court proceedings](#) against Google, Telegram, Facebook and Twitter for not deleting content in accordance with state requirements.

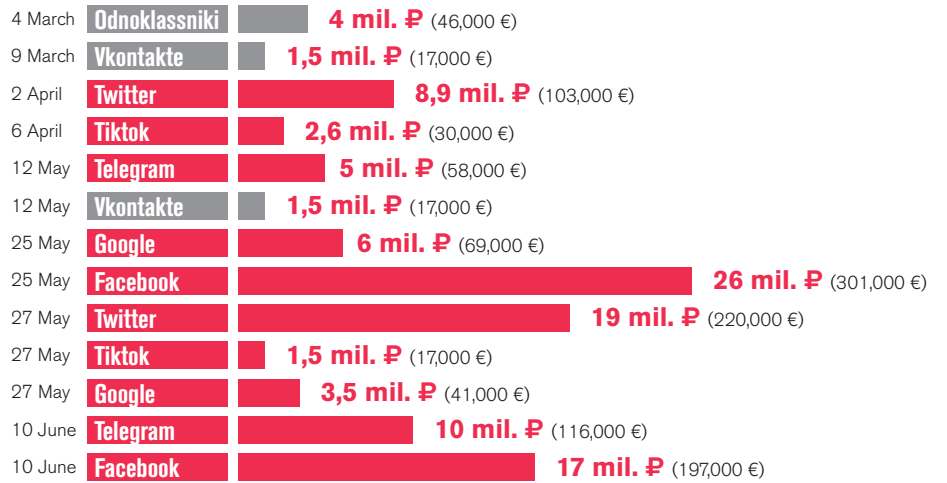
↓
In her documentary “The Virus of Silence”, video blogger Irina Shikhman reported on problems at Russian hospitals and government bans on talking about them.

© Screenshot А поговорить?



Fines imposed on social networks*

Source: Reporters Without Borders

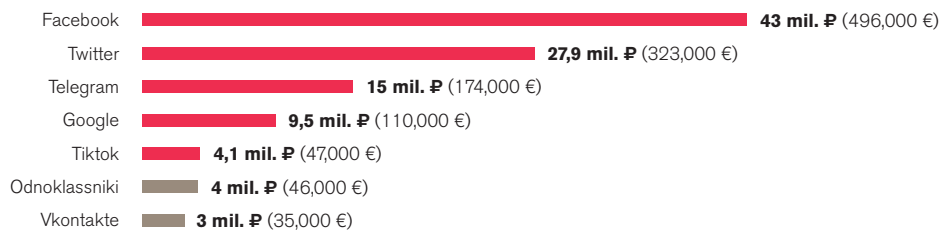


■ Russian platforms ■ Foreign platforms

* in the first half of 2021, figures in millions of roubles, exchange rates on the day the fines were issued

Fines imposed on social networks*

Source: Reporters Without Borders



■ Russian platforms ■ Foreign platforms

* in the first half of 2021, figures in millions of roubles, exchange rate on 30 June 2021

Test case Twitter: Media regulator threatens to block access

On 10 March 2021, media regulator *Roskomnadzor* went one step further and [announced](#) it was slowing down the transfer of Twitter data with immediate effect on all mobile devices and on half of desktop devices. It cited the platform's failure to comply with requests to delete content as the reason for this action. The month before, in February 2021, *Roskomnadzor* had also [complained](#) about Twitter [deleting](#) one hundred accounts with links to the Russian state or the “[troll factory](#)” in St. Petersburg. After its traffic was slowed down, Twitter [asked](#) users to delete the tweets that *Roskomnadzor* objected to and met with the authority for [talks](#). The authority lifted the restrictions in mid-May and expressed its [satisfaction](#) that the platform was deleting more than 90 percent of the offending content.

The slowing down of Twitter was the first case in which Russia's Sovereign Internet Law of November 2019 was applied (see [RSF report "Taking Control?"](#), Chapters 2 and 6). The law obliges telecommunications and internet service providers to install state-certified surveillance technology so that the authorities can inspect and re-route data traffic independently using network technology known as deep packet inspection (DPI). It is currently not clear how many providers have actually installed this technology so far, or how well it works. When *Roskomnadzor* began slowing down Twitter's traffic on 10 March, numerous [government sites](#) as well as those of the authority itself went down at the same time. With around [700,000](#) active users (as of November 2020), Twitter is the least used international platform in Russia, which has led experts to conclude that the action against Twitter was primarily intended as a [warning](#) to larger networks such as Google, Facebook and Tiktok.

➡ **Deep Packet Inspection (DPI)** is a method of monitoring and filtering data traffic in the internet. Before large amounts of data are transmitted to the web, they are broken down into small units that can be transmitted more easily (packets), and these packets are labelled with meta-information (such as sender, recipient, size of packet). While conventional packet filters read only the meta-information included in the header of a data packet, applying DPI to non-encrypted communications allows the content of the data packets to be monitored in real time – something like the postal service checking not only the address and return address on a letter before delivery, but also its content.

Fines and lawsuits against Google over Youtube videos

The authorities have also become increasingly confrontational vis-à-vis Google, which runs video-sharing platform Youtube. On 19 April, Russia's Federal Antimonopoly Service initiated [proceedings](#) against the company, claiming that Google was blocking users' content and accounts without warning and without justification, acting in an "opaque, non-objective and unpredictable manner" and thus harming the interests of the public. Media regulator *Roskomnadzor* had already complained several times in the past that Youtube had either blocked content from state-controlled media or media with close ties to the state in Russia or not given it the prominence it deserved. In 2021, it complained that this had happened repeatedly with video reports on the coronavirus pandemic by the Russian state-controlled international broadcasters [RT](#) and [Sputnik France](#) and by State Duma Deputy [Leonid Slutsky](#), which Youtube blocked as "disinformation".

Another highly publicised case involves the Russian Orthodox TV channel *Tsargrad*, owned by the conservative oligarch Konstantin Malofeyev. Youtube [blocked](#) the channel in July 2020 citing US sanctions that have been in place against Malofeyev since 2014 over his support for Ukrainian separatists. In April 2021, a Moscow court ordered Youtube to unblock the channel and stipulated that if the platform failed to comply, it would have to pay a [fine](#) of 100,000 roubles (€1,093) daily to *Tsargrad TV* starting on 20 May, with that sum doubling on a weekly basis. Google [appealed](#) the sentence, which it argued was disproportionate.



A few days later, on 24 May 2021, Google countersued the Russian media regulator – a [first](#) for the company in Russia since until then it had only been in court there either as an accused party or in appeals against *Roskomnadzor*. The lawsuit concerns videos which the media regulator says are calls for unauthorised pro-Navalny demonstrations, but which Google does not block. Google was ordered to pay fines totalling 9.5 million roubles in May for failing to delete banned content. In mid-June, the media regulator [complained](#) that more than 5,000 illegal posts were still circulating on Youtube and that Google was not filtering out around 30 percent of the material banned by *Roskomnadzor* from its search results lists.

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An employee at Google's
Moscow offices
© picture alliance / dpa / TASS /
Stanislav Krasilnikov

State wants access to personal data

In addition to the legal disputes over content either not being blocked when it should have been or being unfairly blocked, the authorities reactivated another source of conflict with the operators of international platforms in spring 2021: the storage of personal data of Russian users on servers located in Russia. These companies have been legally obliged to do this since 2015 – but so far none of them has complied.¹² Recent reminders from the media regulator and an [ultimatum](#) to comply by 1 July 2021 had no effect. The deadline passed unheeded, and new fine proceedings were launched against [Google](#), Twitter and [Facebook](#). *Roskomnadzor* had [demanded](#) that Google shut down the “Smart Voting” website run by Alexei Navalny’s team on 23 June – also citing the protection of personal data. The activists had [moved](#) the website to Google servers located in the US to protect it from censorship.¹³ The Russian state leadership is now counting on a law signed by President Putin on 1 July 2021 to effectively force international platforms to comply with Russian laws: it requires foreign technology companies with at least 500,000 users per day in Russia to open a branch office in the country by 1 January 2022.

¹² The US business and employment network LinkedIn was blocked for not doing this in 2016. (see [RSF report “Taking Control?”](#), Chapters 6 and 7)

¹³ The “[Smart Voting](#)” strategy is to consolidate as many votes as possible for the most promising opposition candidate. It was propagated by Navalny’s supporters in regional elections in 2019 and 2020 and caused losses for the ruling party United Russia.

THE BATTLE AGAINST ENCRYPTED COMMUNICATIONS

The Russian authorities – and in particular the domestic intelligence service FSB and the law enforcement agencies – want to be able to monitor citizens' communications as they deem necessary. Several laws oblige providers of email and messenger services to help the authorities decipher encrypted messages. But foreign providers in particular do not implement this, so the state is reacting with bans.

At the beginning of 2020, the authorities blocked access to several foreign email services that enable end-to-end encrypted communication. The first to be affected were the Dutch service [Startmail](#) and the Swiss company [Protonmail](#). The Russian authorities justified the measure saying that fake [bomb threats](#) had been sent via these services. The German encrypted email service [Tutanota](#) was also blocked in mid-February 2020. The Russian media regulator also moved to block the Berlin-based provider [Mailbox.org](#), but then withdrew the application after Mailbox.org agreed to register as an "organiser of dissemination of information" while at the same time [stressing](#) that – contrary to the requirements – it would not store its users' data in Russia. The blocked email services can still be accessed in Russia, for instance via the TOR network. In the first half of 2021, around [320,000 people](#) in Russia per day made use of this option – more than in any other country in the world except the US.

An attempt by the Russian government to block messenger service Telegram ended in defeat. Developed by Russian entrepreneur Pavel Durov, Telegram was one of the first messenger services to offer end-to-end encryption and quickly became popular in Russia. It was banned in the country in April 2018 because Durov refuses on principle to cooperate with the authorities and give them access to users' data. However, the authorities were unable to implement the ban at the technical level and instead ended up accidentally shutting down thousands of other sites (see [RSF report "Taking Control?"](#), Chapter 6). Ironically, not only citizens but also [official bodies](#) such as the Ministry of Foreign Affairs and the national coronavirus task force continued to use the service. On 18 June 2020, the media regulator [lifted the ban](#).

In mid-2021, *Roskomnadzor* once again took aim at Virtual Private Networks, which can be used to circumvent internet censorship. Since 2017 a law has been in force that forbids VPNs and anonymisation services from providing access to blocked sites – which fundamentally contradicts the very nature of these services. In 2019, the media regulator ordered the ten most widely used VPN providers to register with the state. Only the Russian company Kaspersky Lab agreed; all others refused to comply, and some withdrew from Russia entirely (see [RSF report "Taking Control?"](#), Chapter 6). On 17 June 2021, *Roskomnadzor* [banned](#) the use of VPN services VyprVPN and Opera VPN unless companies had previously applied for an [exemption](#) to use them. The Norway-based Opera browser has since [suspended](#) its support for its VPN services in Russia.

➡ **Virtual Private Networks (VPN)** further encrypt internet traffic by building a kind of tunnel around the actual internet connection. This tunnel functions as a kind of privacy screen: data can be neither monitored nor stored by any party outside the VPN connection, and there is no way to influence which websites are visited by a VPN user. Thus, users in Russia can connect via VPN and access even those websites that have been blocked by the state's media regulator.

➡ In **end-to-end encryption**, data are encrypted before they are dispatched from the sender and decrypted after arrival on the recipient's device. Thus, only the two parties communicating with each other have access to the transmitted content – it is inaccessible even for the providers of the transmission services. In transport encryption, by contrast, data are encrypted only for transfer between a device and the provider, so they are available in non-encrypted form at the start and end of the communication as well as at the nodes of data transmission. So if two people communicate with each other via Facebook, for instance, the communication channel between the two and Facebook is encrypted for transport, but Facebook itself can read the content. In this case, end-to-end encryption is used only when the users start a “secret chat” in Facebook Messenger.

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After a prolonged dispute with messenger service Telegram and its founder Pavel Durov, the Russian state finally conceded defeat. The authorities had tried to block the service for two years, but in June 2020 they lifted the ban.

© RSF





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So far Rutube mainly
offers state-controlled
news and lots of
entertainment content.

© Screenshot MV3-TB

RUTUBE – A RUSSIAN ALTERNATIVE?

The Russian video platform Rutube was launched 15 years ago, but so far it has not even come close to competing with Youtube: just 2.5 percent of the Russian population used Rutube in October 2020, while 65 percent used the US platform. This is now set to change. In December 2020, Rutube was taken over by *Gazprom-Media*, a subsidiary of the state-controlled oil giant Gazprom. Alexander Zharov, long-time director of media regulator *Roskomnadzor* and head of *Gazprom-Media* since March 2020, promised to modernise Rutube and make it even better than Youtube in some respects. Also in December, *Gazprom-Media* bought Russian video-sharing platform Ya Molodets, which went online in 2019 and is set to become Tiktok's Russian counterpart by 2022. On 2 April 2021, an updated version of Rutube went online which is so similar to Youtube in terms of structure and design that media reports described it as a Youtube clone. There was one crucial difference, however: the video by Navalny's Anti-Corruption Foundation about Putin's palace on the Black Sea could not be uploaded to Rutube, and nor could the results of research into the poisoning of the opposition politician.



←
As the new CEO of
Gazprom-Media,
Alexander Zharov, who
was head of media
regulator *Roskomnadzor*
for eight years, wants
to develop Russian
alternatives to Youtube
and Tiktok.

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Sputnik / Evgeny Biyatov

INTERNATIONAL REGULATION OF PLATFORMS: BETWEEN MARKET POWER AND STATE CRACKDOWNS

Across the globe, the role of social networks as a news source and key medium for the formation of individual and public opinion is growing. Social networks offer bloggers and human rights activists the freedom that is denied to them elsewhere by authoritarian states. In addition to journalists, activists and bloggers, influencers, organised groups and trolls also use these platforms to compete for attention and social influence. Although there is now a greater awareness of the consequences of the accelerated spread of hate and disinformation via these networks, regulatory mechanisms are not keeping up. From a human rights perspective, many current legislative proposals fall far short of the goal of protecting freedom of expression and personal data while at the same time enforcing the law.

Reporters Without Borders not only helps individual journalists to protect themselves against digital threats but also campaigns at the political level. In 2018, under the aegis of RSF, several Nobel laureates, prominent human rights activists and journalists jointly formulated guidelines to protect the digital space as a common good and drafted the [International Declaration on Information and Democracy](#). The Declaration guides the work of an international state-led initiative and of the [Forum on Information and Democracy](#), which regularly invites experts to make recommendations on key issues related to media freedom in the digital age. [Published](#) in November 2020, the report [“How to end infodemics”](#) explains how transparency, clever platform design and enhanced visibility of trustworthy media based on independently developed [standards](#) can counter disinformation in a way that protects human rights rather than promoting the arbitrary power of the private sector or state censorship.

Numerous states are using the fight against disinformation to [justify](#) repressive internet laws that equate independent journalism with the dissemination of false information or propaganda against the state. This makes RSF's call for democratic alternative solutions all the more urgent. Disinformation can severely damage societies, however, in most cases its dissemination is protected by freedom of expression, and it should therefore be countered using journalistic methods rather than deleted or censored by the state. By contrast, hate speech and other illegal posts must be subject to prosecution, although platforms should comply with requests to hand over user data only if they conform to the rule of law.

The major online platforms must assume their social responsibility. They should be obliged to have the impact of their systems on fundamental and human rights independently evaluated and to revise their algorithms and platform design in accordance with the findings. A European reform of the regulations for digital markets and services is currently being [negotiated](#) and could serve to set democratic standards.



5

DIGITAL SECURITY TRAINING AND SCHOLARSHIPS

Reporters Without Borders (RSF) provides targeted assistance and training to counter digital threats and cyberattacks and helps persecuted journalists and citizen journalists in emergency situations. We campaign at the national and international level for stronger supervision of intelligence services, better protection of journalists' sources and against the export of surveillance technologies.

49

In 2019, RSF launched a [Digital Helpdesk](#) that offers free online training and guidance on various digital security issues. In a customised threat analysis, journalists identify the key steps for improving their online security and learn about password security, encryption and anonymisation, as well as disinformation and hate speech. In 2021, RSF began setting up a **forensic laboratory** in Berlin where the smartphones and computers of journalists who are being threatened or persecuted because of their reporting can be examined for traces of digital surveillance and malware can be removed.

Online anonymity is essential in many areas of journalistic work – for example when journalists are contacted by their sources, or when they have to work covertly under a repressive regime. To help provide them with this anonymity, RSF has hosted two servers on the **Tor network** for many years. With this anonymity network, people all over the world can use the internet anonymously for free. In addition, Onion technology (the “darknet”) is particularly effective for operating anonymous mailboxes. We oppose the use of the Tor network for criminal activities but campaign for journalists to be able to work anonymously online in order to protect their sources and freedom of opinion. As part of the [Collateral Freedom](#) campaign, RSF also “mirrors” or duplicates the websites of media that are blocked in repressive states – for example *grani.ru*, one of the first online media to be blocked by the Russian media regulator *Roskomnadzor*, and the Belarus-based websites *Masheka.by*, *Vkurier.by*, *Tribuna* and *Charter 97*.

Journalists who are in danger can contact our [Assistance Desks](#) in Paris and Berlin for help. We replace destroyed equipment, cover legal fees, and also ensure access to medical care and counselling following attacks. If a journalist is banned from working or dismissed from their job, we provide interim financial assistance and help the families of those affected. RSF assists persecuted journalists in their own countries first, and tries to ensure that they can continue or resume their journalistic activities there. If it becomes very dangerous for a journalist to remain in their own country, we make every effort to find a safe host country for them. In certain critical cases we provide temporary relocation assistance (generally for a maximum of three months) to help journalists flee specific dangerous situations or support them in relaunching their career in Germany. We help them to overcome official hurdles, support them during prolonged asylum procedures and put them in contact with new colleagues.

BERLIN SCHOLARSHIP PROGRAMME

In our [Berlin Scholarship Programme](#), which aims to strengthen the position of journalists in the digital space, we invite journalists to spend four months in Berlin learning about digital security. In the first phase of the programme participants develop their own “threat profile” and then learn how to protect themselves from digital threats such as surveillance or cyberattacks. In the second phase, they develop their own project through which they can pass on their newly acquired knowledge and skills in their home countries. In this way, journalists outside the scholarship programme can also benefit and learn how to protect themselves against digital threats.

50

THE REST AND REFUGE SCHOLARSHIP

RSF runs the [Rest and Refuge Scholarship](#) programme together with the taz Panter Foundation, a non-profit organisation linked to the German daily *die tageszeitung* (*taz*). Every year, we invite four journalists from war or crisis zones to come to Berlin so they can feel safe and enjoy a respite for three months. We reimburse their travel expenses and provide them with a flat and a stipend of 1,000 euros per month. Participants can withdraw and work on their own projects or take advantage of various opportunities for training and professional networking.

THE RESEARCH SCHOLARSHIP

In our [Research Scholarship programme](#), we invite journalists from war and crisis zones to come to Berlin for six months. We reimburse their travel expenses and provide them with a flat and a stipend of 1,000 euros per month. The scholarship gives participants the time and opportunity to take on a new journalistic challenge: during their time in Berlin they develop and work on a research project of their own choosing and then publish it and present it at a public event.

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Fellows of the Reporters
Without Borders Berlin
Scholarship Programme at
a workshop
© RSF





6

RECOMMENDATIONS

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Reporters Without Borders (RSF) calls on the government and parliament of Russia to take the following steps:

- **Revoke the classification** of media professionals and media outlets as **"foreign agents"** or undesirable organisations, drop the associated requirements and stop hindering their work.
- Immediately **release all journalists and bloggers** who are imprisoned in connection with their online journalistic activities.
- **Repeal all laws** that restrict or penalise the exercise of the human right to press freedom and freedom of expression in the digital space; implement Russia's obligations under the European Convention on Human Rights and the Russian constitution, in particular Article 29 (**freedom of expression**), Article 23 (**right to privacy**, secrecy of postal communication and telecommunications) and Article 24 (**protection of personal data**).
- **Unblock illegally blocked websites** and stop blocking websites without a court order and without giving those affected the possibility to appeal the decision before an independent and impartial court of law.
- **Refrain from** requiring providers of messaging or email services to build backdoors into programmes to facilitate the **surveillance of encrypted communications**.
- **Permit unrestricted use of VPNs** and anonymizers.
- Stop the attempts to disconnect Russia from the global internet and to promote the fragmentation of the **internet infrastructure**.

Reporters Without Borders (RSF) recommends that companies such as Facebook, Twitter and Google take the following steps:

- Fulfil their responsibility as **information intermediaries** by ensuring that users in Russia can exercise their right to **freedom of expression** and their right to **privacy** (in accordance with Articles 19 and 17 of the ICCPR); ensure adequate **protection of their data**.
- Conduct **human rights due diligence** and commit to **resisting** any **demands** by the Russian authorities **to censor** the internet or to monitor content in a manner that infringes on human rights; this applies in particular to demands that certain content no longer be displayed or disseminated, unless this has been ordered by an independent court of law or the content violates international human rights standards.
- **Not store user data** on servers **in Russia**, and make such data available to the authorities only in cases justified according to the rule of law.
- Be **transparent about how data is collected** and used.

Reporters Without Borders (RSF) calls on the international community to take the following steps:

- **Step up the pressure on the Russian government** by adopting measures that increase the cost of its non-compliance with international human rights standards.
- At the next session of the **United Nations** Human Rights Council, a resolution should be adopted that calls on the **Office of the UN High Commissioner for Human Rights** to compile a **report on the situation of human rights** in Russia, including press freedom and internet censorship.
- The **UN Special Rapporteur** on the promotion and protection of freedom of opinion and expression should **submit a report on online censorship in Russia** to the Human Rights Council.
- The **European Union and its member states** should **impose sanctions** as appropriate on individuals or companies that play a prominent role in censoring the internet in Russia.



A FUNDAMENTAL HUMAN RIGHT

Freedom of information is fundamental in any democracy, but nearly half of the world's population has no access to freely reported news and information. Freedom of expression and information is the first and most important of freedoms. Reporters Without Borders (RSF) documents violations of press freedom and freedom of information worldwide and alerts the public when journalists or the people they work with are in danger. We campaign for improved security and protection for media representatives. Online and offline we combat censorship, the use and export of surveillance technology, and restrictive media laws.

AN INTERNATIONAL NGO

RSF's international network of 130 correspondents facilitates the rapid exchange of information and swift intervention where required. The Assistance Desks of Reporters Without Borders in Paris and Berlin provide legal, financial and other forms of support to journalists and media outlets in distress. We focus on helping journalists in their own country. However, if it becomes too dangerous for a journalist to remain in their home country, we make every effort to find them a safe host country.

RSF's foreign sections and offices in cities like Brussels, Washington, Berlin, Tunis, Rio de Janeiro, and Stockholm give us the ability to mobilise support, challenge governments and wield influence both on the ground and in the ministries where media and internet standards and legislation are drafted.

35 YEARS DEFENDING FREEDOM OF INFORMATION

Founded by four journalists in the southern French city Montpellier in 1985, RSF is now one of the world's leading NGOs in the defense and promotion of freedom of information. The German section of RSF is based in Berlin and has been active since 1994. RSF has distinguished itself in China, by its protests during the 2008 Beijing Olympics; in Africa, by creating the only independent radio station broadcasting to Eritreans in 2009; in Haiti, by creating a media support center after the January 2010 earthquake; and in Syria, by providing training to journalists and bloggers

REPORTS AND PRESS RELEASES IN MANY LANGUAGES

Every day, RSF issues press releases and reports in French, English, Spanish, Arabic, and Farsi (and often in other languages such as Chinese, Portuguese and Russian) about the state of freedom of information throughout the world and how it is being violated. Its statements in the international media increase public awareness and influence leaders as regards both individual cases and general issues.

The international organisation Reporters Without Borders (RSF) has consultative status with

- the UN Human Rights Council,
- UNESCO,
- the Council of Europe.



A rally in Novosibirsk on
21 April 2021 calling for
the release of Kremlin
critic Alexei Navalny
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LEGAL INFO

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