

REINING IN THE RUNET:

THE KREMLIN'S STRUGGLE TO CONTROL CYBERSPACE



RUSSIA POLITICAL ECONOMY PROJECT



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COVER: Russia Flag And Fingerprint Shows Hacking. (Source: Adobe Stock)



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EXECUTIVE SUMMARY

Lincoln Pigman

Since 2011–2012, when the combination of the Arab Spring and anti-government demonstrations in the Russian Federation left the country's political elites determined to bring the Russian internet, or Runet, under state control, Russia has witnessed the establishment of a domestic internet control regime encompassing four strategies of control in cyberspace. These include 1) restricting internet users' access to problematic content and information; 2) passively deterring online dissent by limiting internet users' anonymity; 3) actively deterring online dissent by threatening internet users with punitive sanctions; and 4) competing with and drowning out online dissent by covertly producing and disseminating pro-government content and information. This report provides an original framework for the study of Russia's evolving domestic internet control regime as well as a guide to understanding the online struggle between Russia's political elites and its non-systemic political opposition, an increasingly critical element of contemporary Russian politics.

AN UNFREE INTERNET

In April 2018, thousands of Muscovites gathered to protest the authorities' latest attack on digital rights in the Russian Federation: the banning of Telegram, a popular messaging app whose creator, Pavel Durov, a Russian citizen, had refused to cooperate with the security services. Paper airplanes, a reference to Telegram's logo, glided through the air before descending to the ground, where protesters held signs decrying the state of internet freedom in Russia. One said that if "today [the authorities] went after Telegram, tomorrow they'll go after mere users," an alarm sounded six years late.¹

Since 2015, Freedom House has described the state of internet freedom in Russia as "not free,"² a relatively recent development in a country that the rights organization has called politically unfree for more than a decade.³ Although the period from 2011 to 2012, when networked protests broke out in multiple Russian cities following transparently fraudulent parliamentary elections, was initially hailed by Freedom House as "an important period of awakening for the Russian digital civil society," it ultimately represented the beginning of the end of an

era of relative internet freedom in Russia.⁴ Faced with an array of real and perceived threats emanating from cyberspace, Russia's political elites moved to establish a domestic internet control regime entailing measures both overt and covert. Initiated upon Vladimir Putin's return to the presidency in May 2012, their efforts to bring the Russian internet, or Runet, under state control continue to reach new heights of intrusiveness.

This report identifies four strategies of control in cyberspace developed by Russia's political elites since 2011–2012: 1) restricting internet users' access to problematic content and information; 2) passively deterring online dissent by limiting internet users' anonymity; 3) actively deterring online dissent by threatening internet users with punitive sanctions; and 4) competing with and drowning out online dissent by covertly producing and disseminating pro-government content and information. It explains Russia's strategies of control in cyberspace and provides an original framework for the study of Russia's evolving domestic internet control regime, an issue that deserves to be studied no less than Russia's application of cyber power in military and intelligence operations abroad.

1 L. Pigman, "Russia's War on Telegram and What It Tells Us about Russian Politics," *The Russia File*, May 8, 2018, <http://www.kennan-russiafile.org/2018/05/08/russias-war-on-telegram-and-what-it-tells-us-about-russian-politics/>.

2 Freedom House, *Freedom on the Net 2015* (Washington, D.C.: Freedom House), 19.

3 Freedom House, *Freedom in the World 2005* (Washington, D.C.: Freedom House), 17.

4 Freedom House, *Freedom on the Net 2012* (Washington, D.C.: Freedom House), 408.

THE 2011-2012 DEMONSTRATIONS AS PROLOGUE

Nearly seven years since their outbreak in December 2011 following parliamentary elections marred by electoral fraud, the anti-government protests of 2011–2012 are widely understood to have brought about several major developments in contemporary Russian politics, chief among these a crackdown on civil society. The establishment of a domestic internet control regime in Russia became an unintended consequence of the 2011–2012 demonstrations, which highlighted an emergent threat to regime security and unified political elites against it.

Anti-government activists visibly relied on social networks to crowdsource and disseminate anti-government content and information, from amateur footage of ballot-stuffing and other forms of electoral misconduct to the times and locations of protests, hoping to generate outrage and harness it to increase protest participation.⁵ At the time, the internet, with its blogs, social networks, and online news outlets, represented a medium where anti-government content and information could be freely consumed. By contrast, Russia's uniformly pro-government federal television channels,

5 M. Schwartz and D. M. Herszenhorn, "Voters Watch Polls in Russia, and Fraud Is What They See," *New York Times*, December 5, 2011, <https://www.nytimes.com/2011/12/06/world/europe/russian-parliamentary-elections-criticized-by-west.html>; W. Englund, "Russian Web Get Protesters' Word Out," *Washington Post*, December 9, 2011, https://www.washingtonpost.com/world/europe/russian-web-gets-protesters-word-out/2011/12/09/gIQA7V-3SiO_story.html; and M. Bader, "Crowdsourcing Election Monitoring in the 2011–2012 Russian Elections," *East European Politics* 29:4 (2013): 521–535.

which are either state-run or owned by pro-Kremlin businessmen, vacillated between distorting and omitting dissident views, dividing Russia into what then-*Novaya Gazeta* editor-in-chief Dmitry Muratov dubbed the "television nation" and the "internet nation."⁶

Social networks were a natural medium for outreach to, and mobilization of, prospective protestors, largely, though not entirely, by virtue of who used them.⁷ *New York Times* reporter Ellen Barry saw in the 2011–2012 demonstrations the materialization of a "critical mass of middle-class professionals that ha[d] existed on the internet for years" and its evolution into "a physical fact, close enough to feel the body heat," something

6 D. Muratov, quoted in L. Aron, *Nyetizdat: How the Internet Is Building Civil Society in Russia* (Washington, D.C.: American Enterprise Institute, 2011), 2.

7 It should be noted that the internet is hardly the exclusive domain of those critical of Russia's political elites. As Stephen Hutchings has put it, on the Russian internet, "arch Putin-opponent, Alexei Navalny, co-exists with government trolls, and the full spectrum of political opinion is accessible at the click of a mouse." S. Hutchings, "We Must Rethink Russia's Propaganda Machine in Order to Reset the Dynamic That Drives It," *LSE British Politics and Policy*, April 4, 2018, <http://blogs.lse.ac.uk/politicsandpolicy/we-must-rethink-russian-propaganda/>. See, also, N. Moen-Larsen, "Communicating with the Nation: Russian Politicians Online," *Russian Analytical Digest* 123 (2013): 10–12; J. Fedor and R. Fredheim, "'We Need More Clips about Putin, and Lots of Them': Russia's State-Commissioned Online Visual Culture," *Nationalities Papers* 45:2 (2017): 161–181; and V. Spaiser et al., "Communication Power Struggles on Social Media: A Case Study of the 2011–12 Russian Protests," *Journal of Information Technology and Politics* 14:2 (2017): 132–153.



Rally at the Academician Sakharov Avenue, Moscow, 24 December 2011. (Source: Wikimedia Commons)

akin to “the birth of a new organism.”⁸ Later, Russian researchers found that the more people used VKontakte (VK), Russia’s most popular social network, in a given city in December 2011, the more likely it was that a protest broke out in said city with an above-average participation rate.⁹

For Russia’s political elites, the significance of the 2011–2012 protests did not lie in the mere use of social networks by anti-government protestors. After all, by the time that Russians took to the streets to protest the conduct of the 2011 parliamentary elections, social networks had featured in the organization of nationwide anti-government protests in March 2010.¹⁰ Crucially, since

8 E. Barry, “A Dilemma for Russian Leaders: To Suppress Protests or Not,” *New York Times*, January 1, 2012, <https://www.nytimes.com/2012/01/02/world/europe/in-russia-a-change-in-the-dynamic-of-protests.html>.

9 R. Enikolopov, A. Makarin, and M. Petrova, “Social Media and Protest Participation: Evidence from Russia” (2017), <http://dx.doi.org/10.2139/ssrn.2696236>.

10 M. Elder, “Day of Wrath Brings Russians On to the Streets against Vladimir Putin,” *Guardian*, March 21, 2010, <https://www.theguardian.com/world/2010/mar/21/russia-vladimir-putin-kaliningrad>.

that time, a wave of similarly networked anti-government uprisings had broken out in the Middle East, unseating the leaders of Tunisia and Egypt and even claiming the life of Libya’s Muammar Gaddafi in an episode that left Putin, then Russia’s prime minister, “apoplectic.”¹¹

By and large, Russia’s political elites viewed these revolutions as sponsored, if not engineered, by the West and attached importance to the role of digital tools in the Arab Spring. Igor Sechin, a prominent hawk and Russia’s deputy prime minister at the time, accused Google’s “highly-placed managers” of “manipulations of the energy of the people” of Egypt.¹² Even then-President Dmitry Medvedev, a self-avowed modernizer whose presidency witnessed relative liberalization, could not but see a conspiracy in the events of the Arab Spring. “Let’s face the truth,” he

11 M. Zygar, *All the Kremlin’s Men: Inside the Court of Vladimir Putin* (New York: Public Affairs, 2016), 204.

12 I. Sechin, quoted in “Russia Blames Google for Stirring Egypt Unrest,” Reuters, February 22, 2011, <https://www.reuters.com/article/russia-google-idA-FLDE71L0DW20110222>.

said after the fall of Egypt's Hosni Mubarak. "They have been preparing such a scenario for us, and now they will try even harder to implement it."¹³

The Arab Spring coincided with, and heavily influenced, an ongoing intra-elite debate on the internet's emergence as a domain of dissidence in Russia to the advantage of advocates of restrictions on digital rights. In the absence of the specter of externally sponsored regime change, Medvedev's team had resisted pressure from representatives of the armed forces and the security services to regulate the internet. The Federal Security Service (F.S.B.), an institution not known for its engagement with either the press or the public, waded into policy debates, urging political leaders to ban Western internet services and warning that their "uncontrolled use" presented "a large-scale threat to Russia's security" and risked bringing about "regime change."¹⁴ In response, Medvedev's allies assured Russians that "blocking the internet or restricting access to social networks is unacceptable under any circumstances."¹⁵ To his credit, Medvedev—who, unlike Putin, treated the internet as an asset to utilize rather than a problem with which to deal—refrained

13 D. Medvedev, quoted in N. Abdullaev, "Kremlin Sees Peril in Arab Unrest," *Moscow Times*, February 24, 2011, <https://themoscowtimes.com/news/kremlin-sees-peril-in-arab-unrest-5191>.

14 A. Andreechkin, quoted in "F.S.B. obespokoena ispolzovaniem v RF servisov Skype i Gmail [F.S.B. Concerned by Use of Skype and Gmail Services in the Russian Federation]," *RIA Novosti*, April 4, 2011, <https://ria.ru/science/20110408/362375922.html>; and S. Smirnov, quoted in "Pervyi zamestitel direktora F.S.B. Sergei Smirnov: V ramkakh kiberbezopasnosti nam nado obezopasit nashe obshchestvo ot deyatelnosti zapadnykh spetssluzhzb [First Deputy Director of the F.S.B. Sergey Smirnov: As Part of Cyber-Security, We Must Secure Our Society from the Activities of Western Special Services]," *Komsomolskaya Pravda*, March 27, 2012, <https://www.kp.ru/daily/25858/2825875/>.

15 I. Shchegolev, quoted in K. Giles, "Russia's Public Stance on Cyberspace Issues," *International Conference on Cyber Conflict* 4 (2012), 73.

from updating Russia's vast surveillance apparatus for the digital age.¹⁶

However, the opposition of some political elites to the establishment of a domestic internet control regime lasted only as long as their survival was not at stake. If middle-class protestors had once focused their ire on Putin as a symbol of Russia's *ancien régime*, they repudiated Putin and Medvedev in equal measure after the September 2011 revelation that the prime minister and the president would trade places the following year, a move implying "contempt for the Russian electorate."¹⁷ This internal threat overlapped with an external threat: the West's perceived newfound determination to overthrow governments unsympathetic to its interests by instigating protests and armed uprisings.

The resulting perception of an existential threat to Russia's political elites involving external sponsors, a fifth column of anti-government protestors, and a range of digital tools invented by the former and weaponized by the latter generated an elite consensus in favor of establishing a domestic internet control regime. As such, when political elites' experiment with liberalism, embodied by Medvedev's presidency, came to an end with Putin's re-inauguration in May 2012, so, too, did a period of relative internet freedom in Russia.

16 N. Moen-Larsen, "Communicating with the Nation: Russian Politicians Online," *Russian Analytical Digest* 123 (2013): 10–12.

17 R. Sakwa, "Questioning Control and Contestation in Late Putinite Russia," *Europe-Asia Studies* 67:2 (2015), 196.

RUSSIA'S STRATEGIES OF CONTROL IN CYBERSPACE

Since its establishment in the aftermath of the 2011–2012 protests, Russia's domestic internet control regime has come to encompass four distinct strategies: 1) restricting internet users' access to problematic content and information; 2) passively deterring online dissent by limiting internet users' anonymity; 3) actively deterring online dissent by threatening internet users with punitive sanctions; and 4) competing with and drowning out online dissent by covertly producing and disseminating pro-government content and information.

Restricting Access

For Russia's political elites, the internet's most problematic quality is the ease with which internet users can access problematic content and information. In their view, "absolute freedom" on the internet is dangerous and no less destabilizing than the post-Soviet chaos of the 1990s, when "democracy was understood to mean permissiveness."¹⁸ The insecurity of Russia's political elites stems in large part from the fact that internet users' ease of access to anti-government content and information primarily benefits the non-systemic political opposition, that is, those

18 A. Bastrykin, "Pora postavit deistvennyi zaslon informatsionnoi voine' [It's Time to Establish an Effective Barrier to Information War]," *Kommersant*, April 18, 2016, <https://www.kommersant.ru/doc/2961578>; and V. Putin, quoted in "Putin napomnil o 1990-kh godakh v otvet na vopros o tsenzure v internete [In Response to Question about Internet Censorship, Putin Recalls the 1990s]," *Republic*, April 3, 2017, <https://www.republic.ru/posts/81425>.

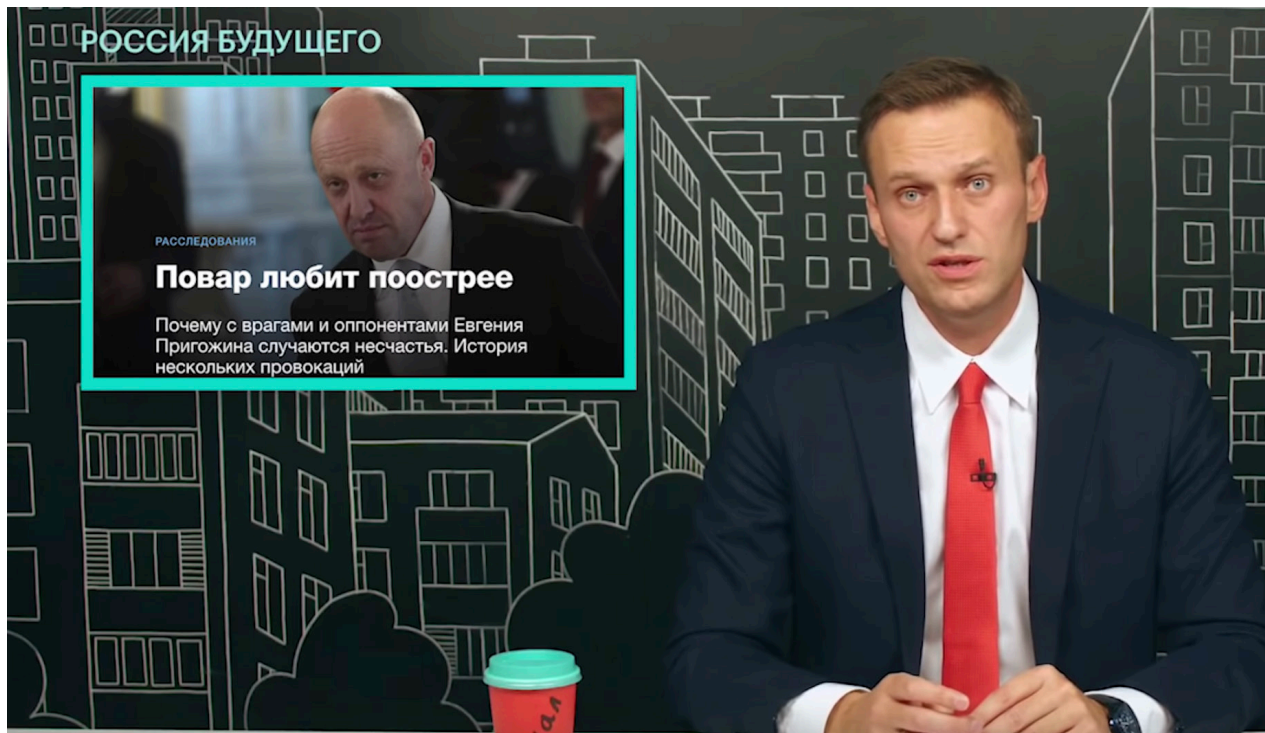
parties and figures mostly, if not entirely, excluded from participation in official politics. Its exclusion from participation in official politics extends beyond a barrier to running for office: as mentioned earlier, federal television channels systematically subject the non-systemic political opposition to negative coverage and give airtime almost exclusively to systemic politicians belonging to either the ruling party, United Russia, or the systemic opposition in parliament.¹⁹

Because television remains the leading source of news for most Russians, with 85 percent of respondents indicating as much in a March 2018 poll,²⁰ relatively few media consumers are exposed to the non-systemic political opposition, and fewer view it favorably. In March 2017, on the heels of nationwide protests organized by Alexey Navalny, Russia's best-known non-systemic political oppositionist, 45 percent of Russians said they were unfamiliar with him, while only nine percent of those familiar with him said they would be willing to at least consider voting for him in a presidential election.²¹ Younger Russians, however, overwhelmingly turn to the internet for their news. In 2015, the internet overtook television as the

19 Human Rights Watch, *Online and On All Fronts: Russia's Assault on Freedom of Expression* (Washington, DC: Human Rights Watch, 2017), 1–2.

20 A Levada Center poll conducted in March 2018: <https://www.levada.ru/2018/04/18/informatsionnye-istochniki/>.

21 V. Vladimirova, "Reiting Navalnogo vyros v 2 raza za mesyats [Navalny's Approval Rating Doubled in a Month]," *Snob*, April 6, 2017, <https://snob.ru/selected/entry/122898>.



Alexei Navalny's Youtube channel, Navalny Live. (Source: Navalny Live, Youtube)

main source of news for 18-24-year-olds in Russia,²² and, in late 2017, television served as the leading source of news for less than a tenth of 18-24-year-olds.²³ Growing internet penetration in Russia, which stood at 76.4 percent in 2017,²⁴ chiefly favors the non-systemic political opposition because its political use of the internet long predates the government's own, has been refined over time, and accounts for a considerable part of its political strategy.

Indeed, the non-systemic political opposition relies on, and makes effective use of, the internet to disseminate anti-government

content and information, practices first demonstrated on a national scale during the 2011–2012 demonstrations. In 2011, Navalny attributed the impact of his thoroughly sourced exposés of state and corporate corruption, published on his LiveJournal blog, to the ease with which LiveJournal users could read his posts: “For me, there are no opportunities to publish [in print] materials about corruption in, say, [state energy companies] Gazprom or Transneft. Through LiveJournal, I can bring this information to a few million people, which is comparable to a television audience.”²⁵ Today, Navalny continues to upload films highlighting the excesses of officials and oligarchs on a blog as well as YouTube. The most popular of these, an investigation into Prime Minister Medvedev’s wealth, has been watched more than 27.5 million times and triggered nationwide protests in the spring

22 S. Goncharov, “‘Televizor budushchego’: kak videoblogery menyayut medialandshaft [‘Television of the Future’: How Video Bloggers Are Changing the Media Landscape],” *Intersection*, July 17, 2017, <http://intersectionproject.eu/ru/article/politics/televizor-budushchego-kak-videoblogery-menyayut-medialandshaft>.

23 N. Demchenko, “Chislo smotryashchikh televizor rossiyan za sem let upalo vdvoe [The Number of Russians Watching Television Has Halved in Seven Years],” *RBC*, November 29, 2017, <https://www.rbc.ru/society/29/11/2017/5a1e69959a794786eca2bcbd>.

24 Freedom House, *Freedom on the Net 2017* (Washington, D.C.: Freedom House, 2017), https://freedomhouse.org/sites/default/files/FOTN_2017_Final.pdf.

25 A. Navalny, quoted in M. Schwirtz, “Russians Riled by Attacks on Blogging Service,” *New York Times*, April 8, 2011, <https://www.nytimes.com/2011/04/09/world/europe/09moscow.html>.

of 2017.²⁶ In 2017, Navalny founded Navalny Live, a separate YouTube channel on which he and his associates discuss topical issues multiple times a day and offer an alternative to state-run television; he has been credited with creating a “YouTube revolution”²⁷ and establishing a “personal media empire.”²⁸

Navalny, while unique in his “prowess in harnessing new media,” is hardly the only non-systemic political opposition figure to benefit from internet users’ ease of access to anti-government content and information.²⁹ Following unexpected electoral gains by liberal democratic candidates in municipal elections in Moscow in September 2017, former State Duma lawmaker Dmitry Gudkov told reporters that the reason for their success lay in their ability to reach a large audience. Unlike the non-systemic political opposition of the 2000s, which was “cut off from the television,” today’s version “has the internet,” he said.³⁰ Internet users’ ease of access to anti-government content and information sometimes even suffices for those expelled

26 L. Pigman, “Anti-Corruption Protests in Russia Gain a New Momentum,” *Fair Observer*, March 29, 2017, <https://www.fairobserver.com/region/europe/dmitri-medvedev-alexey-navalny-russia-corruption-protests-news-64009/>.

27 N. Vasilyeva, “Barred by Russian TV, Navalny Creates YouTube Revolution,” Associated Press, May 25, 2017, <http://abcnews.go.com/amp/International/wireStory/barred-russian-tv-navalny-creates-youtube-revolution-47632769>.

28 V. Yurchenko, “Chelovek iz interneta [The Man from the Internet],” *Novaya Gazeta*, February 15, 2018, <https://www.novayagazeta.ru/articles/2018/02/15/75520-chelovek-iz-interneta>.

29 A. Barbashin, “The Future of Navalny’s Opposition Movement,” *Foreign Affairs*, January 16, 2018, <https://www.foreignaffairs.com/articles/russian-federation/2018-01-16/future-navalnys-opposition-movement>.

30 D. Gudkov, quoted in I. Zhegulev, “My deputaty, za nami narod, kakogo khrena y nas net polnomochii? [We Are Deputies, the People Are Behind Us, How the Hell Is It That We Don’t Have a Mandate?],” *Meduza*, September 11, 2017, <https://meduza.io/feature/2017/09/11/my-deputaty-za-nami-narod-kakogo-hrena-u-nas-net-polnomochiy>.

from, or forced to leave, Russia, as discovered by opposition politician Vyacheslav Maltsev, who fled Russia in 2017 after being charged with extremism, only to retain part of his support base by remaining active on YouTube.³¹ Mikhail Khodorkovsky, an oligarch-turned-dissident who left Russia in late 2013 after serving a decade-long prison sentence, has similarly exploited internet users’ ease of access to anti-government content and information, setting up multiple websites devoted to criticism of the government,³² sometimes creating new ones to circumvent the proscription of older websites.³³

Most internet controls implemented with the aim of restricting internet users’ access to problematic content and information have been designed to frustrate the non-systemic political opposition’s strategy. Several laws have empowered Roskomnadzor (the Federal Service for Supervision of Communications, Information Technology, and Mass Media) to block access to content and information related to the organization of unsanctioned protests and mass riots, including but not limited to:

- FZ-135 (signed into law in July 2013) frames such content and information as harmful to the “health and development” of children by risking their participation in unsanctioned protests or mass riots and

31 A. Dubrovskii, “Kak nakryli ‘revolyutsiyu’ po raspisaniyu [How a ‘Revolution’ by Timetable Was Stopped],” *Novaya Gazeta*, November 3, 2017, <https://www.novayagazeta.ru/articles/2017/11/03/74450-za-dva-dnya-do-ob-yavlennoy-revolutsii>.

32 P. Chernyshov, “Novaya biznes-imperiya Khodorkovskogo [Khodorkovsky’s New Business Empire],” *Komsomolskaya Pravda*, April 26, 2017, <https://www.kp.ru/daily/26672.4/3693910/>.

33 V. Gordeev, “Khodorkovskii otkryl novyi sait vmesto zablokirovannogo Roskomnadzorom [Khodorkovsky Starts New Website to Replace One Blocked by Roskomnadzor],” *RBC*, December 21, 2017, https://www.rbc.ru/technology_and_media/21/12/2017/5a3b07909a79472bcb082286.



Mark Zuckerberg and Dimitri Medvedev in Moscow, October 2012. (Source: premier.gov.ru)

allows Roskomnadzor to block access to information resources if the content and information in question is not removed;³⁴

- FZ-398 (signed into law in December 2013) allows Roskomnadzor, if requested by the prosecutor-general's office, to block access to content and information deemed by the latter to be either “extremist” in nature or threatening to public order (such as by publicizing unsanctioned protests or mass riots) without a court order;³⁵
- FZ-327 (signed into law in November 2017) allows Roskomnadzor to block access to content and information produced by proscribed (“undesirable”) organizations, promoting unsanctioned protests or mass riots, or “providing access” to such content and information (e.g., webpages containing hyperlinks to such content and information), without a

court order;³⁶ and

- FZ-102 (signed into law in April 2018) allows Roskomnadzor to block access to content and information that is found by a court to have defamed a public figure or company if the content and information in question is not removed, on the basis of a court order.³⁷

The term “extremism” has frequently been applied to content and information produced by the non-systemic political opposition. Just over a month after it entered into force on February 1, 2014, FZ-398 was invoked to block access to the websites of Navalny and exiled dissident Garry Kasparov; the former’s blog was made accessible again shortly thereafter,³⁸ though Roskomnadzor has occasionally blocked access to it since

³⁶ FZ-327: <https://rg.ru/2017/11/25/fz327-site-dok.html>.

³⁷ FZ-102: <https://rg.ru/2018/04/25/fz102-dok.html>.

³⁸ M. Torocheshnikova and C. Bigg, “Russia Blocks Websites Critical of Kremlin,” *RFE/RL*, March 14, 2014, <https://www.rferl.org/a/russia-blocks-websites-critical-of-kremlin/25297188.html>.

³⁴ FZ-135: <https://rg.ru/2013/06/30/deti-site-dok.html>.

³⁵ FZ-398: <https://rg.ru/2013/12/30/extrem-site-dok.html>.

then.³⁹ The aforementioned legislation has also been used to block access to content and information promoting anti-government protests—much of it on social networks VK,⁴⁰ Facebook, and Twitter,⁴¹ which have complied, to varying degrees, with Moscow’s deletion requests—as well as the websites of the Khodorkovsky-affiliated Open Russia⁴² and MBKh Media⁴³ and the Anti-Corruption Foundation, founded by Navalny.⁴⁴

The prominent role of social media—the one place in Russia where “politics . . . is alive today,” according to one *Novaya Gazeta* columnist⁴⁵—in the non-systemic political opposition’s strategy has led the government to aggressively seek the removal of anti-

39 “Roskomnadzor nachal blokirovat sayt Alekseya Navalnogo [Roskomnadzor Blocks Website of Alexey Navalny],” *Novaya Gazeta*, February 15, 2018, <https://www.novaya-gazeta.ru/news/2018/02/15/139527-roskomnadzor-nachal-blokirovat-sayt-alekseya-navalnogo>.

40 “Genprokuratura potrebovala zablokirovat sajty s prizyvami k uchastiyu v aktsiyakh 2 aprelya [Prosecutor-General’s Office Demands That Access to Websites with Calls for Participation in April 2 Protests Be Blocked],” *Interfax*, March 31, 2017, <http://www.interfax.ru/russia/556272>.

41 V. Abarinov, “Kak budet Facebook po-russki? [What Is the Russian for Facebook?],” *Radio Svoboda*, December 16, 2015, <https://www.svoboda.org/a/27431237.html>.

42 E. Mukhametshina, “Roskomnadzor zablokiroval sayt ‘Otkrytoj Rossii’ Mikhaila Khodorkovskogo [Roskomnadzor Blocks Website of Mikhail Khodorkovsky’s ‘Open Russia’],” *Vedomosti*, December 12, 2017, <https://www.vedomosti.ru/politics/articles/2017/12/12/744931-roskomnadzor-zablokiroval>.

43 “Sajt izdaniya ‘MBKh Media’ zablokirovali po trebovaniyu Genprokuratory [‘MBKh Media’ Website Blocked Per Request of Prosecutor-General’s Office],” *Mediazona*, February 21, 2018, <https://zona.media/news/2018/02/21/mbk>.

44 “Roskomnadzor zablokiroval rassledovanie FBK iz-za iska Deripaski k Naste Rybke [Roskomnadzor Blocks FBK Investigation Because of Deripaska’s Suit against Nastya Rybka],” *Novaya Gazeta*, February 10, 2018, <https://www.novayagazeta.ru/news/2018/02/10/139394-roskomnadzor-zablokiroval-rassledovanie-fbk-iz-za-iska-deripaski-k-naste-rybke>.

45 A. Polikovskii, “Ot FB k F.S.B. [From FB to the F.S.B.],” *Novaya Gazeta*, September 29, 2017, <https://www.novayagazeta.ru/articles/2017/09/29/74013-ot-fb-k-fsb>.

government content and information from social networks within a legal and normative environment. Foreign social networks have sometimes complied with deletion requests grounded in the aforementioned laws. These include not only Facebook and Twitter, but also Instagram, which is owned by Facebook, and YouTube, which is owned by Google.⁴⁶

The authorities have focused their attention on websites that host problematic content and information precisely because Kremlin critics like Navalny have tended to refuse to remove illegal content and information to satisfy state demands and court orders that illegal content and information be removed.⁴⁷

Russian social networks VK and LiveJournal, once key assets for the non-systemic political opposition, have been mostly neutralized by means of changes in ownership. Oligarch Alexander Mamut acquired LiveJournal in 2007, while VK founder Pavel Durov was ousted and his social network acquired by

46 D. Litvinova, “Alexei Navalny’s Calls for Election Boycott in Russia Blocked by YouTube,” *Telegraph*, December 28, 2017, <https://www.telegraph.co.uk/news/2017/12/28/alexei-navalnys-calls-election-boycott-russia-blocked-youtube/>; K. Boletskaya, “Instagram po trebovaniyu suda udalil fotografii i video o lichnoj zhizni Deripaski [Instagram Deletes Photographs and Videos Related to Deripaska’s Personal Life Following Court Order],” *Vedomosti*, February 15, 2018, <https://www.vedomosti.ru/technology/articles/2018/02/15/751086-instagram-udalil-fotografii-deripaski>; and “Google Pulls Russian Opposition Leader’s YouTube Advert Ahead of Vote,” Reuters, September 8, 2018, <https://uk.reuters.com/article/us-russia-election-navalny-google/google-pulls-russian-opposition-leaders-youtube-advert-ahead-of-vote-idUKKCN1LO0S7>.

47 “Navalnyj podast v sud na Roskomnadzor iz-za trebovaniya udalit rolík ob obeshchaniyakh ‘Edinoj Rossii’ [Navalny to Sue Roskomnadzor Over Demand That Video about United Russia’s Promises Be Deleted],” *Dozhd*, February 15, 2017, <https://tvrain.ru/news/navalny-427751/>; and “Sud postanovil udalit film ‘On vam ne Dimon’ [Court Rules That ‘He Is Not Dimon to You’ Film Must Be Deleted],” *Meduza*, May 31, 2017, <https://meduza.io/news/2017/05/31/sud-postanovil-udalit-film-on-vam-ne-dimon>.

oligarch Alisher Usmanov in 2014.⁴⁸ Since then, political advertising on VK has become virtually impossible for any non-systemic political opposition figures, with Moscow Mayor Sergey Sobyenin allowed to reach out to supporters but not Navalny, whose content is regularly removed by moderators on the grounds that it violates VK guidelines.⁴⁹ In mid-2017, Roskomnadzor stated that of all social networks, VK had proven to be the most cooperative in satisfying deletion requests issued since mid-2012, removing more than 48,000 information resources in that time.⁵⁰ Similarly, several days after nationwide protests triggered by a Navalny exposé, LiveJournal—a website with the help of which Navalny had come to prominence and which the late Anton Nossik described in 2011 as “the only uncensored, uncontrolled, and unmoderated channel for discussion” in Russia⁵¹—declared that it would no longer permit its users to post “political solicitation materials.”⁵²

When not producing anti-government

48 C. Vendil-Pallin, “Internet Control Through Ownership: The Case of Russia,” *Post-Soviet Affairs* 33:1 (2017): 16–33.

49 N. Likhachev, “Kak rabotaet politicheskaya reklama vo ‘VKontakte’: Sobyenin mozhno, Sobchak i Navalnomu – net [How Political Advertising on VKontakte Works: Sobyenin Can, Sobchak and Navalny Cannot],” *TJournal*, January 5, 2018, <https://tjournal.ru/64619-kak-rabotaet-politicheskaya-reklama-vo-vkontakte-sobyenin-mozhno-sobchak-i-navalnomu-net>.

50 “V Roskomnadzore otchitalis o blokirovke sajtov za pyat let [Roskomnadzor Accounts for Five Years of Website Bans],” *Novaya Gazeta*, July 28, 2017, <https://www.novayagazeta.ru/news/2017/07/28/133910-v-roskomnadzore-otchitalis-o-blokirovke-sajtov-za-pyat-let>.

51 A. Nossik, quoted in M. Schwirtz, “Russians Riled by Attacks on Blogging Service,” *New York Times*, April 8, 2011, <https://www.nytimes.com/2011/04/09/world/europe/09moscow.html>.

52 K. Rothrock, “After Moving Servers to Russia, LiveJournal Bans ‘Political Solicitation,’” *Global Voices*, April 4, 2017, <https://advox.globalvoices.org/2017/04/04/after-moving-servers-to-russia-livejournal-bans-political-solicitation/>.

content and information, the non-systemic political opposition benefits from the relative freedom enjoyed and exercised by online news outlets, domestic as well as foreign, and internet users’ ease of access to their reporting. As mentioned above, federal television channels loyally toe the government line, and although some print publications still offer critical reporting, their print format makes them vulnerable to state interference. By contrast, online news outlets are far less regulated than their television and print counterparts and are less vulnerable to state interference, especially if they are based overseas. For their part, foreign news outlets find it easier to reach Russian readers via the internet. Moscow has not blocked access to the websites of any major foreign news outlets, few of which can be found in print in Russia. By offering media consumers an alternative to pro-Kremlin federal television channels and offering coverage of politics and society in Russia that is more critical than that of print publications in Russia, online news outlets directly challenge the government’s domestic narratives and indirectly benefit the non-systemic political opposition, which seizes on coverage that damages the government’s image; hence the frequency with which Navalny shares English-language news reports with social media followers.

The Kremlin has consequently sought to regulate online news outlets and restrict internet users’ access to critical coverage of politics and society in Russia. Although the tactic of initiating changes in ownership neutralized *Lenta.ru* as a source of critical reporting—its editor-in-chief was dismissed by the website’s owner, Mamut, over what he considered excessive editorial independence⁵³—Russia’s government has generally found it easier to limit internet

53 C. Vendil-Pallin, “Internet Control Through Ownership: The Case of Russia,” *Post-Soviet Affairs* 33:1 (2017): 24–25.

users' access to online news outlets it deems overly critical of its policies than to alter their reporting. On the one hand, Roskomnadzor has exercised its powers to deter online news outlets from sharing content and information produced by proscribed organizations, threatening to block access to the former's websites in the event of non-compliance.⁵⁴ On the other hand, Russia's government shapes the media consumption habits of many internet users through the restrictions placed on search engines.

For example, although the ownership of leading Russian search engine Yandex is diffuse, as a news aggregator, it is required by law⁵⁵ to include in search results only the reporting of news outlets officially registered with Roskomnadzor, a restriction excluding blogs, foreign news outlets, and unregistered domestic news outlets, and precluding a well-balanced news diet for those relying on Yandex's list of top five news stories, prominently featured on its home page, to stay informed. As a result, at the time of nationwide anti-corruption protests in March and June 2017, not a single one of the top five news stories listed on Yandex's home page concerned the ongoing demonstrations.⁵⁶ Other legislation prohibits search engines from including in search results information resources to which Roskomnadzor has blocked access⁵⁷ and threatens internet

54 FZ-327: <https://rg.ru/2017/11/25/fz327-site-dok.html>; and "Russia's Federal Censor Says It Will Block Mass Media Outlets That Share Content from Outlawed 'Undesirable Organizations,'" *Meduza*, December 13, 2017, <https://meduza.io/en/news/2017/12/13/russia-s-federal-censor-says-it-will-block-mass-media-outlets-that-share-content-from-outlawed-undesirable-organizations>.

55 FZ-208: <https://rg.ru/2016/06/28/zashita-dok.html>.

56 E. Hartog, "How a New Law Is Making It Difficult for Russia's Aggregators to Tell What's New(s)," *Moscow Times*, April 7, 2017, <https://themoscowtimes.com/articles/how-a-new-law-is-making-it-difficult-for-russias-news-aggregators-to-tell-whats-going-on-57657>.

57 FZ-276: <https://rg.ru/2017/07/30/fz276-site-dok.html>.



As owner of LiveJournal and Lenta.ru Alexander Mamut has moved to neutralize both websites as spaces of dissent. (Source: Wikimedia Commons)

companies that fail to comply with fines of 500,000-700,000 rubles (\$7,500-\$10,500).⁵⁸ In a rare example of the Russian authorities punishing a major foreign internet company for non-compliance with such legislation, Roskomnadzor recently announced that it planned to take action against Google for violating F-276.⁵⁹

SomelawsrefrainfromgrantingRoskomnadzor additional powers and instead threaten websites and their owners with fines so as to pressure them into removing problematic content and information. A recent example threatens internet companies—including foreign ones—that fail to remove content and information found by a court to be disputed

58 FZ-155: <https://rg.ru/2018/06/29/zakon155-dok.html>.

59 E. Bryzgalova, "Roskomnadzor oshtrafuet Google v Ros-sii [Roskomnadzor to Fine Google in Russia]." *Vedomosti*, October 25, 2018. <https://www.vedomosti.ru/technology/articles/2018/10/25/784727-roskomnadzor-oshtrafuet>."

with up to 200,000 rubles (\$3,000) in fines.⁶⁰

Far from a paper tiger, Roskomnadzor has not hesitated to exercise its powers. In July 2017, it claimed to have blocked access to 257,000 information resources over the course of five years,⁶¹ while digital rights advocates have estimated that Roskomnadzor blocked access to a daily average of 244 websites in 2017.⁶² Meanwhile, Moscow has taken measures to ensure that Roskomnadzor bans on problematic content and information are not circumvented by internet users. Legislation allows Roskomnadzor to block access to virtual private network (VPN) apps that fail, within 30 days of hearing from Roskomnadzor, to deny their users access to content and information to which Roskomnadzor has blocked access.⁶³ Around the time of its implementation in November 2017, most VPN apps widely used in Russia were reportedly in compliance.⁶⁴ That said, some officials doubt that the authorities' strategy of restricting access to problematic content and information will remain viable in the long-term. Such skeptics cite the growing popularity of software enabling the circumvention of bans and concede that it is "impossible in principle" to completely ban

60 FZ-347: <https://rg.ru/2018/10/04/fz347-dok.html>.

61 "V Roskomnadzore otchitalis o blokirovke sajtov za pyat let [Roskomnadzor Accounts for Five Years of Website Bans]," *Novaya Gazeta*, July 28, 2017, <https://www.novayagazeta.ru/news/2017/07/28/133910-v-roskomnadzore-otchitalis-o-blokirovke-sajtov-za-pyat-let>.

62 D. Gainutdinov and P. Chikov, *Svoboda interneta 2017: polzuchaya kriminalizatsiya [Internet Freedom 2017: Creeping Criminalization]* (Moscow: Agora International Human Rights Group, 2018), https://meduza.io/static/0001/Agora_Internet_Freedom_2017_RU.pdf.

63 FZ-276: <https://rg.ru/2017/07/30/fz276-site-dok.html>.

64 M. Kolomychenko, "Vse populyarnye VPN-servisy soglasilis zablokirovat zapreshchennye sajty [All Popular VPN Services Have Agreed to Block Prohibited Websites]," *RBC*, November 1, 2017, https://www.rbc.ru/technology_and_media/01/11/2017/59f992f79a79477906f2e973.

something on the internet.⁶⁵

Limiting Anonymity

In addition to internet users' ease of access to problematic content and information, Russia's political elites have had to reckon with issues associated with encryption and anonymity, which allow internet users to voice dissent without fear of retribution, plan criminal or terrorist acts in secret, and, in Putin's words, "hide, be rude, insult others, [and] take extreme positions."⁶⁶ German Klimenko, then Putin's internet affairs adviser, called anonymity the internet's "most serious problem," while Roskomnadzor head Alexander Zharov has accused messaging apps that prioritize the privacy of their users and refuse to cooperate with the security services of exhibiting "neutrality in relation to terrorists and criminals."⁶⁷ In response, Moscow has sought to circumvent encryption and limit the anonymity enjoyed by internet users, adopting internet controls forcing internet users to declare personal details and/or obligating internet operators, providers, and services to collect, retain, and make available to the authorities the personal information of users:

65 Aleksei Volin, quoted in "Zamglavy Minsviazi zaiavil o neeffektivnosti blokirovok v interente, [Deputy Head of Communications Ministry Says Internet Bans are Ineffective]" *RIA Novosti*, November 1, 2018, <https://ria.ru/society/20181101/1531904482.html>.

66 V. Putin, quoted in "Putin: postupayushchie cherez internet zhaloby dolzhny byt individualnymi [Putin: Complaints Made on the Internet Must Be Individual]," *RIA Novosti*, January 20, 2016, <https://ria.ru/society/20160120/1362331966.html>.

67 G. Klimenko, quoted in "Russia's Federal Security Service Says Instant Messengers Are Terrorists' Roadways," *Meduza*, April 4, 2018, <https://meduza.io/en/news/2018/04/04/russia-s-federal-security-service-says-instant-messengers-are-terrorists-roadways>; and A. Zharov, quoted in "Roskomnadzor: Telegram predostavlyaet vozmozhnosti dlya obshcheniya terroristam i prestupnikam [Roskomnadzor: Telegram Provides Terrorists and Criminals with Opportunities for Communication]," *TASS*, June 23, 2017, <http://tass.ru/ekonomika/4361970>.



President Vladimir Putin meets with Roskomnadzor head Alexander Zharov. (Source: Wikimedia Commons)

- FZ-97 (signed into law in May 2014) requires so-called information distributors—including bloggers with more than 3,000 daily readers, who, unless they refuse to comply with FZ-97, can no longer remain anonymous to the state—to officially register with Roskomnadzor, which maintained a public registry of bloggers from August 2014 to August 2017. Information distributors must also provide the authorities with various data, including “information about the arrival, transmission, delivery, and/or processing of voice data, written text, images, sounds, or other electronic messages” and “information about users” within six months;⁶⁸
- FZ-242 (signed into law in July 2014) requires internet companies in possession of the data of users with Russian citizenship to physically store said data on the territory of the Russian Federation and make said data available to the authorities;⁶⁹
- Government decree 758 (issued by prime minister Medvedev in July 2014) requires internet users seeking to access public Wi-Fi hotspots to supply their phone numbers and obligates internet providers to retain said data and make said data available to the authorities for six months;⁷⁰
- FZ-374 (signed into law in July 2016) requires cellular and internet providers to store all communications data for six months, and phone and texting records for one to three years, to make all said data available to the authorities and supply them with the personal data of users—a vaguely defined requirement that may include one’s full name, online handle, date of birth and other passport details, contact information, location, languages spoken, known relatives, known contacts, files shared online, and online payment

68 FZ-97: <https://rg.ru/2014/05/07/informtech-dok.html>.

69 FZ-242: <https://rg.ru/2014/07/23/persdannye-dok.html>.

70 Government Decree 758: <https://rg.ru/2014/08/05/svyaz-site-dok.html>.

details⁷¹—and to help the F.S.B. decipher encrypted communications on messaging apps, all measures couched in the language of anti-terrorism;⁷²

- FZ-241 (signed into law in July 2017) requires messaging apps to ascertain the identities of users by collecting their phone numbers and making said data available to the authorities;⁷³
- FZ-245 (signed into law in July 2017) requires phone operators to activate only those SIM cards registered with the personal details of users, whose identities are authenticated using official documents, and deactivate SIM cards if the identities of their users cannot be confirmed within 15 days;
- The aforementioned FZ-276 allows Roskomnadzor to block access to non-compliant anonymizers;⁷⁴ and
- FZ-386 (signed into law in December 2017) stipulates that SIM cards cannot be activated *until* the identities of their users are confirmed and affirms that users have 15 days to confirm their identities.⁷⁵

The authorities have not hesitated to enforce compliance with laws limiting the anonymity of internet users. Russia's blogger community initially denounced FZ-97 as an attack on online political expression. Yet, many bloggers with more than 3,000 daily readers ultimately acquiesced to the law and registered themselves as information distributors; more than 2,000 bloggers had

done so by May 2017,⁷⁶ several months before Roskomnadzor's public registry of bloggers was suspended.⁷⁷ In the case of FZ-242, Russia has secured the compliance of major internet companies, including Apple,⁷⁸ Google,⁷⁹ eBay, Paypal,⁸⁰ LiveJournal,⁸¹ Alibaba, Viber, Gett, Uber, Microsoft,⁸² and, reportedly, Twitter.⁸³ Those companies not in compliance face more than just fines: LinkedIn's refusal to store the data of users with Russian citizenship inside Russia led Roskomnadzor to block access to the social network⁸⁴ while Moscow

76 D. Filonov, "Zarazitelnyi primer. Kak v Irane vychislyayut vladeltsev Telegram-kanalov [A Contagious Example. How Telegram Channel Owners Are Identified in Iran]," *Republic*, May 26, 2017, <https://republic.ru/posts/83294>.

77 N. Raibman, "Roskomnadzor prekratil vesti reestr blogerov [Roskomnadzor Ceases to Maintain Registry of Bloggers]," *Vedomosti*, August 1, 2017, <https://www.vedomosti.ru/politics/articles/2017/08/01/727388-roskomnadzor-reestr-blogerov>.

78 "Apple Reportedly Agrees to Store Users' Personal Data on Servers in Russia," *Meduza*, September 10, 2015, <https://meduza.io/en/news/2015/09/10/apple-reportedly-agrees-to-store-users-personal-data-on-servers-in-russia>.

79 "Google soglasilsya khranit dannye rossiyan v RF [Google Agrees to Store Russians' Data in the Russian Federation]," *Meduza*, April 10, 2015, <https://meduza.io/news/2015/04/10/google-soglasilsya-khranit-dannye-rossiyan-v-rf>.

80 A. Baklanov, "eBay i Paypal soglasilis khranit v Rossii lichnye dannye rossiyan [eBay and Paypal Agree to Store Russians' Personal Data in Russia]," *Snob*, April 7, 2015, <https://snob.ru/selected/entry/90684>.

81 A. Nossik, "Seryy Zhivogo zhurnala pereekhali na Lubyanku [LiveJournal's Servers Have Moved to Lubyanka]," *LiveJournal*, December 23, 2016, <https://dolboeb.livejournal.com/3078638.html>.

82 G. Boyarkova, "Vse terabayty v gosti k nam [All the Terabytes Visit Us]," *Fontanka*, November 12, 2017, <http://www.fontanka.ru/2017/11/10/144/?feed>.

83 A. Luhn, "Moscow Says Twitter Ready to Store Data of Users on Russian Servers Despite Concerns Over Surveillance," *Telegraph*, November 8, 2017, <https://www.telegraph.co.uk/news/2017/11/08/moscow-says-twitter-ready-store-data-users-russian-servers-despite/>.

84 S. Walker, "Russia Blocks Access to LinkedIn Over Foreign-Held Data," *Guardian*, November 17, 2016, <https://www.theguardian.com/world/2016/nov/17/russia-blocks-access-to-linkedin-over-foreign-held-data>.

71 K. Martynov, "Vychislit vseh po IP [Identify Everyone by Their IP Addresses]," *Novaya Gazeta*, August 12, 2017, <https://www.novayagazeta.ru/articles/2017/08/12/73459-vychislit-vseh-po-ip>.

72 FZ-374: <https://rg.ru/2016/07/08/antiterror-dok.html>.

73 FZ-241: <https://rg.ru/2017/08/04/informacia-dok.html>.

74 FZ-276: <https://rg.ru/2017/07/30/fz276-site-dok.html>.

75 FZ-386: <https://rg.ru/2017/12/06/fz386-site-dok.html>.

successfully demanded that Apple's App Store and Google's Google Play cease to offer the LinkedIn app to users inside Russia.⁸⁵ LinkedIn has entered into negotiations with Moscow yet refused to acquiesce to its demands and so the social network remains banned.⁸⁶

Meanwhile, access to messaging apps that have refused to share user data with the authorities has been blocked. These apps include Zello⁸⁷—proscribed at the height of protests over the controversial introduction of an electronic toll collection system and used extensively by participants in said protests—Imo, BlackBerry Messenger, Line, Vchat,⁸⁸ briefly, WeChat,⁸⁹ and, most notably, the Russian-made Telegram. Before the messaging app was banned in April 2018,

85 "Apple i Google udalili LinkedIn iz rossiiskikh magazinov prilozhenii [Apple and Google Delete LinkedIn from Russian App Stores]," *Meduza*, January 7, 2017, <https://meduza.io/news/2017/01/07/rossiya-potrebovala-udalit-prilozhenie-linkedin-iz-magazinov-apple-i-google>.

86 A. Blagoveshchenskii, "Sotsset LinkedIn reshila vernutsya v Rossiyu [The Social Network LinkedIn Has Decided to Return to Russia]," *Rossiiskaya Gazeta*, January 18, 2017, <https://rg.ru/2017/01/18/socset-linkedin-reshila-vernutsya-v-rossiiu.html>; and Alexander Winning and Maria Kiselyova, "LinkedIn Fails to Agree with Russia on Restoring Access to Site," Reuters, March 7, 2017, <https://www.reuters.com/article/linkedin-russia-ban-idUSL2N1GK1Z3>.

87 "Roskomnadzor nachal blokirovku prilozheniya-ratsii Zello, populyarnogo u dalnoboishchikov [Roskomnadzor Begins to Block Zello App, Popular Among Truckers]," *Meduza*, April 10, 2017, <https://meduza.io/news/2017/04/10/roskomnadzor-nachal-blokirovku-prilozheniya-ratsii-zello-populyarnogo-u-dalnoboyschikov>.

88 "Roskomnadzor zablokiroval chetyre messendzhera za otkaz ot sotrudnichestva [Roskomnadzor Blocks Four Messaging Apps Over Refusal to Cooperate]," *Lenta.ru*, May 2, 2017, <https://lenta.ru/news/2017/05/02/noinformation/>.

89 "Russia Blocks Chinese Social Media App WeChat," Reuters, May 6, 2017, <https://www.reuters.com/article/us-tecnent-wechat-russia/russia-blocks-chinese-social-media-app-wechat-idUSKBN18204J>; and I. Li, "Roskomnadzor razblokiroval messendzher WeChat [Roskomnadzor Unblocks WeChat Messaging App]," *RBC*, May 11, 2017, https://www.rbc.ru/technology_and_media/11/05/2017/59142fac9a794774b5add598.

political elites spent nearly a year pressuring its creator, Durov, to cooperate with the security services. Telegram was singled out as uniquely complicit in enabling the malign activities of extremists by the F.S.B., mentioned by name at regional gatherings of spy chiefs, and systematically assailed on federal television channels, a campaign that left commentators convinced that the messaging app was about to be banned months ahead of time.⁹⁰

The ban itself has proven to be difficult to implement and unexpectedly costly, financially as well politically. In its first few weeks, Roskomnadzor cast its net so wide in attempting to block the messaging app that the agency's blacklist increased from tens of thousands of IP addresses to tens of millions. The efforts disrupted access to internet resources unrelated to Telegram, led to (unsuccessful) lawsuits against Roskomnadzor, caused an estimated more than \$1 billion in damages, triggered protests in Moscow and St. Petersburg, and created a political crisis for the Kremlin that divided political elites and alienated many of the millions of Russians who used Telegram at

90 "F.S.B. zayavila o podgotovke terakta v metro Peterburga s pomoshchyu Telegram [F.S.B. Says That Terrorist Attack in St. Petersburg Metro Was Planned Using Telegram]," *RBC*, June 26, 2017, <https://www.rbc.ru/politics/26/06/2017/595096cd9a794764bd8674c5>; "Russian Intelligence Chief Says Terrorists Use Telegram's 'Secret Chats,'" *Moscow Times*, May 24, 2017, <https://themoscowtimes.com/news/russian-intelligence-chief-says-terrorists-use-telegrams-secret-chats-58079>; M. Zelenskii, "Pavel Durov – anarkhist': kak federalnye telekanaly gotovyat rossiyan k blokirovke Telegram [‘Pavel Durov Is an Anarchist’: How Federal Television Channels Are Preparing Russians for a Telegram Ban]," *Meduza*, June 26, 2017, <https://meduza.io/feature/2017/06/26/pavel-durov-anarkhist-kak-federalnye-telekanaly-gotovyat-rossiyan-k-blokirovke-telegram>; and S. Kupriyanov, "Pochemu Telegram tak razdrazhaet rossiiskikh chinovnikov [Why Telegram Irritates Russian Officials So Much]," *Carnegie.ru*, June 28, 2017, <http://carnegie.ru/commentary/71373>.



#DigitalResistance protest in Moscow in 2018. (Source: Flickr, Vadim Preslitsky)

the time of its ban.⁹¹ Telegram can still be accessed in Russia, but it has shed at least a fifth of its user base.⁹²

The determination of political elites to secure messaging apps' compliance with the aforementioned legislation stems from not only their use by terrorists,⁹³ but also the popularity of closed channels as a source of gossip and leaks about palace politics, which is of far greater insight for political observers and consequence for political elites than the insider information typically featured in news

reports.⁹⁴

In a clear example of a chilling effect, the less anonymity internet users enjoy because of the legal obligations imposed on and enforced by internet operators, providers, and services, the less confident they are likely to be in their protection from state retribution against online dissent. Russia's efforts to limit anonymity can thus be understood as an attempt to passively deter online dissent, one figuring into a wider strategy of deterrence.

Threatening Punitive Sanctions

When not restricting internet users' ease of access to problematic content and information or limiting their anonymity with the aim of discouraging online dissent and other forms of problematic expression, Russia's government has sought to actively deter online dissent by threatening punitive

⁹¹ O. Kashin, "Taina Nezygarya. Pochemu anonimnye Telegram-kanaly – eto interesno [NeZygar's Secret. Why Anonymous Telegram Channels Are Interesting]," *Republic*, June 29, 2017, <https://republic.ru/posts/84429>.

⁹¹ L. Pigman, "Russia's War on Telegram and What It Tells Us about Russian Politics," *The Russia File*, May 8, 2018, <http://www.kennan-russiafile.org/2018/05/08/russias-war-on-telegram-and-what-it-tells-us-about-russian-politics/>.

⁹² S. Sobolev and I. Nemchenko, "Telegram poteryal v Rossii pyatuyu chast auditorii," *RBC*, July 31, 2018, https://www.rbc.ru/technology_and_media/31/07/2018/5b6035869a794722e4482452.

⁹³ M. Bloom, H. Tiflati, and J. Horgan, "Navigating ISIS's Preferred Platform: Telegram," *Terrorism and Political Violence* (2017).

sanctions.

The liberally interpreted label of extremism, mentioned above as a pretext on which to block access to problematic content and information, also serves as the authorities' principal instrument of active deterrence. In early 2018, digital rights advocates estimated that since 2008, 1,449 criminal charges had been filed against, and 98 prison sentences handed down to, internet users.⁹⁵ Most of these were filed under Article 282 of the Russian Criminal Code, which was amended to cover online forms of extremist speech in mid-2014.⁹⁶ Others have been prosecuted under a 2013 law that criminalized blasphemous statements, including those made online, and threatened offenders with thousands of dollars in fines and up to a year in prison.⁹⁷

In 2018, the steady growth of Article 282's application produced a political crisis for the Kremlin. A "mothers' march" in Moscow numbering an estimated 2,000 protesters, organized in response to the prosecution of young Russians over social media activities, accompanied calls for liberalization from various political elites, including figures of moderation and law enforcement officials alike.⁹⁸ The Kremlin has initiated a tactical retreat on this issue, proposing legislative changes that would reserve criminal charges—and prison sentences—for repeat offenders and those who call for violence or justify its use, while other institutions, such as the Supreme Court and the Office of the Prosecutor-General, have launched similar

95 D. Gainutdinov and P. Chikov, *Svoboda interneta 2017: polzuchaya kriminalizatsiya* [Internet Freedom 2017: Creeping Criminalization] (Moscow: Agora International Human Rights Group, 2018), https://meduza.io/static/0001/Agora_Internet_Freedom_2017_RU.pdf.

96 FZ-179: <https://rg.ru/2014/07/03/izmenenia-dok.html>.

97 FZ-136: <https://rg.ru/2013/06/30/zashita-site-dok.html>.

98 L. Pigman, "A Tactical Retreat: The Kremlin Reins in a War on Online Extremism," *Carnegie.ru*, October 5, 2018, <https://carnegie.ru/commentary/77418>.

interventions on the side of the internet users. However, even if the amendments pass, internet users will remain vulnerable to imprisonment over a variety of charges. As of October 2, 2018, those include the repeated failure to remove "disputed" information from the internet, a now-criminal act that is punishable by up to two years in prison.⁹⁹

The deterrence value of Russia's practice of prosecuting internet users for online political expression lies not in the number of people prosecuted—a number that has grown steadily since the 2011–2012 protests—but in the implication of *whom* the authorities choose to prosecute. Oftentimes, these are associates of non-systemic political opposition leaders, rank-and-file non-systemic political opposition (or LGBT rights) activists, and ordinary Russians who criticize the government on social media. The focus of Russia's law enforcement agencies on those who engage in online dissent and the costs imposed on offenders signals to the rest of society the potential price to be paid for online dissent, in concert with offline activism or otherwise.

Competing With and Drowning Out Dissent

The authorities counter those undeterred by either limited anonymity—and the concomitant increase in the likelihood of state retribution—or the overt threat of state retribution through a strategy of drowning out dissent by covertly producing and proliferating pro-government content and information. Pro-government content and information is spread in distinct campaigns that pre-empt or respond to negative non-systemic political opposition messaging.

In the lead-up to the March 2018 presidential election, which Navalny encouraged voters

99 FZ-348: <https://rg.ru/2018/10/04/fz348-dok.html>.

to boycott, bot and troll accounts on Twitter promoted the upcoming vote with the apparent aim of increasing voter turnout.¹⁰⁰ To the same end, professionally produced videos published on YouTube, neither claimed nor endorsed by either the government or United Russia, encouraged viewers to vote for Putin using humor and sex appeal.¹⁰¹ Sex appeal was similarly used to reach potential voters on VK, with a collection of chat stickers depicting attractive women and featuring slogans about participating in the presidential election made available to users shortly before the vote.¹⁰² Pro-government youth organizations flooded social networks with pro-Putin hashtags in the months leading up to the vote,¹⁰³ and the Kremlin itself covertly created anonymous Telegram channels through which to shape the national conversation in the run-up to

100 A. Kovalev, "As Putin's Reelection Looms, Online Propaganda Wars Rage in Russia," *Wired*, March 16, 2018, <http://www.wired.co.uk/article/russian-presidential-election-2018-vladimir-putin-propaganda>.

101 V. Davydov and O. Strakhovskaya, "V sotssetyakh poyavilsya virusnyi rolik s prizyvom idti na vybory. V nem rossiyan pugayut geyami i temnokozhimi [A Viral Video Urging You to Vote Has Appeared on Social Networks. It Tries to Scare Russians with Gay People and People of Color]," *Meduza*, February 17, 2018, <https://meduza.io/feature/2018/02/17/v-internete-poyavilsya-virusnyy-rolik-s-prizyvom-idti-na-vybory-v-nem-rossiyan-pugayut-geyami-i-temnokozhimi>; and "Pozdno, devki, zavtra s Vovoi my idem v ZAGS: gruppa 'Fabrika' vypustila klip pro Putina [Too Late, Girls, Tomorrow We Head to the Polls with Vova: 'Fabrika' Band Releases Video about Putin]," *Dozhd*, March 9, 2018, https://tvrain.ru/teleshov/videoftheday/fabrika_putin-459198.

102 V. Baryshnikov, "Seks-yavka. Kak molodezh sotsialnymi setyami tyanut na vybory [Sex-Turnout: How Youth Are Being Pulled to the Polls Using Social Networks]," *Radio Svoboda*, February 26, 2018, <https://www.svoboda.org/a/29063712.html>.

103 "Rossiiskaya molodezh zapustila v internete aktsiyu v podderzhku Putina na vyborakh [Russian Youth Launch Internet Campaign Supporting Putin's Election Bid]," *TASS*, December 22, 2017, <http://tass.ru/obschestvo/4835485>.

the presidential election¹⁰⁴—all while political elites pushed for a ban on the messaging app. As mentioned above, non-systemic political opposition figures and parties frequently find their content removed from Russian social networks by moderators, disadvantaging them.

The previous year, following nationwide protests in March 2017 that were larger and more geographically dispersed than those in 2011–2012, the government initiated a campaign intended to discredit the non-systemic political opposition before a subsequent series of demonstrations in June 2017. News reports claimed that a directorate within the presidential administration had been tasked with overseeing the campaign, which involved the covert production and dissemination of professionally produced videos defaming Navalny;¹⁰⁵ soon thereafter, videos comparing Navalny to Adolf Hitler,¹⁰⁶ along with memes characterizing Navalny as manipulative and his supporters as naïve and threatening the latter with sexual violence should they participate in subsequent protests,¹⁰⁷ appeared on YouTube and prominent VK pages. Many VK users unsubscribed from the otherwise popular

104 "Russian Authorities to Launch 100 Anonymous Telegram Channels Ahead of Election," *Moscow Times*, October 10, 2017, <https://themoscowtimes.com/news/russian-state-launches-100-anonymous-telegram-channels-ahead-of-election-59223>.

105 "Kreml reshil nachat kampaniyu protiv Navalnogo [The Kremlin Has Decided to Begin a Campaign against Navalny]," *Dozhd*, April 18, 2017, https://tvrain.ru/news/kreml_nachinaet_kampaniju_protiv_navalnogo-432692/.

106 "Navalnogo na yutube nazvali Gitlerom. Teper vse pytayutsya pridumat dokazatelstva [Navalny Was Called Hitler on YouTube. Now Everyone's Trying to Come Up with the Evidence]," *Meduza*, April 19, 2017, <https://meduza.io/shapito/2017/04/19/navalnogo-na-yutube-nazvali-gitlerom-teper-vse-pytayutsya-pridumat-dokazatelstva>.

107 I. Webb, "Who's Paying for the Meme War against Alexey Navalny?" *Global Voices*, May 8, 2017, <https://globalvoices.org/2017/05/08/whos-paying-for-the-meme-war-against-alexei-navalny/>.

pages that shared the anti-Navalny memes.

Nonetheless, political elites remain interested in beating the non-systemic political opposition at its own game on the internet. One emerging direction of their strategy of competing with and drowning out dissent is co-optation of video bloggers (or vloggers). Prominent Russian vloggers have been invited to address and meet with officials and legislators and encouraged to share their insights with political elites so as to improve the latter's outreach to younger Russians.¹⁰⁸ Although these meetings were widely viewed as inconclusive, this year's mayoral race in Moscow saw some vloggers subtly, if not covertly, lend their support to the incumbent, Sergei Sobyenin, promoting his accomplishments in videos that were not presented to viewers as political advertisements and rarely mentioned Sobyenin by name. Some observers have suggested that the de facto endorsements were commissioned and that the vloggers were rewarded materially—accusations the vloggers deny.¹⁰⁹ Regardless, high-ranking officials are visibly aware of the potential value of co-opting social media influencers:

108 "Podpischiki — te zhe izbirateli, a kazhdoe moe video — eto mini-vybory. Ya prozrachna s 13 let. Stante prozrachnymi! [Subscribers Are Those Very Same Voters, and Each of My Videos Is a Mini-Election. I Have Been Transparent Since 13. Become Transparent!]," *Novaya Gazeta*, May 22, 2017, <https://www.novayagazeta.ru/articles/2017/05/22/72529-soprotivlyatsya-zarubezhnym-fabrikam-mysli-v-internete-imet-po-3-rebenka-prizyvati-ob-edineniyu-korey-i-pomnit-o-svoih-tsennostyah>; and O. Churakova, "Gosduma pogovorila s blogerami [The State Duma Spoke with Bloggers]," *Vedomosti*, June 19, 2017, <https://www.vedomosti.ru/politics/articles/2017/06/19/695034-gosdume-blogerami>.

109 E. Volnov, "Meriya Moskvyy zakazala skrytyuyu reklamu u Nikolaya Soboleva i drugikh populyarnykh blogerov [The Moscow Mayor's Office Commissioned Covert Ads from Nikolay Sobolev and Other Popular Bloggers]," *TJournal*, July 7, 2018, <https://tjournal.ru/73304-meriya-moskvyy-zakazala-skrytyuyu-reklamu-u-nikolaya-soboleva-i-drugih-populyarnykh-blogerov>.

Putin has suggested promoting patriotism via social networks, and Security Council Secretary Nikolay Patrushev has raised the idea of recruiting patriotic bloggers to promote patriotism on the internet.¹¹⁰

110 V. Putin, "Zasedanie orgkomiteta 'Pobeda' [Meeting of the Organizational Committee of 'Victory']," April 20, 2017, <http://kremlin.ru/events/president/news/54347>; and "Patrushev: Patrioticheskim vospitaniem mogut zanyatsya 'internet-druzhiny' [Patrushev: 'Internet-Squads' Could Engage in Patriotic Education]," *Regnum*, April 11, 2018, <https://regnum.ru/news/2402831.html>.

THE FUTURE OF INTERNET FREEDOM IN RUSSIA

A survey of internet controls in Russia, the present report makes sense of Russia's constantly expanding domestic internet control regime. It suggests that what may strike some as ad hoc measures adopted by a legislature derisively referred to as a "mad printer" form coherent and complementary strategies of control in cyberspace. Russia's internet controls may vary in effectiveness—Russia's political elites have proven to be better at removing problematic content and information from the internet than at competing with the non-systemic political opposition on social media platforms—but they speak to a deliberate approach to the regulation of the internet.

For now, one detects an emphasis on restricting internet users' access to problematic content and information. However, should the Telegram affair increase the popularity of encrypted messaging apps among Russians, anonymity is likely to come under greater attack. Should the Kremlin fail to rein in its law enforcement agencies, the number of internet users prosecuted for posting, liking, or sharing problematic content and information is certain to multiply. Should the presidential administration, with the internet-savvy Sergey Kiriyenko leading the way, learn to beat the non-systemic political opposition at its own game on the internet, Russia's political elites may come to prefer co-optation to suppression.

These outcomes have implications for not only the non-systemic political opposition, which relies on its relative freedom of

action in cyberspace to reach and mobilize supporters and disseminate anti-government content and information. An unfree internet affects ordinary internet users, too, as Muscovites belatedly noted when protesting the ban on Telegram in April 2018. Indeed, the determination of political elites to rein in the Runet threatens a wide swath of Russian society. All that remains to be seen is how rapidly Russians' digital rights erode and what is done about it. 🌐





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