

Reporters Without Borders

<http://www.rsf.org/russia-internet-access-barred-as-wave-of-01-11-2012,43627.html>

Europe/Ex-USSR - Russia

Duma blocks information

Internet access barred as wave of new legislation threatens freedom of information

1 November 2012

A state [blacklist of blocked websites and internet addresses](#) becomes official today, as [the final section of the "Law on the Protection of Children From Information Detrimental to Their Health and Development"](#) takes effect.

Reporters Without Borders expressed grave concern over this development. "We are forced to conclude that no political will exists to resolve the law's contradictions and to eliminate those that pose threats to freedom, despite criticism of the law from many quarters," the organization said.

The press freedom group also stated its apprehension over a related series of state and legislative actions and proposals: the vast expansion of the doctrines of "state secret" and "high treason;" the intended prohibition on the use of tools for bypassing online censorship; and increases in penalties for convictions of "blasphemy."

"Taken as a whole, the latest legislative initiatives in the Duma give all the appearance of a concerted attack on freedom to disseminate information," Reporters Without Borders said. "In each of these bills, imprecise language and vague definitions are far too open to interpretation. We call on members of parliament to revise their proposals in light of the fundamental right to freedom of information, which the Russian constitution – and international conventions ratified by Russia – guarantee to all citizens."

Internet surveillance increasing

The complete list of all websites and internet addresses blocked in Russia remains inaccessible. The site <http://zapret-info.gov.ru/> allows a user to determine only if a given IP, URL or domain name is on the list. It bears [repeating that the procedure leading to access blocking is extremely opaque](#). No judicial decision is needed. Instead, an anonymous group of "experts," of unknown competence and unverified credentials, takes the action.

Internet service providers note that they lack the ability to effectively block only certain Web pages. This creates a likelihood of overly broad access denial. Last September, for instance, [YouTube was entirely blocked for several hours in some regions](#) by providers who had been ordered to block the anti-Islam film, "The Innocence of Muslims." Communications Minister Nikolai Nikiforov had warned that YouTube could be entirely shut down throughout the country as of 1 Nov. if the site did not take down the film.

Amendments to the child-protection law had barely been put in place last July when the Duma (the lower house of the Russian parliament) decided to add the prohibitions on anonymizer and filter-bypass tools (proxies, VPN). According to the bill to amend the information law, filed on 21 September, internet users who continue to use these methods would face penalties ranging from blocking of their internet access to heavy fines.

The Duma's deputy chair, Sergei Zheleznyak of the ruling United Russia party, [told the Izvestiya newspaper](#) that recent measures against "noxious content" on the internet are not the last of their kind; he vowed that the Duma would maintain its efforts along those lines.

All of them are spies?

On 31 October, the Federation Council (the upper chamber of parliament) approved unanimously, with one abstention, [amendments expanding the definitions of "state secret" and "high treason."](#) Having previously been considered in record time by the Duma, which also passed them, these amendments will take effect as soon as President Vladimir Putin signs them into law.

In newly revised form, article 275 of the penal code defines as "high treason" the "transmission of a state secret" not only to a foreign organization or government, but also to an "international organization or its representatives." Moreover, the new definition includes all "financial aid, technical assistance, consultative or other assistance" provided for "activities directed against the security of the Russian Federation."

The latter formulation is deliberately more vague than the previous version, which referred to "activities carried out to the detriment" of national security. This concept is even more clear in Russian, implicitly conveying the existence of a specific damage or direct threat.

In the new text, the notion of "security" is enlarged to include security against domestic as well as foreign threats.

Those facing risk of prosecution and conviction include people who have obtained secret information not only in the course of their work but also "in the course of schooling or in other capacities cited by law."

Reporters Without Borders called on President Putin not to sign the legislation. The proposed new law is "dangerous and runs counter to Russia's international commitments," the organization said. "National security certainly must be protected. But the amendments approved by the Federation Council are based on such vague and ambiguous definitions that they can only prompt self-censorship by anyone who deals with sensitive issues."

The press freedom organization added, "Now that every Russian NGO receiving foreign financing is required under penalty of imprisonment to label itself a "foreign agent," the vaguely worded expansion of the 'high treason' definition raises deep concern."

A proposal for a new article 283.1 on the "illegal obtaining of information constituting a state secret" establishes double criminal liability, both for receiving and for transmitting such information.

Three years imprisonment for blasphemy?

The last example of this new freedom-threatening wave of legislation is a bill in the Duma whose stated objective it to "protect the sentiments of religious believers."

In complete accord with [Moscow's push in international forums for recognition of "traditional values,"](#) the legislation calls for sentences of up to three years in prison and fines that can be increased by 100 per cent for "public offenses against or denigration of religious dignitaries...or offenses against citizens' religious convictions and sentiments."

The legislation is supported by all parties represented in the Duma, including the Communist Party. Its representative, Sergei Obukhov, said he regretted that the bill had not passed four years earlier, and expressed hope that it would be approved in the current session of parliament. "Antireligious campaigns risk destabilizing society," [he told the RIA Novosti news service.](#) He added, "In the interests of public order, peace, and security there is a real need to toughen punishment for causing religious offense."

The need for such legislation is even more dubious in light of the fact that the penal code already protects religious affiliation as part of the definition of "abasement of human dignity" ([article 282](#)). Moreover, as the notorious trial of the three members of the punk group Pussy Riot demonstrates, blasphemy and the desecration of holy sites are already prohibited as forms of "hooliganism" and "incitement of hate."

Over this past summer, the Duma had already hurriedly adopted a series of bills [re-criminalizing defamation](#), punishing illegal demonstrations with [astronomical fines](#), and [grotesquely distorting](#) the character of NGOs that receive foreign financing.

Read our previous statements on this issue:

- 01.09.2012 - [Major threat to news coverage from law "protecting minors" online](#)
- 13.07.2012 - [Freedom of information threatened by website blacklisting and recriminalization of defamation](#)
- 18.06.2012 - [Concerted cyber-attacks and draconian bill reinforce threat to online freedom](#)

(Picture: RIA Novosti)

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