

## SOCIAL MEDIA REGULATION IN RUSSIA

Over the last several years the social media space started to be considered by the Russian government, as a threat to its inner order and as a spreader of criminality up to extremism. Thus, the law «On information» was amended several times in the period of 2012-17 having touched the activity of not only Russian social media but foreign as well. Currently, *Roskomnadzor* has the right to block or regulate «undesirable» sources without the decision of the court, thus, it demonstrates that the freedom of the social media space is in the hands of a governmental organization rather than users. A wave of sanctions from the EU and the USA made the Russian government claim necessity of keeping the personal data of the Russian users only within the territory of the country. However, such regulations rise the criticism among both Russian and foreign companies due to the breach of human rights and the financial cost of the current measures.

The issue of social media regulation in Russia, nowadays, causes some debates actors the actors engaged since over the past several years, they were strengthened covering the variety of fields, starting with the information considered to be of an extremist character, finishing with the block of the business network, such as LinkedIn. However, prior 2010 the main mean to control and regulate social space was only the law «On Information» of 1995 which was replaced by a modernized one in 2006 which were the first main attempts to manage social space. A legal regulation of relations arising in the field of information based on confidentiality, information about freedom of search and openness of information was established at that time. In addition, the materials which called for incitement of ethnic hatred or another social group could be blocked by a court decision, and individual authors could either be engraved or could receive a prison sentence.

However, after 2011-12 the law has begun to be amended. The first amendment «On the protection of children from information harmful to their health and development» was introduced in July 2012 aiming at restricting access to variety of internet resources to the children. Since that, all the content is marked with special designation +6, +12, +16, +18 (for the ages over 6, 12, 16 and 18 respectively). A unified register was created in order to restrict the access of minors to resources which include pornographic resources or the ones calling for suicide, drug addiction and terrorism. Preventing any opposition or revolutionary movements became the main strategy of the government and thus, it began to tighten the screws. So, in December 2013 *Roskomnadzor* (The Federal Service for Supervision of Communications, Information Technology and Mass Media) was allowed to block any invocatory for protests or extremism source without the Court decision. That led to the blockage of pages in Facebook and Vkontakte dedicated to protest rallies, however, Facebook stopped obeying this law. In 2014 the following amendment was introduced, so called, «Bloggers Act» according to which all owners of all popular web-site or a page, as well as social

network account (with more than 3000 of users daily), were obliged to comply with the legislation regardless the profile, its location and registration zone. What is more, an owner was not only responsible for his/her own content but for the users and their activities (for instance, comments). The owners had, first, to apply to Roskomnadzor to be included in its registry, then, keep the personal data of all Russian users but exclusively within the territory of the Russian Federation within half year and be provided upon request of any Russian law enforcement agencies. The law was repealed in 2017 due to its claimed inefficiency.

Since 2016, Russia has begun a wave of blocking "undesirable" Internet sources, in particular foreign ones, since it was stated that they do not process data in the country and without the consent of users (a case of LinkedIn), they can be foreign agents (Open Russia) and be used by terrorists as a means of disseminating information (Telegram). One should note that blockage of Telegram- channel caused the malfunctions in the variety of internet resources such as Google, Amazon, etc., and

led to the significant financial losses from the governmental budget, companies those web-sites were temporary blocked, without having reached the result needed. Another restrictive regulation were two amendments introduced in 2016 and knows as «Yarovaya Package» named after its author Irina Yarovaya who proposed to introduce amendments to the law «On Counter-

Terrorism» and Criminal Code regarding terrorist actions. According to the «Package» time storage of the information and messages was increased up to 6 months, investigators obtained the right to receive information from electronic correspondence, mobile and internet must provide on request of law enforcement agencies not only the personal data but the content as well. Failure to comply with the law imposed a fine and imprisonment. The law caused the severe controversy among human rights activists (restriction of the right for privacy), the owners of the internet companies (due to the significant cost of implementation and its technical difficulties), however, the implementation was launched during the summer 2018.

Thus, one can see the strengthening of the social media regulations in legislative from which arises the hot debate between the different actors of the local market and politics. The steps as said have nothing to do with human rights but security measures and necessity to keep control over Russian users' data since it is a business of domestic policy.

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