

The spiral of violence: war - repressions - war



About us

OVD-Info is an independent human rights media project aimed at monitoring cases of political persecution and violations of basic human rights in Russia and providing legal assistance to their victims. OVD-Info operates a 24-hour federal hotline to collect information on all types of political persecution, does their media coverage, offers free legal assistance and education, researches different types of political persecution in Russia.

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Table of Contents

About us	2
General overview	4
Anti-extremism legislation	11
Freedom of Expression	15
Mass Media and Journalists	15
The Internet and Website Blockings	20
Freedom of Assembly	23
Freedom of Association	26
Conclusion	31
Notes	34

General overview

Vladimir Putin became acting president of Russia in January 2000 during the escalation of the Second Chechen war. The suppression of civil liberties started with wartime repressions.

The First Chechen War (1994-1996) was actively covered by the independent press. The majority of the people were against the war and it was stopped shortly before the presidential elections of 1996. The work of human rights defenders, journalists, activists, as well as protests played their part. These complications were taken into account by the Kremlin. A Radio Liberty correspondent, Andrei Babitsky was kidnapped in January of 2000 by Russian authorities, this case became a signal for the journalist society together with another set of strict rules that existed in the warzone. The owner of NTV, Vladimir Gusinsky, was arrested in June of the same year. He was released from Butyrskaya prison 3 days later, but only after he transferred all his media assets to Gazprom. NTV was the main alternative source of information about the First Chechen war. The Second war was mostly covered by the press from the point of view of authorities.

The Kremlin's further actions during the first two terms aimed to eradicate the vestigial elements of political competition that had existed since Boris Yeltsin times. Political conditions of the first post-soviet decade of Russia, such as financial and political weakness of federal authorities and existence of competitive and free elections, created a large number of regional elites that were protecting their interests through elections of governors and their lobbyists in the federal government through the system of majoritarian elections. Economic conditions gave birth to financial and industrial lobbies that were embodied in the so-called oligarchs. These elites were able to actively influence policies and decision

making of the federal government in economics and politics including the outcome of parliamentary and presidential elections. The arrest of Mikhail Khodorkovskiy in 2003 became the beginning of the policy of “equal distancing” of oligarchs, that is how Putin called a new pact according to which business was forbidden to participate in political life (beyond projects that were authorized by the Kremlin). Regional elites lost the ground for their political influence after the majoritarian system and elections of governors were abolished in 2003.

These actions laid the groundwork for the creation of the so-called 'vertical of power' that was basically a hegemony of the executive authorities with the president on the top over all other branches. The first parliamentary elections of Putin's era took away a representation of pro-democratic citizens, liberal parties Soyuz Pravikh Sil (The union of Right Forces) and Yabloko (Apple) didn't get into Duma due to campaign obstruction and direct vote rigging. The role of pro-Putin's party Edinaya Rossiya (the United Russia) has been growing since that time and elections have become more and more fictional. It was made via manipulations of laws (no elections were done under the same set of rules and since 2009 at least 266 changes were inducted into the election legislation), active methods of obstruction of the access of opposition candidates to an election process and direct falsifications. The opposition was cut off from politics in federal and local levels step by step as a result.

"The parliament (which, as Boris Gryzlov, the speaker during the 4th Duma, famously said, 'is not a place for discussions') lost its function of lawmaking. It became a part of the executive branch, an organ for formalization of presidential and governmental projects into laws. [For example](#), only 11% of the bills discussed by the last pre-Putin Duma (3rd convocation) were initiated by the Kremlin or the government in contrast with 32% of the bills discussed by 7th convocation

of the Duma (It is worth noting that nearly all bills proposed by the executive authorities are passed). The pace of lawmaking also changed dramatically. The 3rd Duma approved 327 laws under expedited procedures (when several readings happen in one day), while the 6th Duma approved 1,182. Repressive laws that effectively established military censorship were adopted in all readings by both houses of parliament and signed by the president on the same day, immediately following the invasion of Ukraine.

Later on, the Kremlin had faced different post-Yeltsin challenges. On the one hand, so-called “Color Revolutions” in Georgia (the “Rose Revolution”), Ukraine (the “Orange Revolution”), and Kyrgyzstan (the “Tulip Revolution”) were perceived by the ruling elites as a direct threat to their power. On the other hand, elimination of their political opponents from the parliament and other elected bodies resulted in the rise and radicalization of non-parliamentary opposition and revitalization of civil society. As a response, the Kremlin launched “the battle against the orange plague”. In 2004-2006, Eduard Limonov’s National Bolshevik Party (NBP) experienced the most pressure from the government. NBP members participated in direct action acts, among other, seizing government buildings — ministries, reception offices, the presidential administration. Dozens of activists were arrested, and in 2007 the party was [declared extremist](#) and banned. In 2006-2007, the police violently [suppressed](#) the Dissenters’ Marches (a series of anti-Putin rallies that took place all over the country), beating and arresting the participants. At the same time, tightening of the civil organizations law, elimination of international funds and foundations and defamation campaigns against civil rights defenders all started.

Dmitry Medvedev’s presidency (2008-2012) had also started with war — as a result of the five-day military conflict with Georgia, Russia recognised South Ossetia and Abkhazia as

sovereign states. After the cessation of the war, numerous acts of human rights violation — including unmotivated arrests, violence, torture and inhumane treatment — against Georgians were reported in South Ossetia. According to the ECHR [judgment](#) in the case of Georgia v. Russia, the Russian Federation, de facto holding the control over South Ossetia territory, is responsible for these crimes. At the same time, Ramzan Kadyrov's regime started to rise and consolidate in Chechnya (for example, Memorial employee Natalya Estemirova [was killed](#) in 2009, which massively complicated human rights work in Chechnya). Nevertheless, these practices, emerging in unrecognized states and Chechnya, still held no direct and dominant matter in domestic policy of the country as a whole during these times — four years of Medvedev's "thaw" were marked by foreign (a "reset" of diplomatic relations with the USA) and domestic policies detente. The latter manifested itself mostly as liberal rhetoric, lack of visible increase of repressions, selected reforms and the existence of limited ways for the civil society to participate in the political life of the country. However, all the elements of the authoritarian regime were maintained.

This hiatus of the repressive policies of the Kremlin ended in 2011 with "the castling", the announcement of Putin's return to presidency and Medvedev taking up the post of prime minister. This, along with gross parliamentary election fraud in December 2011, resulted in [mass protests](#). The Kremlin responded, on the one hand, with the imitation of political reforms (for example, restoration of the regional governors' elections), which, in fact, were only the adapted methods of retaining power during the decrease in popularity of "United Russia" and Putin himself, and, on the other hand, with the shift of political repressions from isolated cases to a systemic and mass-scale nature.

2011-2012 protests were accompanied by mass detentions and criminal cases against its participants (solely under the

“Bolotnaya case”, dozens of activists were imprisoned). In 2012-2013, after the official comeback of Putin, the State Duma passes one repressive law after another — the law on rallies was drastically tightened, the laws on “foreign agents”, undesirable organizations, propaganda of “nontraditional sexual relationship”, among many others, were passed. Because of that, the State Duma of the 6th convocation got a nickname “mad printer”. Putin’s third presidential term became one of the turning points in the formation of the institution of political repression in modern Russia — repressions, previously used as a subtle, selective, and centrally managed instrument of control of Putin’s political opponents, have become institutionalized through the direct legislative restriction of civil rights and systemic applications of law, and are no longer used against selected individuals, but serve as a reaction to the certain actions of civil society. At the same time, control of the enforcement of repression gradually shifts from political leadership to law enforcement agencies and the court system.

The next phase in the development of political repression is connected with the annexation of Crimea and the armed conflict in the Donbas. In Russia, a new wave of political pressure began, as usual, with the restriction of freedom of speech (the blocking of several opposition media outlets and the dismissal of the editorial office of the most popular and liberal online publication, Lenta.Ru), and continued with mass detentions of participants of anti-war protests, [criminal cases](#) against people with pro-Ukrainian position, and further toughening legislation and the murder of Boris Nemtsov in 2015.

From that moment on, repression became not only an internal political technology but a tool for export as well — with the establishment of “effective control” over Crimea and the creation of the so-called LPR and DPR, local authorities began to apply all the methods of political control and suppression

acquired by the Russian security forces. [Hundreds](#) of Ukrainians become political prisoners; people disappear and are subjected to violence and torture; social and political movements are outlawed, freedom of thought and speech is suppressed.

Although extralegal, these practices were institutionalized through legislative and procedural frameworks and came to the territory of Ukraine along with government officials and security forces of Russian federal departments. The use of extrajudicial and uncontrolled violence (including abductions, disappearances, torture, and extrajudicial executions) became a trademark method of military and security officials who, with impunity, carried out so-called 'cleansing operations' and 'filtration' of the population in Chechnya during the first and second wars.

In 2016-2019, as the so-called "Crimean consensus" (a drastic rise in the level of support for Putin after the annexation of Crimea) was exhausted, the level of repressiveness both in the number of politically motivated prosecutions and in the range of their distribution, which expands from socio-political to cultural-academic — continued to grow steadily. However, in this period, repressions were still more of a deterrent and reactive nature: as protests and civil activity grew, intensifying repression helped the authorities keep them within certain limits that were safe for them but left minimal space for the development of civil society.

But after the large-scale and unexpected [protests](#) in Moscow in 2019, caused by the exclusion of independent deputies from the elections to the City Duma, authorities' repressive policy began to change drastically. COVID-19 enabled the authorities to effectively ban almost all rallies. The amendments to the Constitution that [allowed](#) Putin to remain in power until 2036 [were passed](#) amid an epidemic through new voting procedures, including a three-day voting period and the first use of online voting.

A subsequent attempt to poison Alexei Navalny, the mass protests caused by his arrest and accompanying mass detentions, the liquidation of the Anti-Corruption Foundation (FBK) and [Open Russia](#), the powerful campaign against NGOs and free media under the law on foreign agents, the liquidation of the Memorial — all this marked the transition from a policy of containment to a policy of destruction of civil society.

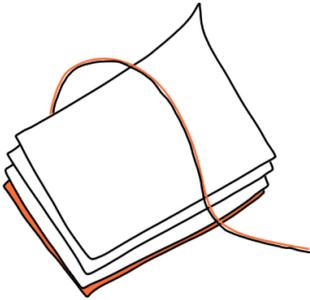
The level of political repression, which began to rise drastically 12-18 months before the invasion of Ukraine, significantly weakened both the opposition and civil structures. But another wave of repression began immediately after the beginning of the war — more than 20,000 people were detained for their anti-war stance, more than 5,000 were charged for administrative offenses for anti-war posts and statements, more than 400 activists and politicians were arrested, more than 200 thousand web resources were blocked.

Together with the parallel formation of ideology, it is possible to speak about the transition of authoritarianism into a qualitatively new phase, though it would still be premature to call the regime totalitarian; still, the regime's level of cruelty and permissiveness, which is clearly observable in reports from the frontlines, has not yet fully manifested itself in the domestic political sphere.

These are the main stages and milestones in developing the institution of political repression of the Putin era. Below we will provide more detailed references that describe exactly how three fundamental civil liberties were, over time, limited on the legislative and law enforcement levels — freedom of speech, assembly, and association.

These restrictions do not exhaust the authoritarian model of government created by Putin and the institution of political repression (for example, we haven't mentioned reforms of the

judiciary and electoral integrity); nevertheless, these data allow us to see the main tendencies and, as we will do in the conclusion, the main political and societal consequences of a long and systematic violation of civil rights in Russia.



Anti-extremism legislation

One of the most large-scale tools of repression affecting all basic civil liberties is legislation against extremism and terrorism.

It was 2002 when a separate anti-extremism law first appeared in Russia. It was heavily criticized for infringing on the freedoms of citizens, but the activity of nationalist-minded youth subcultures (according to various versions, they might have been partially controlled by officials; this activity reached its peak during the Manezhnaya Square riots in the summer) persuaded deputies to pass this controversial bill.

In subsequent years, the law was amended more than 20 times which resulted in it acquiring increasingly broad and [vague definitions](#), as well as tools for combating extremism that significantly infringed on all civil liberties. Today, this law is a part of a complex regulatory mechanism including separate provisions of the Criminal Code, the Administrative Code, the Law on the Federal Security Service, and the legislation on the information distribution. All of these laws are also regularly amended as well.

In 2008, a separate department for combating extremism (also known as [Center E](#)) was created out of the former departments for combating organized crime and terrorism.

Discredited by constant human rights violations, the fight against terrorism in the Caucasus region was combined with the tasks of the new unit. The activity of the Center is regulated by the same law that aims to "prevent extremist activity". The effectiveness of this unit has always been measured not in the number of crimes solved, but in the number of conversations held with activists, results of recruiting into the unit, infiltration into various communities, surveillance and other actions. When combined with the mass protests of 2011-2012, it all has turned the unit into a full-scale center for combating political dissent. The exact size of the department is classified, but as early as 2014 independent experts [estimated](#) it at tens of thousands of people.

The lack of clarity of the legislation, an extensive list of activities considered to be extremist, and the absence of a clear definition of extremism paved the way for abusing the norms. The state media used these laws to create a certain negative image, and law enforcement agencies and courts resorted to them in order to prosecute individuals for political dissent. Thus, between 2009 and 2021 the number of people prosecuted for public calls for extremist activity [increased](#) from 17 to 255 per year.

The number of convictions for incitement to hatred rose from 70 in 2009 to 459 in 2018. After that, this felony was partially decriminalized: administrative prejudice was added to it. The number of people charged with an administrative offense [increased](#) from 383 in 2019 to 936 in 2021. The established judicial practice has led to the emergence of the institution of expert linguists and psychologists, whose conclusions are now often unconditionally relied upon by the courts. The work of these experts has been repeatedly criticized by the scientific community, and the experts themselves have been accused of

having institutional ties with the security forces — and even [recognized as incompetent](#) by the authorities themselves.

Moreover, anti-extremist and anti-terrorist legislation stipulates blocking accounts immediately after a person is added to the special register of "extremists and terrorists": this happens without any court decision, merely based on the presence of "information about their involvement in extremist activity or terrorism" is discovered. [As of January 2023](#), there were 12,675 people on this list.

Anti-extremist legislation has been used repeatedly against various public organizations. As early as 2007, the Moscow City Court banned the activities of the National Bolshevik Party (NBP). A few years later the deputy prosecutor general reporting to one of the Duma committees stressed the political component of that decision, [linking](#) the NBP's activities to other opposition movements that “teach people the theory and practice of violent confrontation with law enforcement agencies, using the example of the color revolutions in Georgia, Kyrgyzstan and Ukraine”, and accusing them of “influencing the mass consciousness, encouraging imaginary human rights activists, opposition figures, separatists and members of armed gangs”. In 2021, after demonstrations in support of Alexei Navalny, who had returned to Russia after being poisoned, organizations affiliated with him (the Anti-Corruption Foundation, the Civil Rights Foundation, and the network of headquarters) were declared extremist. The legal consequences of this decision resulted in the following legal consequences: any continuation of the organizations' activities entails criminal liability under the article on participation in an extremist organization with a maximum sentence of 10 years in prison.

To date, at least 23 people have been involved in the criminal case against the extremist community associated with the Anti-Corruption Foundation and Navalny's headquarters. The display of symbols of Alexei Navalny's projects is prohibited

and, in fact, equated with displaying swastikas, which entails administrative responsibility and a year-long ban on participation in elections. This tool is now widely used to ban opposition politicians from participating in municipal elections — in Moscow alone, [47 candidates](#) were prevented from taking part in municipal elections in 2022 for this exact reason.

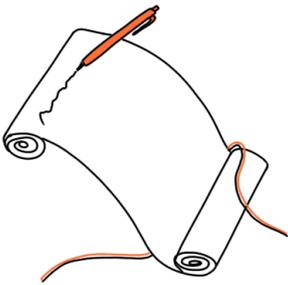
In late 2022, the Vesna movement that organized anti-war rallies [was also declared extremist](#). People who were involved in “extremist organizations” during the last year of their “legal” operation period cannot participate in elections for 3 or 5 years after the organization was declared extremist.

Distribution of materials of a banned organization can also lead to political prosecution — even if the distribution took place before the ban, but the publication was not removed. Previously, in order to be prosecuted for distributing materials, it was necessary for the materials themselves to be recognized as extremist. As of the end of 2022 the list of extremist materials [includes](#) 5,329 items. It is unrealistic to expect anyone to memorize a list containing several thousand items. In 2022 a law allowing prosecution for distribution of materials not on the register, but simply listed as extremist by the federal laws was introduced and [passed in its first reading](#). Extremism and “dissemination of appeals to it” on the Internet are also the main grounds for large-scale extrajudicial blocking.

Finally, inaccurate definitions of “justification” and “propaganda” of terrorism provided in the law are becoming grounds for harsh penalties. For example, journalist Svetlana Prokopyeva [was sentenced](#) to the fine of 500,000 rubles for commenting on the partial authorities’ responsibility for the explosion in Arkhangelsk committed in 2018 by a 17-year-old suicide bomber. In addition to Prokopyeva, we know about 48 other criminal cases of “justification of terrorism” initiated in connection with publications about this explosion. Because of

this practice of prosecuting statements that did not clearly justify terrorism (such as a neutral discussion of [the war in Syria](#) or [a discussion of terrorism as such](#)), in 2022 it became possible to bring similar cases for anti-war statements. At least 22 people [became defendants](#) under this article for this reason. From 2014 to 2021, the total number of convictions [rose](#) from 12 to 199 per year.

The established law enforcement practice of “strict sentences” existing along with vague definitions has produced — and continues to produce — an “intimidating effect” within the realm of various civil rights, and has had a serious impact on the opportunity to talk about issues of public importance in contemporary Russia.



Freedom of Expression

Mass Media and Journalists

The beginning of the 2000s is characterized by serious changes in the media market: many TV channels, radio stations and newspapers are either closed or transferred to various state-controlled media holdings or owners loyal to the government, forming an increasingly censored view of Russian reality.

The remaining independent editorial offices are under serious pressure. So, between 2000 and 2008, 30 journalists [were killed](#). During the same period, 364 criminal prosecutions of

journalists and mass media, 103 cases of illegal dismissal of journalists, 244 cases of disconnection from the air or termination of broadcasting [were recorded](#). From 2003 to 2008, 440 attacks on journalists [were recorded](#).

Since 2008, despite the attacks and murders of journalists actively continuing in the Caucasus, and especially in Chechnya, centralized repression and legislative restrictions in the media sphere have been slightly slowed down, but have not stopped. During the presidency of Dmitry Medvedev, 10 journalists were killed, 9 of whom covered what was happening in the North Caucasus. Organized attacks on journalists continued, for example, the attack on [Oleg Kashin](#), which Medvedev [promised to investigate](#) personally. From 2008 to 2011, 267 attacks on journalists, 171 cases of criminal prosecution, and 362 cases of detention [were recorded](#).

Before Putin's return to the Kremlin and against the background of mass protests in 2011-2012, attacks on the editorial offices of major federal publications began. Over the next few years, there are a number of dismissals of the editors of the publishing house "Kommersant", the editorial office of "Gazeta.ru" is changing, as well as the editor-in-chief and editorial policy of the largest state news agency RIA Novosti. In 2014, the TV channel "Dozhd"/"Rain" was disconnected from the largest networks, following the editor of the largest news portal "Lenta.ru" almost all of its editorial staff being dismissed, the media outlet "Grani.ru" being blocked. In 2016, as a result of pressure from the Kremlin, the editorial heads of the largest independent media holding in Russia, RBC, were dismissed. Regional channels and media outlets not under the control of federal authorities, such as TV2 in Tomsk, were also [disconnected](#) from the air or ceased to be published.

In 2014, the authorities began to limit foreign influence in the media sector. Foreign participation in the Russian media is legally limited to 20%. The publishers of the Wall Street Journal and Financial Times had to sell their share in the leading

business newspaper “Vedomosti”, the German holding Axel Springer (which published, among others, Forbes magazine and Newsweek) and the Swedish company MTG (which owned CTC-media) are leaving Russia. A ban was also introduced for foreigners to act as founders, serve on editorial boards, or hold editorial positions.

After the 2011 protests, the Kremlin is starting to take a closer look at the Internet environment. The actions of the authorities to take information on the Internet under control were not limited to legislation and blocking (which we describe below) — the classic, “television” method of asset redistribution is also used. In 2014 Pavel Durov, the founder and main owner of the most popular social network Vkontakte, [was forced to leave the country and sell the company to the holding company Mail.ru owned by Alisher Usmanov](#). As a result Mail.ru controls both the most popular networks – Odnoklassniki and VKontakte.

In general, between 2012 and 2018, during Putin's third term, 6 journalists [were killed](#), 402 cases of attacks on journalists and bloggers, 191 cases of criminal prosecution, 137 cases of illegal dismissal, 129 media outlets that stopped publishing [were recorded](#).

In 2017, news aggregators distributing news in Russian and having more than a million daily users were obliged to check the accuracy of information and the legality of its distribution and stop its distribution otherwise. The law put news aggregators in a situation in which they had to give preference to officially registered media, for which they are not responsible. As a result, many independent media and bloggers were excluded from the search results of the largest news aggregator “Yandex.News”, and the list of the main news [was formed](#) according to the “white list” agreed with the presidential administration.

In November 2017 a separate requirement for registration of foreign media was introduced. There is a “foreign agents” law, which applies to media, registered in the foreign country or financed by such. From 2019 individuals could also be declared “media foreign agents”. Besides other discriminatory restrictions, the law is more strict for media outlets, especially regarding the labeling and reporting requirements. The maximum penalty [imposed](#) for violating “foreign agents” law was up to 22 millions of rubles (32 thousands dollars), however even in 2021 the sum of penalties of "Radio Svoboda" ("Radio Freedom") was [up to](#) 3 millions of dollars.

There were 200 foreign agents from 2017 (147 journalists and 53 media outlets), 96 of them were added to the lists in 2021, and 87 — in 2022. Mass inclusion to the list of foreign agents of media and journalists before the war “cleansed” the media sector significantly. Criminalization of the work and collaboration with investigative media started at the same time from the newspaper “Project”. Criminalization consisted of declaring investigative media “undesirable organizations”. After the war started, four major media specialized on investigations were added to the register of undesirable: “Vazhniye istorii” (“Important stories”), Bellingcat, OCCRP and The Insider.

Laws about foreign agents and other legal prohibitions combined with huge fines [cut](#) funding opportunities as well as the very existence of non-government controlled media.

The administrative liability of publishing “deliberately inaccurate socially significant information” in the media or on the Internet was introduced in 2019 and expanded in 2020. The maximum penalty is 1,000,000 rubles (14800 USD). Under this article journalists, editors and independent media were fined many times for, for instance, publications about [mass protests](#) or the [criticism](#) of the authorities.

From 2018 to 2022, 1 journalist was murdered; 230 cases of assault on journalists and bloggers, 149 cases of criminal prosecution, 43 cases of unlawful dismissal were also reported; 97 media stopped publication.

Overall, since 2000 42 journalists [have been murdered](#) in Russia. In most cases, these murders were not investigated at all, or the investigation was ineffective.

In general, since 2017 many rules which censored the publication of the content itself have arisen or become tougher: “unwanted” or officially, at the level of legislation restricted topics have appeared. Because of vague legislative definitions, any information or even a message about the event, called by authorities “a terrorist attack”, could be classified as [publication of extremist materials](#) and materials publicly justifying terrorism. That happened, for example, with news about peaceful assemblies or criticism of the authorities. Independent media have [received warnings](#) for neutral materials recognized as extremist’s many times, or they have even completely [stopped their work](#). LGBTQ+content, corruption investigations and conflicts of interests among authorities and government-controlled business, information about the events in Ukraine and so-called DPR/LPR, the actions of the Russian army in Chechnya, Georgia and Syria and other undesirable topics.

Journalists who wrote such materials were accused of [justifying](#) and [financing](#) terrorism, and of participating in the activities of [extremist organizations](#). Other restrictive legislation, such as [extortion](#), [defamation](#) and privacy laws, is often used to restrict content and criminalize journalists, especially [investigative](#) ones. In 2022 alone, 12 new such cases were reported.

False charges of [possession of drugs](#), [treason](#) and [espionage](#) (in the case of Ukrainian journalists in the occupied Crimea), of calls for [separatism](#) and [insults](#) to government officials are also

used against journalists. The most cruelly independent journalism was eradicated in Chechnya and in the occupied Crimea.

Thus, even before the start of the war, few independent media outlets remained in Russia, especially regional ones. After February 24, the available tools made it possible to instantly clear the remaining media space by taking them [off the air](#), [forcibly closing](#), [revoking](#) licenses and mass blocking of media sites.

The Internet and Website Blockings

The Russian authorities perceive the Internet as a threat to national sovereignty — in the “[National Security Strategy](#)” of 2021, the Internet is called a tool for "interference in the internal affairs of the state" by foreign intelligence services. The most massive tool for restricting the Internet is [blockings](#).

The legal basis for blocking Internet resources appeared back in 2012 and has grown into one of the most ambitious tools for restricting access to information.

Since 2012, the Russian authorities have been creating and developing a legislative framework for the possibility of unlimited blocking — 84 amendments have been made to the [law](#) “On Information” only over the past 2 years. In the same period, regulators ([Roskomnadzor](#) and others) ordered the development of technologies for automated control over the dissemination of information on the Internet. Finally, blocking technologies were created — for judicial and extrajudicial; individual pages, entire sites and domains; with the ability to unlock, “slow down” and completely partition domains, etc.

In 2012, 261 resources were blocked, and in 2021, 63,554 resources were blocked at the request of the court and another 8,421 at the request of Roskomnadzor.

Formal conditions for the start of the blocking of Internet resources were created in 2012 by [amendments](#) to the law “On the protection of children from information harmful to their health and development.” According to this law, a register of sites containing information, the distribution of which is prohibited by law, was created on the basis of Roskomnadzor.

The most radical changes were made at the end of 2013 by "[the Lugovoi Law](#)". Then Article 15.3 appeared, which introduced extrajudicial blocking for “extremism” and “calls for mass riots.” By 2021, "the Lugovoi Law" had become the main legislative tool for censorship. In case of blocking under this article, prior notification of the site owner is not necessary, and Roskomnadzor itself determines the procedure for blocking. Restriction of access is possible, in particular, to sites with information containing calls for mass riots, extremist activities and participation in public mass events, as well as to sites containing materials from “outlawed” organizations — on this basis, any announcements of peaceful actions, sites of human rights and other organizations.

Almost 10 years of legislative activity were spent on changes to the Law “[On Information](#)”, which continued to expand the list of prohibited types of information, codify those responsible for its publication and blocking, and also toughened the punishment for violating the law.

In 2014-2016, the main tightenings concerned: [bloggers](#) — in terms of some duties they were equated with the media and obliged to check the published information for accuracy and reliability; personal data and information — “information dissemination organizers” were obliged to store information about users (including their personal data, on the territory of Russia) and provide it to law enforcement agencies under the threat of blocking and fines, and “personal information” [became](#) a new basis for deleting content, which is unreliable or of public interest. Government officials [used](#) this “right to be

forgotten” to remove online content relating to their illegal and corrupt activities.

In 2017-2019, the amendments continued to “fight” against foreign influence, and expanded the grounds for restrictions and powers of the authorities. Thus, Russian-language news aggregators and search engines were obliged to check the accuracy of information and the legality of its distribution, and Roskomnadzor received the authority to [require](#) VPNs and anonymizers to blacklist blocked site addresses. Also, the foundation was [laid](#) for the creation of a national system that will allow control of Russian Internet traffic and data.

Opportunities were also introduced to block information “expressing in an indecent form a clear disrespect for society, the state, state symbols or authorities and the concept of “inaccurate socially significant information”, the dissemination of which leads to extrajudicial blocking.

In 2020, Roskomnadzor received the authority to slow down traffic on popular Internet resources if they distribute content that poses a threat to the country's security or is prohibited by Russian law. This was first used against Twitter.

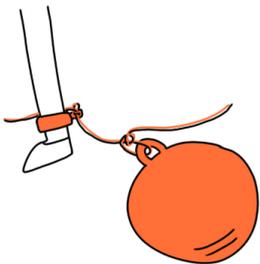
The fact that foreign influence via the Internet is perceived as a threat to Russian interests has become even more pronounced since the so-called law on “landing” foreign IT companies came into force on July 1, 2021. Hosting providers, in case of failure to comply with the instructions to restrict access to certain sites, can be fined up to 8 million rubles (115k USD).

In 2021, new articles were also introduced: 15.3-1, according to which websites with information about elections may be subject to extrajudicial blocking; added another type of information for which a site or page is blocked: confidential information about judges, officials and law enforcement agencies. In December 2021, the grounds for extrajudicial

blocking were also significantly expanded: “justification for carrying out extremist/terrorist activities”; materials of organizations recognized as terrorist or extremist and links to them.

The high degree of development of legislation and technologies for blocking allowed the authorities at the beginning of the war to block access to the main sources of information — the media, social networks and news aggregators just in a couple of weeks. As early as February 24, 2022, Roskomnadzor published a statement that only information from Russian government sources should be considered reliable, and any other information will be considered "fake news". This interpretation was immediately used to block the websites of all major independent media.

As a result, during 2022, the Federal Service for Supervision of Communications, Information Technology and Mass Media / Roskomnadzor blocked an average of 4.9 thousand sites per week (from 1.5 to 7 thousand resources). The Federal Service for Supervision of Communications, Information Technology and Mass Media / Roskomnadzor itself [reports](#) on the blocking of 157 thousand “knowingly false information” about the Russian army” since the beginning of the war, and in total in 2022 more than 240 thousand resources were [blocked](#).



Freedom of Assembly

The justification for suppressing peaceful protests and prosecuting those participating in them is their status of “unapproved.” At the same time, the approval procedure [allows](#) the authorities to change the time and venue or ban any undesirable gatherings, which in fact makes the procedure approval-based instead of notification-based. Besides, there are strict time constraints for submitting notifications that prohibit spontaneous gatherings, thus violating international standards, with no exceptions for small rallies.

The past decade saw the adoption of a host of new laws and practices aimed at restricting the freedom of assembly in Russia. In particular, fines have increased significantly (the maximum penalty for a rally participant has increased from 1,000 to 300,000 rubles). The main amendments were adopted in 2012, 2014, and 2020.

The 2012 amendments broadened the scope of persons banned from organizing public events and established new obligations and legal responsibilities for their organizers, including ensuring that the number of participants does not exceed the limit indicated in the request for a public gathering. The authorities have obtained a right to deny a request when the organizer is a person “not authorized to organize a rally” or when rallying at the requested venue is forbidden. Special gathering venues — so called “hyde parks” — were introduced. Regional authorities began putting together lists of sites where rallies are forbidden; by 2018, in some regional capitals gatherings [were forbidden](#) on more than 50% of the city’s territory. In 2022, a newly adopted law formalized that practice on the federal level as well.

The 2014 amendments introduced an administrative arrest for up to 30 days as a punishment for participating in rallies and a criminal liability for violating the established procedure of holding public events more than twice in six months (Article 212.1 of the Criminal Code).

The 2020 amendments established a rule that a public event organizer does not have a right to organize it if he or she has not submitted the notification by a specific deadline or has not accepted the authorities' suggestion to change the venue and/or time of the gathering. These amendments also introduced a possibility to withdraw a request for a public event.

The amendments have also established a minimum distance of 50 meters between individual picketers as well as the possibility to recognize several separate pickets "united by the same issue" as a public gathering, thus prosecuting the picketers. The only type of gathering in Russia that does not require the authorities' prior consent is an individual picket; however, changes to the laws have made it possible to detain people for conducting those as well.

Since 2012, OVD-Info has [recorded](#) more than 68,500 detentions at peaceful rallies, and more than 400 criminal cases initiated in connection with the protests. Besides detentions, police violence, and administrative and criminal prosecution, protesters and protest organizers [face](#) demands for large financial compensations for the work of the police during events, threats of being fired from their jobs or disenrolled from colleges, and increased attention from foster care authorities and military commissariats. Face recognition technology is [used](#) to identify and prosecute peaceful protesters as well as to discourage them from participating in future gatherings.

The authorities and state-controlled media marginalize and discredit gatherings and their participants. Special attention is paid to children and youth — the law [marginalizes](#) minors who participate in rallies, and also [criminalizes](#) some forms of political interaction between protesters and minors. The authorities' rhetoric about involving children in dangerous actions can be witnessed in many areas, but it has sounded

most often in regard to gatherings, thus allowing to block calls for rallies under the pretext of “protecting minors.”

Overall, information about public gatherings began to be blocked as early as 2014. Authors of posts and reposts about public gatherings get prosecuted as “organizers” of those gatherings. It is also forbidden to agitate before holding an unapproved public event. The year 2014 marked the beginning of a gradual shift toward perceiving any unapproved public events as extremism — for instance, the 2020 [“Strategy for Combating Extremism”](#) lists calls for “unapproved” rallies among the “most dangerous manifestations of extremism”.

In order to gather information about planned public events, the authorities spy on the organizers and participants of protests, hack the accounts of activists and journalists, penetrate activists’ chats, [use](#) photographs from social networks to identify protesters, and monitor social accounts of people detained at rallies. Legislation regulating gatherings does not meet the requirements for the “quality of law” and is applied unpredictably. In addition to that, the forms and strength of various kinds of governmental pressure on protesters — from visits of military commissariats and foster care authorities to disenrollments from educational institutions and firing from jobs — have expanded and intensified, and so has the degree of marginalization of protesters in the authorities’ rhetoric. With the help of the plan titled [“Fortress”](#) and as a result of gradually hindering the work of human rights organizations, access of those detained at rallies to legal assistance has been significantly limited.

Freedom of Association

Significant steps to increase control over NGOs were already being taken as far back as 2006. [Legislation](#) introduced the concept of a foreign non-profit non-governmental

organization, and also significantly expanded the requirements for registration and reporting, [justifying](#) these innovations by “ensuring the creation of organizations that truly pursue the achievement of socially useful goals and benefits”, and the need to improve control mechanisms. These changes [significantly curtailed](#) the freedom of association and privacy rights of both NGOs and their members.

The term “foreign agent” first appeared in Russian legislation in the middle of 2012. [The law](#) required that NGOs engaged in “political activity” and in receipt of foreign funding, should apply for inclusion in a special register. These NGOs became subject to different rules: significantly more complex reporting and a requirement to label products as being issued by a “foreign agent”. The concept of the legislation, as it was communicated in an explanatory note, was “designed to provide Russian society with the necessary elements of control of the activities of non-commercial organizations financed by foreign sources and pursuing political goals, including those in the interests of their financial donors.”

Despite the insistence with which official representatives [spoke](#) about the work of NGOs as the root cause of innovations, and how the project would [not worsen](#) the position of NGOs, it is difficult to look at this legislation outside the political context under which they were passed and subsequent events. As such the legislation was passed just after the elections, and accusations of the falsification of results which led to the largest [demonstrations](#) since the 90s. The reaction of civil servants was not limited to passing new laws: in that same year [USAID](#), one of the largest donors sponsoring civil society, was driven out.

No more than a couple of months had passed after the introduction of this legislation before the authorities started a mass campaign against NGOs: in more than half the regions of Russia hundreds of prosecutor’s checks of NGOs were conducted, where other regulatory agencies were involved as

well. These visits were often accompanied by the TV cameras of state channels, who published stories that portrayed the activities of NGOs in an extremely negative light.

Over the course of subsequent years changes have been introduced to the legislation: there are new restrictive rules which broadened application of the law to mass media — both legal and physical entities — (from 2017), as well as unregistered associations (from 2021). The vagueness of the wording and the complexity of the law provided an opportunity for it to be applied selectively.

Due to the [stigma](#) associated with the phrase “foreign agent” in Russian language and culture, mass media and people, who had attained this status, were ostracized in their field of activity by [other people](#), [organizations](#) and [institutions](#). It became evident that this law represents an [instrument for the persecution](#) of civil and human rights projects, environmental, LGBTQ+, “undesirable” media and other “undesirable” initiatives. Despite recommendations from the UN, the Venice Commission, the European Court of Human Rights and other international and regional organizations the laws were not changed.

During the 10 years in which the register has existed from 2013 to 2023 the list has been replenished with 596 [items](#): 228 NGOs, 147 physical entities from mass media, 53 legal entities from mass media and 11 non-registered social associations. To date, there are 341 items on the list, as some organizations have been forced to liquidate, significantly alter their work or stop receiving foreign funding. However, even after the deprivation of status, the organization or person remains on the list.

All “foreign agents” are [subjected to](#) various discriminatory requirements and demands, as well as harsh administrative and criminal sanctions for non-compliance with the corresponding rules. According to statistics from the Supreme

Court, during 2017-2021 in the first instance 229 cases against NGOs were examined for non-inclusion in the register or violation of labeling rules and 158 indictments were applied, with fines totalling 36 245 500 roubles (467 617 USD). The average fine amount increased from 190 000 roubles (2 452 USD) in 2017 to 350 000 roubles (4 518 USD) in 2021. A small number of fines were disputed and canceled, mostly on procedural grounds. From the end of 2021 the legislation started to be used to liquidate NGOs. In this manner the oldest NGOs in the country, “International Memorial” and the “Human Rights Centre ‘Memorial’” were [liquidated](#). The judges justified these decisions stating that the organizations had violated the identification requirements. In 2022 the fund “Sphere” and the “Trade Union of Journalists and Mass Media Employees” was liquidated on the same stance.

The legislation on “foreign agents” has had serious influence not only on the non-commercial sphere but on society as a whole over the past 10 years. For many people this legislation became a reason “not to associate” with social projects, many existing projects are in a state of constant fear of being added to the list. This can be explained by attempts by different parts of society to change the legislation, therefore in 2021 a [petition](#) demanding complete cancellation about “foreign agents” was published by representatives from NGOs, mass media and more than 50 charitable organizations. Besides, several hundred thousand signatories were barely honored with a reply, all discussions about a possible liberalization of the legislation were turned into an attempt by the authorities to simplify the considerably confusing legislation by bringing the existing norms together.

In practice this led to the state where the worst and most discriminatory norms were taken as the basis for further restrictions in the context of the military invasion by Russia into the territory of Ukraine. Today anyone [can be listed](#) as a “foreign agent” who the authorities suspect as being “under

foreign influence in some form or other”. Apart from this a new register of people is being prepared who are somehow or other connected with those already “recognised” as being foreign agents.

The law-enforcement practice further [increased](#) after the start of the war. Almost three quarters of so-called “foreign agents” were added to the list after 24th February 2022.

Leading journalists, academics, opposition politicians, human rights advocates, bloggers etc. are now “foreign agents.” The majority of those included in this list spoke out openly against the war. [Now](#), two counts of non-compliance with reporting or labeling rules leads to criminal prosecution, including the freezing of assets of those who are located outside Russia and the expulsion of foreign citizens. 18% of “foreign agents” [are already](#) under criminal investigation for various reasons. Many initiatives, mass media and private individuals have been forced to leave Russia after being declared a “foreign agent” and are faced with numerous difficulties in continuing their work.

Apart from “foreign agents” in 2015 the Russian authorities [introduced](#) a concept of “undesirable” organizations. Any foreign or international NGO, whose activities threaten the bases of the constitutional order, defense and security of Russia, could be declared “undesirable.” In an [explanatory note](#) to the legislation “destructive organizations — disseminating terrorist, extremist and nationalist ideas” are mentioned, as well as the need to protect the “social and political institutions of Russian society” from their penetration.

From 2021 even those participating in election campaigns could be considered “undesirable”. Furthermore organizations could be considered “undesirable” if they provide intermediary services in transactions with funds or property belonging to undesirable organizations. Undesirable organizations are prevented from conducting their activities, creating legal

entities or participating in their activities on the territory of the Russian Federation. The distribution, or storage for the purposes of distribution, of informational materials published or distributed by an “undesirable” organization is forbidden. The implementation of programmes or projects by “undesirable” organizations on the territory of the Russian Federation is also prohibited.

Russian citizens are prohibited from participating in the activities of such organizations even outside Russia. Punishment for breaking the law on “undesirable” organizations was substantially [broadened and harshened](#) in 2022. In practice this legislation is used for persecuting Russian NGOs by linking them with “undesirable” foreign organizations. In these cases the NGOs usually should stop their activity or take the decision to liquidate themselves in order to prevent a criminal case against its participants. The clearest examples of such self-dissolutions are the “Team 29” and “[Open Russia](#)” projects – however even dissolution does not provide a guarantee for absence of a criminal case as the case against the director of “Open Russia” [Andrei Pivovarov](#), sentenced to 4 years imprisonment, demonstrated. At the end of 2022 the register of “undesirable” organizations consisted of 73 names. These [include](#) major mass media, funds, research and education projects, religious and other organizations.

Conclusion

All of the repressive legislation used to suppress civil liberties described above is characterized by legal uncertainty and unpredictable enforcement. This greatly increases the potential of its application against any kind of civic activity, and, on the one hand, has a deterrent effect on society, on the other hand, it creates the technical basis for accusing political opponents of a wide range of crimes, actually shifting the issue of initiating persecution into the plane of political decisions.

At the same time, each specific legislation or act of repression by itself would not have achieved such a devastating result if it were not for their mutual influence and the consistency with which the level of pressure has grown over nearly a quarter-century. But taken together, the purposeful policy of restricting civil rights has practically destroyed at least the institutional foundations of Russian civil society.

What did it lead to?

To the destruction of democratic institutions: elections at all levels, parliamentarism and separation of powers. Today, the influence of voters on the political system is completely absent. Power is concentrated in one hand, the existing systems of checks and balances have been destroyed, and there is no mechanism or will to receive feedback from society.

To the destruction of the legal system and the crisis of the rule of law: non-enforcement of decisions of supranational courts, undermining the principle of equality, loss of independence of the courts and society's deprivation of legal subjectivity. A characteristic feature of the repressive legislation of the last two decades is the lack of legal clarity. The adopted laws only create a legal framework, and do not solve certain conflict situations in society. Today, the courts have become conveyors of state policy of political persecution based on unpredictable law enforcement. The knowledge and experience of professional lawyers no longer affect the outcome of litigations, and social conflicts are no longer resolved on the basis of the legal system. This, among other things, can be tracked by the work of the courts — for example, in 2011 the number of acquittals in criminal cases was 0.8%, and in 2021 it fell to 0.28%.

To the monopolization of the information space: the government controls, directly or through state-owned companies, the vast majority of media outlets. Repression, censorship and restrictive legislation leave no room for

independent media to operate within the country. Three pillars of independent journalism – radio station Echo of Moscow, Novaya Gazeta, TV channel Dozhd / Rain – have been liquidated.

To the deinstitutionalization of civil society: numerous politically motivated persecutions of activists, stigmatization of civil society representatives as “foreign agents”, forced closure of civil society organizations, restrictions on freedom of speech, freedoms of peaceful assembly and association have created an atmosphere of fear in which citizens’ opportunities to participate in public life are virtually non-existent and carry enormous risks. Today, all opposition political leaders recognizable at the federal level are either in prison or in exile.

There are no organizational protest structures operating inside the country on a somewhat large scale. All major human rights projects (for example, Memorial, the Moscow Helsinki Group, the movement “For Human Rights”) have either been liquidated or work mainly from abroad. Even when trying to fully comply with multiple legal requirements, a political decision is enough to liquidate — as happened with the MHG.

Taken together, such a policy of the authorities led to the loss of the political subjectivity of society. The authorities have actually created conditions in which public opinion is shaped from above, “from the cabinet”, and political decisions can be made by a narrow circle of people or by one person in isolation from the public, political and economic interests of various groups of society. The domestic political cost of starting and continuing hostilities under such conditions is practically leveled.

Notes