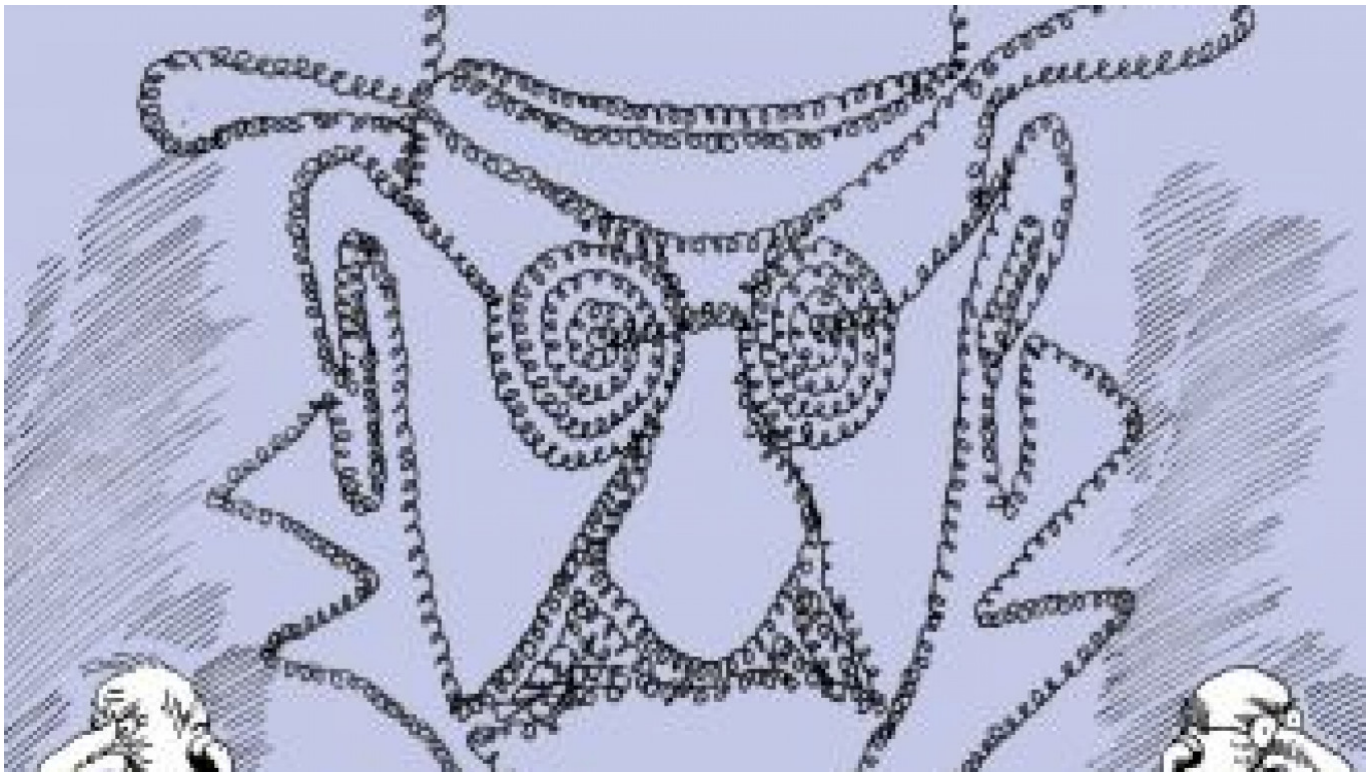
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The Kremlin Is All Ears

By Irina Borogan

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Highlighting a dangerous trend in Russia, wiretapping by the Russia's intelligence agencies has nearly doubled over the past five years.

This trend reached a disturbing climax two weeks ago when the country's Supreme Court upheld the legality of law enforcement surveillance of Yekaterinburg lawmaker Maxim Petlin. The reason the court gave was that Petlin regularly participates in protest rallies organized by the Solidarity movement.

Two years ago, the FSB in the Sverdlovsk region was given the green light by a local court to conduct wiretapping, interception of Internet activity and physical surveillance of Petlin. In the rationale for its ruling, the court copied the phrasing the FSB had used in its motion — namely, that intelligence officers had received information indicating that "Petlin was preparing to make a public appeal for extremist activity." In their motion to the court, the intelligence officers complained that Solidarity protesters had dared to oppose the recent decision to grant wider powers to the FSB.

Petlin tried to protect his constitutional rights in court, but it is no surprise that he lost

the case against the FSB. Now, intelligence officers have the right to conduct surveillance of anyone who they claim is preparing to call for "extremist activity."

Although the FSB made the same claims against opposition leaders Boris Nemtsov and Gennady Gudkov, and wiretaps of their phone conversations along with clandestine videos of their activities found their way onto the Internet, the situation with Petlin is the first documented proof of the new trend — and a portent of what lies ahead for Russian society.

Statistics from the Supreme Court concerning sanctioned wiretapping confirm the negative trend.

In 2011 alone, law enforcement agencies were given permission by Russian courts more than 466,000 times to listen to and record phone conversations and Internet communications. In 2007, that number was roughly 266,000, or 75 percent lower. What's more, the growth in wiretapping and surveillance is happening without a corresponding rise in crime to justify it. In fact, former Interior Minister Rashid Nurgaliyev reported in 2011 that the crime rate had been falling since 2005.

In 2008, the Interior Ministry established the "E unit" to fight extremism. But judging by its activities, the unit's real goal is to fight political opponents.

In Western countries, intelligence agencies were given wider powers after the 9/11 terrorist attacks. But in Russia, the exponential growth of wiretapping began after 2007, when the struggle against terrorism was already on the decline. The last large-scale attack on insurgents occurred in Nalchik in 2005. In 2009, the Kremlin officially announced the end of counterterrorist operations in Chechnya. It would therefore be wrong to ascribe the current rise in surveillance activity to an increased threat of terrorism.

During this same period, the FSB expanded the list of instances in which it can employ wiretapping and surveillance. A federal law passed in December 2010 expanded the legal grounds for wiretapping Russian citizens. Now, intelligence officers can wiretap someone's phones or monitor their Internet activity simply because they allegedly received reports that an individual is preparing to commit a crime. They do not even have to back up those allegations with formal criminal charges against the suspect. Even if the allegations prove groundless, the transcripts of the phone conversations remain. That is apparently what happened to Petlin. Transcripts of his phone conversations made in one instance turned up later in a different criminal case.

In Russia, eight government agencies have the right to investigate: the Interior Ministry, the FSB, the Federal Protective Service, the Foreign Intelligence Service, the Federal Customs Service, the Federal Drug Control Service, the Federal Penitentiary Service and the Defense Intelligence Agency. Some of those bodies have used their expanded authority to conduct surveillance in recent years. In February, the Federal Drug Control Service and even the Federal Penitentiary Service began purchasing equipment that enables them to secretly monitor phone and Internet activity. It was unclear why an agency responsible for prisons was permitted to secretly monitor people's communications.

What's more, this high level of surveillance does not reflect the whole picture because the FSB conducts intelligence and counterintelligence operations that are not included in the official

statistics.

Obviously, leaders are responding to the crisis of confidence in the government by stepping up control over citizens, and the people are powerless to stop them.

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