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RuNet 2016: Pressure Shifts From Companies to Citizens (Op-Ed)

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A space beyond governmental control, the Internet has long been a thorn in the Kremlin's side. The search for a solution began in 2012. Various tricks have been tried, from the introduction of internet filters and the updating of a national system of online surveillance known as SORM to the direct intimidation of Internet giants both domestic and international.

By 2014 the Kremlin had came up with something akin to a strategy.

Accustomed to dealing with a defined hierarchy and organizations that can be coerced by targeting bosses, the Kremlin has been inclined to pressure companies rather than users. Every pretext has been used to lure Internet giants into dialogue with the authorities. Top-level officials of companies like Yandex and Google have rushed to the Kremlin to talk behind closed doors about the repressive Internet legislation, constantly updated by the State Duma.

New legislation that governmental authorities and international content companies must grapple with in the coming year is Russia's version of "Right to be forgotten," that came

into effect on Jan. 1. It fails to provide the crucial safeguards for the protection of right to freedom of expression, according to the legal analysis of Article 19, a British human rights organization with a focus on the defense and promotion of freedom of expression.

A working group within the administration of the president, regular gatherings in the Communications Ministry and meetings within state media watchdog Roskomnadzor were convened to exert the Kremlin's will on Internet companies.

Meanwhile, the Internet industry's public lobbying institutions were taken over. The Regional Public Center of Internet Technologies (ROTsIT), Russia's oldest Internet civic body founded in 1996, being the most notorious example when Leonid Levin, a Duma official, was elected chairman of its board in December 2014.

A new organization, Institut Razvitiya Interneta (the Institute of the development of the Internet, or IRI), was founded and presented as a civic research organization to lobby on behalf of Internet businesses. In fact it was another front organization for the Kremlin.

Plenty of effort was expended in 2015 to co-opt reputed public figures, businessmen and activists into the IRI. Elaborate online elections to the institutes's council of experts were arranged, but the Institute's leadership was unshakably in the hands of two people — Kirill Varlamov, a former Uralmash engineer, Putin's representative during the 2012 presidential elections and a top-level official of the All-Russia People's Front, and German Klimenko, an Internet entrepreneur best known as an owner of Internet statistics service LiveInternet.ru.

Putin made the final move on Dec. 22 when he invited Klimenko to join his administration as adviser on Internet development. Upon accepting the position, he threatened messenger services."Telegram will either cooperate with the authorities, or will be shut down,"Klimenko said in an interview for Dozhd television. Telegram remains one of the few messenger services that refuses to comply with the government's data localization law.

Data Servers on Russian Soil

The law has been employed by the authorities since 2014 to force international Internet companies to move their servers within Russia's borders — under the pretext of protecting users' data.

Their motives were, in fact, twofold — they hoped to establish direct and private lines of communication between the Kremlin and the Internet giants' headquarters to better exert their influence, and they wished to provide the Russian secret services with access to the companies' data. Once servers landed on Russian soil, they will be easily connected to SORM (System of Operative-Research Measures), one of the most ambitious and intrusive surveillance programs in the world that provides security agents with direct and unrestricted access to all communications data.

This strategy of pressuring companies rather than users appeared effective until it became clear in January that some Internet companies — such as Facebook, a main target — are undermining governmental authority through inaction.

This is the challenge facing the government authorities in the coming year. They must either

acquiesce to the status quo or progress to the next stage — such as banning Facebook in Russia.

The authorities appear resolute. Klimenko said in a radio interview with RSN on Jan. 12 that all foreign social networks must cooperate with Russia's law enforcement authorities.

The Stalemate Breaks

With such entrenched stances, the confrontation will inevitably escalate, leading to the government engaging directly with Internet users.

It already began in November 2015 when the government blocked Rutracker.org, the world's largest Russian-language torrents website. Consequently, Russia now ranks second in the number users of the Tor network, which allows both the bypassing of blocks and anonymous communication.

Authorities must also face the challenge of regulating Internet companies that lack a controllable infrastructure. With no way to pressure company headquarters, Roskomnadzor will be forced to obtain technological means of blocking messenger services for users.

However, all recent attempts to provide a technological solution to enact Internet censorship have been ineffective. The Interior Ministry's contract to crack Tor was canceled, and the blocking of websites can be easily bypassed. Alexander Zharov, the cheerful chief of Roskomnadzor, has been soothing the Kremlin for years with claims that only handful of users know how or care to use such circumvention tools.

This belief will be tested in 2016, as the ban of torrents has already demonstrated.

And that paints only part of the picture. While the Kremlin busied itself dictating to Internet companies, users had begun to organize and push back.

A petition calling on global platforms to refrain from handing over their data to Russia was launched on the change.org website in December, gathering more than 40,000 signatures. In the same month 7,000 users — mobilized by Roskomsvoboda, an organization that advocates free Internet in Russia — filed a lawsuit against the blocking of Rutracker.org.

Leonid Volkov, a chief lieutenant of opposition leader Alexei Navalny, just launched A Society for the Protection of the Internet, an NGO that aims to"protect the Internet from attacks of the Russian authorities."

Whatever the Russian authorities chose to do with international social networks and messenger services, it is abundantly clear that RuNet users will not give up Facebook and Twitter in 2016 — no governmental blocking will stop them using the services they trust.

Andrei Soldatov is a co-author, with Irina Borogan, of The Red Web: The Struggle Between Russia's Digital Dictators and the New Online Revolutionaries (PublicAffairs, New York 2015).

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