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Open Letter

To: The Upper House of the Parliament of the Russian Federation

Re: State Duma bill № 89417-6

We, the undersigned organisations, call on you to reject State Duma bill № 89417-6 amending the federal law “on the protection of children from information detrimental to their health and development” and other legislative acts of the Russian Federation, which was passed by the State Duma in third reading on 11 July.

While most of the amendments introduced in this bill aim at protecting children, the clauses introduced to Federal Law № 149-FZ by adding Article 15, namely “Registration of domain names, web links, as well as IP addresses enabling to identify websites which contain information which is illegal in the Russian Federation”, are so vague that we fear they would restrict legitimate freedom of expression on the Internet.

This legislation would threaten citizens’ access to information by establishing a register of blacklisted websites, effectively introducing censorship on the Russian language segment of the Internet.

Our main concerns are that:

- There is no precise definition of the information that can be qualified as “illegal in the Russian Federation”. Article 15' – 1 and 2 do not specify if these terms refer to websites inciting to child pornography, suicide or drug use, or to websites with a broader content;
- There is no public oversight and transparency as the Federal agency tasked with monitoring and identifying websites in violation of the proposed legislation, and whose creation is envisaged under Article 15' – 3, is empowered by the Russian government itself;
- According to Article 15' – 9, “illegal” websites would be blocked without due process and on an arbitrary basis within 72 hours, which is a too short period for Internet hosting services to react. They would have the possibility to appeal the decision of the Federal monitoring body, but only following the blockage of their IP-addresses;

- The legislation would allow for the blocking of IP-addresses and Internet domains, as opposed to merely individual URLs (Article 15' – 10 and 11). Given that a single IP-address generally hosts several Internet pages, this could result in the blacklisting of a large number of websites which have not displayed any detrimental information or illegal content under Russian law.

We would like to draw your attention to the criticism expressed towards the bill from major actors on the Russian Internet market, as well as the Communications and Press Minister, Nikolai Nikiforov. It is clear that the hasty manner in which the bill was passed through the State Duma has not allowed for sufficient consultation with civil society and Internet experts. We therefore strongly urge you to reject the bill in its current form.

Yours sincerely,

Civil Rights Defenders

ARTICLE 19

Frontline Defenders

Agora

Coming Out

FIDH