Internet Regulation and Political Activism in Post-Soviet Countries: Case Study of Russia and Belarus

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Submitted to

Central European University

Department of International Relations

In partial fulfilment of the requirements for the degree of Master of Arts in International Relations

Supervisor: Professor Youngmi Kim

Word count: 17’093

Budapest, Hungary

2016

Abstract

After the rallies in Moscow and "clapping protests" in Minsk in 2011, the governments of Russia and Belarus have implemented the alarming amount of laws regulating the spread of information on the Web. This research uses the combination of theories from political science, media studies and international relations to better explain how the rise of Internet regulation since 2011 has influenced political activism in post-soviet countries with competitive authoritarian regimes. Through the methods of process tracing and analysis of the original documents, case comparison, secondary analysis of the industrial reports and sociological polls, and the expert interviews it outlines how political activists reacted to the tightening state control over the previously relatively free new media. It also gives an idea on how Russia follows Belarus in the sphere of Web regulation through the process of policy transfer.

Acknowledgement

I would like to thank my supervisor, professor Youngmi Kim, for her guidance and motivation she gave me.

I would also like to express my gratitude to Miklós Harazsti and Leonid Volkov for the priceless expert insight they shared with me during our interviews.

I am grateful to my fellow CEU students for their support during the writing process and beyond, you know who you are.

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Introduction

After the rallies in Moscow and "clapping protests" in Minsk in 2011, the governments of Russia and Belarus have implemented the alarming amount of laws regulating the spread of information on the Web. "Over the past two years, systematic Internet. In his research for the Berkman Center of Internet and society Andrey Tselikov claims that "Over the past two years, systematic Internet regulation has increased in Russia more than anywhere else in the world."[1]

Free Internet communication and social networks provide a new important platform for the strengthening of social movements and political activism in various parts of the world. It has been shown that "the development of civil societies and the adoption of digital media are coevolutionary."[2] The majority of case studies in the literature, however, cover the influence of social networks on Arab Spring and Occupy Wall Street, as well as on the elections in the US and the UK. These examples show that "governments are afraid of the Internet."[3] But only limited attention has been given to the Internet regulation in Central and Eastern Europe and in Post-Soviet countries. Moreover, the traditional researches look at how the Internet influences the society,

[1] Andrey Tselikov, "The Tightening Web of Russian Internet Regulation," SSRN Scholarly Paper (Berkman Center for Internet & Society, November 20, 2014), 1, http://papers.ssrn.com/abstract=2527603.
[2] Michael James Jensen and Laia Jorba, *Digital Media and Political Engagement Worldwide: A Comparative Study* (Cambridge University Press, 2012), 21.
[3] Manuel Castells, *Networks of Outrage and Hope: Social Movements in the Internet Age*, 1 edition (Cambridge: Polity, 2012), 7.

while it is important to understand how the society, its political and media system influences the Web.

In my research I will try to answer the question how the rise of Internet regulation since 2011 has influenced political activism in post-soviet countries with competitive authoritarian regimes. The comparative policy analysis and synthesis of the empirical data will help to assess what the similarities and differences are between the approach of Russia and Belarus, and if one country leads the other by example. I will also observe and compare the mechanisms that activists use as a response to the regulations. While in some cases the restrictions might completely disable their activities, in others political activists can cope with them by creating alternative way to access information. Some of them are even able to exploit the paradoxical environment of growing Internet usage and strengthened regulation by using the new legal instruments and to hold the government accountable.

I selected Russia and Belarus as the case study in the most similar systems design. Russia and Belarus are considered competitive authoritarian regimes with similar media systems.[4] According to the Freedom on the Net 2015 report by Freedom House, the Internet is considered not free in both countries, with their scores being relatively close (62 and 64 for Russia and Belarus respectively). Alexander Lukashenko has been the president of Belarus since 1994, while the Russian leader, Vladimir Putin, has been in office as president and prime-minister of the country since 2000. Belarus held presidential elections in 2015, and Russia is facing parliamentary elections in autumn 2016, with presidential elections to follow in 2018. Therefore, it is interesting to analyze if Internet regulation has hurt the opposition and how political activists have adapted to the new

[4] Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (Cambridge University Press, 2010).

realities. The comparative approach to this topic has been praised by scholars and has been proved to be quite fruitful. "Comparative analysis plays an important role in the development of the study of digital politics, as it allows for exploration of … contextual elements and digital politics".[5]

I will use the protests of 2011 as the starting point for the process tracing as they can be considered a critical juncture. In my reading, they might be classified as a "*relatively* short [period] of time during which there is a *substantially* heightened probability that agents' choices will affect the outcome of interest" (Capoccia and Kelemen, 2007; 348) The way the protests were organized through social networks and the political uncertainty they provided made the governments consider a wider choice of options and extend the means of media regulation to the Web.

In order to come up with the causal mechanism of how Internet regulation can influence political activism, I use the method of process-tracing. I will study the specific policies and the timeline of their implementation in order to link them to changes in the political climate. My hypothesis is that despite the similarities, the response of political activists will vary among the two states. I also expect that the regulatory policies of one country are considered as an example by the other. In connection to this aspect, I am going to use the concept of policy transfer. It describes how the development of policies in one country is influenced by knowledge and lesson-drawing from looking at the other countries experience.[6] My research combines the process tracing and analysis of the original documents, case comparison, secondary analysis of the industrial reports and sociological polls, and the expert interviews with the UN Special Rapporteur on the situation of human rights in Belarus Miklós Haraszti and the founder of Internet Protection Society NGO Leonid Volkov.

[5] Jensen and Jorba, *Digital Media and Political Engagement Worldwide*, 245.
[6] Herbert Obinger, Carina Schmitt, and Peter Starke, "Policy Diffusion and Policy Transfer in Comparative Welfare State Research," *Social Policy & Administration* 47, no. 1 (February 2013): 113.

Chapter 1. Literature review

In this chapter I will provide an overview of the literature on online political activism, Internet regulation, the human rights perspective on Internet access and freedom, and the role of the Web communication in non-democratic regimes. By mapping the debate of social scientists on the relations between the state, social movements and new media, I will outline the current state of art in the field as well as show how my research can make a contribution to it. There are a few gaps in the academic literature concerning the situation with the Internet freedom in the post-Soviet space. There is also a broad understanding that a case study is the most promising approach that can deepen our knowledge of how national contexts influence the use of the global network for political means.

1.1. Technological and social determinism in the Internet studies

A wide set of literature on the Internet and politics emerged over the years of existence of the Web. The question of how this new media influences the established political institutions and communication between the state and the citizens was on the radar of social scientists since at least the 1980s. The major conceptual debate in this sphere is the dichotomy of technological and social determinism. In the specific application of its general ideas to the case of the Internet, technological determinism claims that "new communication technologies have ushered in a new age, an information society which differs fundamentally from the societal orders of the past."[7] According to this point of view, it is the technology, not the human intervention, that defines the changes in society. Social determinism, on the contrary, renders technological phenomena, including the Internet, as "nothing particularly distinctive and or new … and that we can make sense of its effects by referring to preexisting models of social and political change."[8] This controversy can be traced in debates in the literature on the Internet and politics and is closely intertwined with the two views on the effects of the Web on society. The researchers label these views technological optimism and pessimism, being supported by the two camps, techno-utopians and techno-dystopians, respectively.

[7] Andrew Chadwick, *Internet Politics: States, Citizens, and New Communication Technologies* (Oxford University Press, 2006), 18.
[8] Ibid., 19.

The latter terms were proposed by Evgeny Morozov[9] and later defined by Christian Christensen in his article on discourses of technology and liberation as follows:

> While techno-utopians overstate the affordances of new technologies … and understate the material conditions of their use …, techno-dystopians do the reverse, misinterpreting the lack of results … with the importance of technology; and … forgetting how shifts [in] mediated political communication can be incremental rather than seismic.[10]

I proceed in this chapter with an outline of the techno-utopian view and the concerns of techno-dystopians, then mention the classifications of formal and informal instruments non-free states use to regulate the Web. I provide human rights rationales behind the idea of Internet freedom. I explain why the concept of competitive authoritarianism fits the debate on Internet control in the post-Soviet space. Finally, I look at how exploring national media systems in relation to the Internet can narrow the gap between extreme positive and negative views on its role in particular societies.

1.2. Techno-utopians and the Arab Spring

The recent example of the Arab Spring provided a solid empirical ground for techno-utopians. The role of social networks in mobilizing, organizing and fueling the political uprisings in the Middle East has been highlighted by many scholars. Sarah Oates puts forward a techno-positive argument based on a profound literature review, stating that "[t]he advent of Web 2.0 and easy interactivity via social-networking and micro-blogging sites could spur more horizontal involvement and greater citizen engagement in political life."[11] Manuel Castells argues that Facebook and Twitter played a crucial role in transmitting the feelings of outrage and hope on a large, almost nationwide scale. In his assessment, this was a necessary step in going from collective emotions to collective actions offline. He goes as far as claiming that the Internet and social networks form a completely new type of organization of civil protest: "multimodal digital networks of horizontal communication are the fastest and most autonomous, interactive, reprogrammable and self-expanding means of communication in history. … the networked social movements of the digital age represent a new species of social movement."[12] Self-communication provides a

[9] Evgeny Morozov, *The Net Delusion: The Dark Side of Internet Freedom* (New York: PublicAffairs, 2011).
[10] Christian Christensen, "Discourses of Technology and Liberation: State Aid to Net Activists in an Era of 'Twitter Revolutions,'" *The Communication Review* 14, no. 3 (July 1, 2011): 239.
[11] Sarah Oates, *Revolution Stalled: The Political Limits of the Internet in the Post-Soviet Sphere* (Oxford University Press, 2013), 32.
[12] Castells, *Networks of Outrage and Hope*, 15.

platform for the autonomic social sector that can juxtapose itself to the institutions of society and therefore challenge autocratic regimes.

Can one therefore assume that the access to the unfiltered Internet and social networks would lead to political changes in non-free societies? According to some researchers, even in the absence of a "dynamic civil society, technology allows for the construction of horizontal networks linking individuals and information sources" which helps to build a "political society in a self-organizing fashion."[13] This opportunity arises from the different nature of digital communication itself – it is less centralized, helps to cut the costs and get rid of the intermediaries that control the distribution of information. However, Jensen, Jorba and Anduiza acknowledge, based on several case studies from North America, Europe, Latin America, the Middle East, and Asia, in different societies the effects might differ due to unequal access to the web, the nature of the local media system, as well as the institutional environment of the countries.

1.3. Techno-dystopians and the negative effects of the Web

Technological pessimists claim that the Internet as an instrument of political communication does not necessarily bring democratization, and can also lead to the exact opposite outcome. Evgeny Morozov, a prominent techno-dystopian, argues that "the Internet may also be strengthening rather than undermining authoritarian regimes; that placing it at the cornerstone of foreign policy helps Internet companies deflect the criticism they so justly deserve; that a dedication to the highly abstract goal of promoting Internet freedom complicates a thorough assessment of other parts of foreign and domestic policies."[14] Morozov warns social scientists, policy makers and political activists to be careful about the idea that social problems can be fixed by technology.

Despite the extremely low cost and high convenience of organizing social movements through online communication, the negative effects can outweigh the benefits. Morozov mentions several possible complications that the Internet can bring.[15] Firstly, there is a risk of revealing the identities of the dissidents and connections between them to the oppressive regimes. Secondly, the Internet can create disengagement between traditional oppositional forces and new generation of online political activists. The differences of methods used in real politics and political campaigning

[13] Jensen and Jorba, *Digital Media and Political Engagement Worldwide*, 250.
[14] Morozov, *The Net Delusion: The Dark Side of Internet Freedom*, 318.
[15] Ibid., 301–4.

on Facebook and Twitter can draw opposition further apart instead of uniting it. Morozov argues that it can result in the loss of coherence and even sustainability of the opposition movement. Finally, the role of the corporations that run social networks is ambiguous, as their primary concern is profit and not necessarily democratization. The author makes a dramatic statement that "Every new article or book about a Twitter Revolution is not a triumph of humanity; it is a triumph of Twitter's marketing department."[16]

Some of Morozov's concerns that do not seem obvious at first sight are now becoming reality in the Post-soviet space. For example, different approaches to e-democracy have recently provoked a disagreement among the liberal democratic opposition in Russia, as predicted by Morozov. Former Russian prime-minister Mikhail Kasyanov (representing the traditional opposition in this case) refused to take part in online primaries on the same terms as the other members of the electoral "democratic coalition" (with the representatives of online activists and bloggers). He held on to his first place in the party list referring to his wide recognition in Russia, while other parties from the coalition demanded that all places should be distributed through online voting by the supporters. The different views on the importance of online primaries led to the dissolution of the alliance just months before the parliamentary elections in 2016. The electoral chances of disintegrated opposition are now unclear. It could be argued that this way the Internet contributed to the loss of sustainability of the fragile liberal opposition in Russia.

1.4. Internet regulation: direct and indirect measures

The idea that the Internet can be used by governments as a tool to control and pressure opposition in various ways is also explored in depth in the academic literature on Internet governance and regulation. One of the best examples of this is the infamous Great Firewall of China. Its origins can be traced to the criminalization of cyber-crimes in China as early as 1997. There is a shared notion, however, that the majority of states paid less attention to the security and political threats from cyberspace before the emergence of Web 2.0: "During the "dot-com" boom of the 1990s, governments generally took a hands-off approach to the Internet by adhering to a *laissez-faire* economic paradigm, but a gradual shift has since occurred."[17] According to the scholars, it was definitely the Arab Spring of 2011 which moved Internet surveillance and control up the

[16] Ibid., 305.
[17] Ronald Deibert and Rafal Rohozinski, "Liberation vs. Control: The Future of Cyberspace," *Journal of Democracy* 21, no. 4 (October 2010): 49.

agenda of all non-free states.[18] They do not necessarily take as extreme measures as China does, often applying more subtle tools of control.

Besides the direct regulatory interventions by governments, there are a few more covert practices that "go beyond technical blocking" of content as described by Deibert and Rohozinski.[19] Among them are informal requests from states to the Internet service providers (ISPs); outsourcing the censorship to private companies; "just-in-time blocking" that disables access to information in a critical moment that can be later explained by technical problems; patriotic hacking, when individuals take actions against government critics; and, finally, targeted surveillance and social-malware attacks.[20] Undoubtedly, these types of pressure, as well as "threats of legal action can do more to prevent damaging information from surfacing than can passive filtering methods implemented defensively to block websites," as they create a chilling effect for political activists, journalists and regular users of the Web.[21]

The threats of cybercrime legitimize the greater involvement of state actors in Internet regulation throughout the world, providing the official reasons for blocking of content and other censorship practices. Deibert and Rohozinski argue that this is a result of the securitization of cyberspace. They underline that not only non-free states introduce new types of Internet control. Stable democracies, such as the US, are known to implement similar strategies. In another publication, Deibert and Rohozinski stress that even OSCE members practice Internet surveillance and censorship through law enforcement, intelligence and the private sector. The authors find it "ironic that these norms so antithetical to basic rights and freedoms are being propagated from many countries that just over a decade ago were responsible for the expansion of liberal democratic principles."[22] In this context, Deibert and Rohozinski mention that reporting on Internet regulation and social mobilization is often biased toward liberal-democratic values. "If Canada, Germany, Ireland, or another industrialized democracy can justifiably regulate behavior in cyberspace in conformity with its own national laws, who is to say that Belarus, Burma, Tunisia, or Uzbekistan cannot do the same in order to protect state security or other national values?"[23]

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[18] Oates, *Revolution Stalled*, 6.
[19] Deibert and Rohozinski, "Liberation vs. Control: The Future of Cyberspace," 51.
[20] Ibid., 50–55.
[21] Ibid., 50.
[22] Ronald Deibert and Rafal Rohozinski, "Beyond Denial: Introducing Next-Generation Information Access Controls," in *Access Controlled: The Shaping of Power, Rights, and Rule in Cyberspace* (MIT Press, 2010), 11.
[23] Deibert and Rohozinski, "Liberation vs. Control: The Future of Cyberspace," 49.

1.5. Internet regulation and human rights

Freedom of the Web is nevertheless connected to freedom of expression in general, which is one of the fundamental human rights. It has been noted in various binding international documents and court rulings, as well as in speeches of public officials and human rights. For instance, the International Covenant on Civil and Political Rights states, in Article 19.2, that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice". Restrictions to this right are possible, but, in accordance with Article 19.3, they should be "provided by law" and "necessary". The possible grounds for such restrictions are protection of individual reputation and protection of national security, public order or morals.

The General comment No. 34 by the UN Human Rights Committee provides interpretation of the norms given in Article 19 with more details. It stresses that all forms of expression are protected, including "electronic and Internet-based modes of expression" (Para 12). It later acknowledge that Internet has "substantially changed communication practices around the world" and therefore "States parties should take all necessary steps to foster the independence of these new media and to ensure access of individuals thereto" (Para 15, Art 39). Finally, "any restrictions on the operation of websites, blogs or any other Internet-based" forms of communications by states are only permissible if these restrictions are content-specific. It is also prohibited to ban a Web source "solely on the basis that it may be critical of the government or the political social system espoused by the government" (Para 43).

In 2013, the OSCE Representative on Freedom of the Media, Dunja Mijatovic, called for an open discussion on legislation concerning the Internet "to balance a legitimate need for regulation with the need to ensure access and protect free expression online".[24] She reminded that there are "direct attempts to silence independent voices and assert government control" as well as "collateral damage of badly thought-out regulation". Mijatovic and other advocates for media freedom often bring attention to the instances of online censorship and persecution of bloggers and journalists for their publications on the Web.

[24] Dunja Mijatovic, "Eternal Vigilance the Price of Liberty Online," *Stockholm Internet Forum*, accessed May 24, 2016, http://www.stockholminternetforum.se/eternal-vigilance-the-price-of-liberty-online/.

This has an even bigger significance for the non-democratic states. Miklós Haraszti argued that "the Internet remains the only source of truly pluralistic information" in the post-Soviet region, excluding the Baltic countries.[25] With the rise of the state control, he claims, "the human right to free expression today demands that the governments give the "right to connect" the same proactive protection that media diversity enjoyed in the predigital era. They must guarantee, as part of the right to free expression, the access of citizens to the global network."[26] By introducing this new right he proposes to fight the dangers such as state filtering and blocking as well as monopoly of ISPs.

1.6. Competitive authoritarianism

In my study I use the concept of competitive authoritarianism as proposed by Levitsky and Way. In their works they define it as a specific type of non-democratic regime, in which electoral competition for power between the incumbents and the opposition is "real but unfair."[27] These regimes are rendered not free despite the existing democratic institutions, as "incumbents routinely abuse state resources, deny the opposition adequate media coverage, harass opposition candidates and their supporters, and in some cases manipulate electoral results."[28]

Both Belarus and Russia are examples of relatively stable competitive authoritarian regimes since the dissolution of the Soviet Union. According to Levitsky and Way, in these countries there is an actual contestation for power during the elections and in the parliaments, contrary to the mere façade of democratic instruments in the full-scale authoritarian states. At the same time, with the exception of Ukraine, competitive authoritarian regimes in the former Soviet Union failed to democratize (Levitsky and Way, 2010; 183).

Among the practices that the competitive authoritarian governments choose to intimidate their opponents is the discretionary use of legal instruments. Levitsky and Way point out that such form of repression often targets the media in particular, and while it is "formal in the sense that it entails the (often technically correct) application of the law, it is an informal institution in that enforcement is widely known to be selective" (2010; 28). I argue that the application of the new

[25] Miklós Haraszti, "Media Pluralism and Human Rights," in *Human Rights and a Changing Media Landscape* (Council of Europe Publishing, 2011), 116, https://www.coe.int/t/commissioner/source/prems/MediaLandscape2011.pdf.
[26] Ibid., 131.
[27] Levitsky and Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War*, 5.
[28] Ibid., 52.

laws regulating the Web became one of such instruments targeting independent journalists, bloggers and political activists.

Many researchers point out that the Internet and especially social networks have become a breathing space for political opposition in non-democratic regimes. For example, Jorba, Jensen and Anduiza stress that "in societies where the political system is relatively closed, Internet users are more likely to challenge the boundaries of political inclusion."[29] They also support the claim that the opposition is often being pushed to the Internet: "Legal regulations and limitations on political participation and freedom of speech can create incentives to engage in digital politics."[30]

In competitive authoritarian regimes, political activists and the opposition can still challenge the government and even win despite the uneven rules. According to Levitsky and Way, there are four arenas for democratic competition: electoral, judicial, legislation and the media. The Internet should be in this case considered as the part of the media, which can be a central point of contention. After 2011 it became apparent that the opposition enjoys a relatively large degree of freedom on the Internet, which creates political uncertainty for the regimes. Therefore Russia and Belarus began to implement on the Web the same practices of pressure they previously applied to the traditional media.

1.7. Bringing the state back: why post-Soviet cases are important

There have been attempts to overcome the differences in approaches of cyber-pessimists and cyber-optimists by bringing them closer to each other through concepts such as the "virtuous circle," cyber-realism and others.[31][32] These approaches take into consideration both negative and positive effects of the Internet on political communication. Moreover, they tend to consider the national contexts.

As a way to address the differences in state practices of Internet regulation, as well as to explain why in some countries social movements organized through the online networking tools lead to political changes while in others they do not, Oates argues that "the state should be brought back" into Internet studies. Despite the fact that online communities do share some characteristics throughout the globe, she is confident that "[t]he Internet in the post-Soviet sphere shows us that while the online world offers essentially the same opportunities to different countries, national

[29] Jensen and Jorba, *Digital Media and Political Engagement Worldwide*, 242.
[30] Ibid., 250.
[31] Pippa Norris, *A Virtuous Circle: Political Communications in Postindustrial Societies* (Cambridge University Press, 2000).
[32] Morozov, *The Net Delusion: The Dark Side of Internet Freedom*, 318.

media and political systems themselves are key factors in shaping and constraining the Internet within country borders."[33]

In her assessment of the reasons why the protests of 2011 failed to seriously challenge non-democratic regimes in Russia and other post-Soviet states, she compares the expanding, but highly controlled Internet communication in the region to the Soviet period of "glasnost". Despite the opportunities provided by the access to information, societal institutions are not ready to support pro-democratic social movements: "There is an enormous amount of information available to the Russian public, but there are significant barriers to translating social capital into political change because of a lack of robust political parties or other political institutions."[34]

Some scholars argue that the Post-soviet space is a leader in implementing the new types of Internet control, which, as described earlier, goes further than Chinese practices of technical filtering. The pressure on social entrepreneurs, who serve as communicators between the online and offline world in terms of organizing social movements is quite significant in these cases. Oates noted that in the Post-soviet realities "there is enough detection and pursuit of those labeled cyber-dissidents to create an atmosphere of repression."[35]

To describe the approach to the government control Richard Hunt proposed "a Russian model" in his dissertation on a typology of Internet control regimes. In his opinion, countries in the post-Soviet space often share unique ways of Internet regulation, which can be described by:

> "(a) relatively open access to the Internet, (b) relatively low or nearly non-existent levels of filtering, (c) strategic removal of content (rather than filtering) through state coordination with ISPs and OSPs and functional domain name controls, and (d) sophisticated information-shaping strategies whereby the government competes in informational space with potential adversaries and competitors" (Hunt, 2014; 72).

This way, while the Internet stays relatively open, and the public is almost never denied access to social networks or any sites in whole, specific content might be removed. The removal often happens without the court decision and is facilitated by the private Internet companies fearing legal actions against them. The authorities shape this

[33] Oates, *Revolution Stalled*, 26.
[34] Ibid., 53.
[35] Ibid., 23.

environment through legislation that might be used opportunistically. In some cases, paid commentators and pro-government trolls are present in the online sphere, trying to overshadow the activities of the opposition and promote pro-regime agenda.

Even the name of the proposed "Russian model" suggests that the ways of Internet control vary among different states. Oates suggests that there is a gap in academic literature, as the "study of the Internet in society tends to focus on how the Internet could transform society rather than how the society itself might shape and constrain the online world" and the discussion "of the role of state power and communication strategy in understanding the function of the Internet in the political sphere" is missing.[36]

In my research, I look at Internet regulation and its influence on political activism in Russia and Belarus, considering the political and media environment of these states. So far the majority of case studies on the relation between the Internet and civil societies was concentrated on the Middle East and China, and on the electoral politics and the Internet in the US and the UK (Anduiza, et.al, 2012). Only limited attention has been given to the Internet regulation in Central and Eastern Europe and in Post-Soviet countries after the protests of 2011 (Oates, 2013; Soldatov and Borogan, 2015). I use the concept of competitive authoritarianism, which has not been previously applied to the study of the Internet in the post-Soviet space, to explain the paradox of quick technological development in the sphere juxtaposed with the rising state control. In order to look at how society transform the Internet, I use the media systems framework, describing how the new media fit the political landscape of Russia and Belarus.

1.8. Media systems and media models

In 2004, Daniel C. Hallin and Paolo Mancini published their book *Comparing Media Systems: Three Models of Media and Politics*. They explored how media and civic society interact in different countries and came up with a new classification. Although their approach is now widely used in the media studies as it captures the development of media systems in the post-Cold War world, it is still a subject of academic debate.

[36] Ibid., 7.

The authors were dissatisfied with the fact that "media scholars – following the tradition of McLuhan – often tend to have a professional bias toward overstressing the independent influence of media."[37] Indeed, McLuhan famously put in 1964 that "the medium is the message", and therefore it influences the society and the way we perceive it regardless of the content. In contrast, Hallin and Mancini in their book advocated for the inclusion of the social, political and historical contexts into the analysis of how media operate in different regions, stating that media and society are co-dependent. It corresponds with Oates' idea "to bring the state back" into the Internet studies.

Using comparative analysis, Hallin and Mancini looked at media to understand "why they developed in particular ways …; what roles they actually play in political, social and economic life; and what patterns of relationship they have with other social institutions."[38] They proposed three media models: Liberal, which is characterized by high professionalism and commercialization and low state involvement; Polarized Pluralist model with strong state intervention; and Democratic Corporativist model with higher press independence and strong public service broadcasting. Although the authors limited their analysis to the "developed capitalist democracies of Western Europe and North America," their approach was later applied to other countries, including post-Soviet states.[39]

Russia and Belarus seem to share the most components of the Polarized Pluralist model, which is characterized by the "integration of the media into party politics, weaker historical development of commercial media, and a strong role of the state."[40] However, it was originally used by Hallin and Mancini to describe the Mediterranean countries of southern Europe. Looking

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[37] Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (Cambridge University Press, 2004), 9.
[38] Ibid., 14.
[39] Ibid., 1.
[40] Hallin and Mancini, *Comparing Media Systems*, 11.

at the researches aiming at applying Hallin and Mancini's framework elsewhere, Katrin Voltmer pointed to a problem of generalization : "The Polarized Pluralist models seems to have become something like a catch-all category for media systems outside the Western World of established democracies."[41] In order to specify such media models, she stated that the main characteristic that distinguishes many post-Soviet countries from Polarized Pluralist model is one-party predominance, which "controls the public discourse to the extent that prevents the competition of ideas on a level playing field."[42]

Elena Vartanova argued that the main focus of analysis of Russian media model should be on inter-relations of "the state as the quintessence of power in Russia and other institutions, both old and new."[43] In my research I look at how both Russian and Belarus governments have responded to the rise of the Internet as a part of new media and to the emergence of new players on the political field, such as Internet activists and online-facilitated social movements. Among the most prominent features of the Russian media model, according to Vartanova, is the authoritarian attitude to media which is juxtaposed to the market-driven economy. It is manifested by the instrumental use of media, by formal and informal links between integrated political/economic elites and journalists, and by the usage of informal means of pressure, while the larger part of the audience stays silently tolerant toward such practices.[44] The media in Belarus are functioning under a very similar condition, as the "post-Soviet space provides the closest media models to the Russian one."[45]

[41] Katrin Voltmer, "How Far Can Media Systems Travel: Applying Hallin and Mancini's Comparative Framework Outside the Western World," in *Comparing Media Systems Beyond the Western World* (Cambridge University Press, 2011), 225.
[42] Ibid., 245.
[43] Elena Vartanova, "The Russian Media Model in Post-Soviet Context," in *Comparing Media Systems Beyond the Western World* (Cambridge University Press, 2011), 122.
[44] Ibid., 134–41.
[45] Ibid., 140.

With these general characteristics of post-Soviet media models in mind, in the following chapters I use the works of media-researches on the modern developments in Russia and Belarus to illustrate the particular differences of their media environment. More attention is given to the relation of these models with the Internet. As this new medium challenges the equilibrium, I look at how governments respond to this challenge and how political activists adapt to it.

1.9. Conclusion

In this chapter I gave a brief outline of the debate between techno-utopians and techno-dystopians in a broader context of social and technological determinism. Arguably, the differences in analysis which are proposed by these approaches might be toned down by using case studies with particular attention to the national media systems. I also provided an overview of the modern ways of state control over the Web and indirect ways of pressuring the opposition that are used by non-democratic regimes. At the same time, as the literature suggests, the Internet provides new opportunities for social mobilization and political change. Freedom of the Internet is now considered a part of freedom of expression, and some human rights advocates argue for embedding it even deeper in the international law through the "freedom to connect".

After the Arab Spring and the protests in the post-Soviet space in 2011, it is impossible to deny the significance of the Web in modern politics. No matter which perspective one might take on the role of technology and social networks in these events, it is clear that the status-quo has been significantly challenged. Diebert and Rohozinski stressed that "the way in which citizen-state relations are being upset in a very compressed time frame is worth noting, and may be comparable only to what happened at the height of the industrial revolution itself."[46] This is why further

[46] Deibert and Rohozinski, "Beyond Denial: Introducing Next-Generation Information Access Controls," 11.

analysis and deeper research based on the case studies in a regional context is necessary to explain these phenomena.

Chapter 2. Internet control in Russia.

2.1. Russian media system in the 2010's

As mentioned in Chapter 1, there has been a lot of attempts to interpret what happened to the Russian media after the turbulence of the 1990s and Putin's reclaiming of television in the 2000s. Perhaps John Dunn's recent take on Russian media system is the closest to reality. In his article, Dunn described the existence of a clear division: "some outlets, notably national television, are very tightly controlled, while others, including the internet, are allowed a substantial degree of freedom."[47] He compared it to the Italian practice of *lottizzazione,* where parliament allocates senior positions in the state broadcaster RAI, and therefore the degree of media pluralism is decided "in advance and from above."[48] This analogy brings back the problematic association of post-Soviet media systems with Hallin and Mancini's polarized pluralist media model. Nevertheless, through the analysis of media ownership and public speeches, Dunn managed to specify it and provide a national context, as well as to highlight the differences between the Russian and Italian cases.

Explaining the emergence of the current state of media in Russia, Dunn looked at how the structure of media ownership has changed during the 2000's and how the major media groups were redistributed from the oligarchs to the circles closer to the establishment. The prime example of this is the case of NTV, in which debts were used to pressure the owner to sell the private TV-channel to Gazprom-media. Closing or taking over the TV channels previously owned by oligarchs such as Vladimir Gusinsky or Boris Berezovsky had a seismic effect on the Russian media system

[47] John A. Dunn, "Lottizzazione Russian Style: Russia's Two-Tier Media System," *Europe-Asia Studies* 66, no. 9 (October 21, 2014): 1425.
[48] Ibid., 1433.

and is undoubtedly in the core of the current allocation of assets and state control as noted by the majority of scholars.[495051] Nowadays the state has a direct holding in broadcasting media, and in TV channels with national coverage in particular. Other major media outlets are controlled by several large media conglomerates, which belong to oligarchs with close ties to Kremlin.[52] According to Dunn's analysis based on interviews of Russian journalists and public speeches of politicians, the current media system definitely has Putin's approval, but is not necessarily his personal creation, while some connections could be traced to the staff of his executive office. Dunn came to the conclusion that "managers of media outlets … should consult regularly and take instructions from the real bosses, which in the 1990s meant the relevant oligarchs and now presumably means the Presidential Administration."[53]

The system itself consists of two tiers. The media outlets from the first tier "have a political orientation that is tightly controlled" and "are required to present ... view of the world that the Kremlin considers appropriate."[54] The media from the second tier, which are less influential and have significantly less audience reach, "are allowed a considerable degree of freedom in their coverage of political events." Interestingly, Dunn included "almost the whole of the internet" in this tier.[55] It shows that up until recent times the internet was one of the few spaces where Russian opposition could raise its voice and participate in political competition. However, the degree of the state control over particular outlets in Russia is defined by political decisions and can be

[49] Ibid., 1427.
[50] Smyth and Oates, "Mind the Gaps," 291.
[51] Levitsky and Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War*, 198.
[52] Dunn, "Lottizzazione Russian Style," 1428–31.
[53] Ibid., 1439.
[54] Ibid., 1431.
[55] Ibid., 1432.

increased or decreased depending on the situation.[56] I argue that it has been strengthening over the Web in the years since 2011, which has particularly hurt political activism online.

There are several possible reasons why pluralism still exists in the Russian media and the monolithic control of the Soviet times has not been recreated. Firstly, it keeps opposition more or less inside the system by giving them "the opportunity to address a small, but like-minded audience, without, however, [the] danger of them having any significant influence on the main political processes."[57] In other words, it gives a small window for the opposition and their supporters to lay off steam and therefore eases the pressure on the incumbents. Secondly, the outlets from the second tier satisfy "the need that academic, business and government circles have for information that is both accurate and complete".

There have been significant changes, however, since early 2013, when Dunn's article was revised and even since 2014, when it was published. First, Russia was suspended from G8, whose membership had been so far a reason for the maintaining of partial media freedom, according to Dunn's point. Then, Boris Nemtsov, who was described in Dunn's article as a spokesman for the non-parliamentary opposition in the less controlled outlets, has been killed in Moscow. Moreover, REN-TV - the only channel with national coverage that Dunn mentioned as a part of the second tire - has closed Marianna Maksimovskaya's news program in August 2014 and moved its editorial policy toward a more pro-government depiction of events.[58] Maximovskaya and her team have subsequently left the TV-channel.

The pressure on online outlets has also raised significantly. TV Rain was denied access to the satellite and cable networks in February 2014, after a controversial poll on the Leningrad

[56] Ibid., 1433–34.
[57] Ibid., 1439.
[58] https://www.vedomosti.ru/politics/news/2014/12/22/marianna-maksimovskaya-ujdet-s-ren-tv-v-kompaniyu-mihajlov-i

blockade. The owners of the channel connected this outcome to the reports on corruption in the State Duma.[59] In addition, the editor-in-chief of Lenta.ru was replaced in March 2014 by a pro-kremlin media manager after publishing an interview with the Ukrainian far-right nationalist from the "Right sector".[60] Lenta.ru was the 5th most-viewed news website in Europe at the time, with its audience of more than 13 million visitors. The team of fired editor-in-chief, Galina Timchenko, also resigned. Two years later, in May 2016, the editorial staff of RBC news agency had to leave the company after a series of reports on corruption, conflict in Ukraine and the business interests of Vladimir Putin's family and his close circle.[61] As in March 2016, Rbc.ru was the most cited news source in the Russian internet.[62] The application of the new laws concerning media also went further than what Dunn described as "initial over-enthusiasm on the part of the authorities" and will be explored later in this chapter.[63] The state actions remain unsystematic, but fall into the category of discretionary use of legal instruments and create a chilling effect and atmosphere of self-censorship.

Despite being careful with predictions about semi-closed regime, Dunn provided a hypothesis that changes in the Russian media system will come from the inside rather than form the outside. He is confident that the system is relatively stable and resistant to the exogenous political or economic pressures. He stated that "there is no particular reason why the Russian media system, with all the benefits that accrue to those who find themselves in power, could not survive the transition to a different political dispensation."[64] The financial aspects of a transition

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[59] "In Russia, Independent TV Broadcaster Is Forced into Meager Studio," *Washington Post*, accessed May 25, 2016, https://www.washingtonpost.com/world/in-russia-independent-tv-broadcaster-is-forced-into-meager-studio/2014/12/21/9f5f0fcc-8947-11e4-8ff4-fb93129c9c8b_story.html.
[60] Stephen Ennis, "Russia Lenta.ru Editor Timchenko Fired in Ukraine Row," *BBC News*, accessed May 25, 2016, http://www.bbc.com/news/world-europe-26543464.
[61] "The Dismantling of the Independent News Organization 'RBC': How Russia Gained and Today Lost a Great Source of News," *Meduza*, accessed May 25, 2016, https://meduza.io/en/feature/2016/05/13/the-dismantling-of-the-independent-news-organization-rbc.
[62] "Рейтинги СМИ И Интернет-Ресурсов России," *Медиалогия*, March 2016, http://www.mlg.ru/ratings/federal_media/4164/2016/3/.
[63] Dunn, "Lottizzazione Russian Style," 1447.
[64] Ibid., 1442.

are even less worrying because of the "elaborate system" of oligarch ownership of the major media groups which provides an opportunity for "more or less friendly takeovers". However, there are emerging technological changes in media which are very likely to affect the media system, which until lately used to essentially rely on television with a lower control over the Web. This boom of internet communication in Russia is a challenge to the regime as many sources of information diverge from the state narrative. The authorities had to somehow react to this challenge in order to adjust the media system that has been put up during different times. Dunn has noted the first signs that the existing equilibrium was affected since 2011, and suggested that a "logical possibility [for Kremlin] would be to establish some sort of control over the internet (or parts of it)"[65] Before going into details of how state has bolstered its presence in the online sphere, let us look at some figures of the internet consumption in Russia.

2.2. Internet Consumption

The number of internet users in Russia shows continuous growth. According to the International Telecommunications Union, in 2014 more than 70 percent of individuals in the country were using the Web.[66] Looking at the ITU data, two spikes can be identified in internet penetration in Russia over the recent years. The first jump happened in 2010, when the penetration increased from 29% to 43%. The second rapid increase in the number of internet users was registered between 2011 and 2012, when it jumped from 49% to 63.8%. ITU has changed the source of official data in these years from the Federal State Statistics Service in 2009 to the Ministry of Telecom and Mass Communications and back to the Statistic Service in 2012. This might be an explanation of the significant changes in numbers, but it is clear that since 2009, the internet penetration in Russia has increased more than 40 percent. According to the figures of the Public

[65] Ibid., 1444.
[66] "Percentage of Individuals Using the Internet" (International Telecommunication Union, 2014), http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx.

Opinion Foundation, 73,8 million Russians were online by the end of 2015, with almost 8% increase over a year.[67]Russians do not only have better access to the Web now, but also use it more and more actively. The polls by the Public Opinion Foundation show that by the beginning of 2016 the share of the audience that uses the internet at least once a day is 57% of Russian the population, amassing 66,5 million people.[68] In the end of 2011, when the mass protests started in Moscow and other cities, this number was just 38 percent.

One of the key aspects in assessing internet consumption by the citizens is digital divide, or inequality of the access to the Internet. It seems like the societal factors of digital divide are less important than geographical ones in Russia. For instance, Freedom on the Net report by the Freedom House rendered that "there is no significant gender divide when it comes to internet access in Russia".[69] However, the majority of internet users are still concentrated in big cities, and there are some difficulties with internet access in the regions. The government is cooperating with private ISPs to bring the cables to smaller places on the map. According to the data published by the Federal Agency on Press and Mass Communications, in 2015 almost one third of Russian Internet users (28%) lived in towns with population less than 100,000 or smaller villages.[70] Despite these efforts, there is still a "variation in access among the regions, in terms of both speed and price".[71]

As the Internet is in constant struggle with traditional media for the limited time budget of the citizens, it should be weighted upon the trends of overall media consumption in Russia.

[67] "Интернет В России 2014: Состояние, Тенденции И Перспективы Развития" (Федеральное агентство по печати и массовым коммуникациям, 2015), 49, http://www.fapmc.ru/rospechat/activities/reports/2015/inet.html.
[68] "Интернет В России: Динамика Проникновения. Зима 2015 - 2016 Гг. / ФОМ," accessed May 22, 2016, http://fom.ru/SMI-i-internet/12610.
[69] "Freedom on the Net 2013" (Freedom House, October 2013), 651, https://freedomhouse.org/sites/default/files/FOTN%202015%20Full%20Report.pdf.
[70] "Интернет В России 2014: Состояние, Тенденции И Перспективы Развития," 23.
[71] "Freedom on the Net 2013," 651.

According to the Russian authorities, an average user spends around 2 hours a day on the Net.[72] The majority of time (26%) is being spent on social networking, and just 3% on reading news. Mail.Ru group, Alisher Usmanov's media conglomerate which controls the three largest Russian social networking sites, can already compete successfully with other media corporations in terms of its reach. Among its assets is the 100% share in the most popular social media platform in Russia, vk.com. With the daily reach of 46% of Russian citizens, Mail.ru group falls just a few points short of the traditional media outlets owned by Gazprom Media, which has 51% reach. The gap is definitely shrinking: state-owned VGTRK Corporation with its TV and radio channels is also just a tiny bit ahead with 48% daily reach, while Mail.Ru Group has already surpassed the state-controlled TV-channel Pervy kanal.[73] Internet and social networks are becoming a convenient way to form the opinion about what is happening in the country and in the world. It has been reported by the beginning of 2016 that 46% of Russian users have recently followed news on the Web, while 36% of users have recently read blog posts and interacted with them.[74] Therefore, the potential reach for political bloggers and activists on the Russian segment of Internet is quite significant.

Despite the fact that TV is still the major medium in Russia, it is in decline. The independent Levada center states that if in 2009 it was the main news source for 94% of the Russian, in 2015 this number fell to 85%.[75] The level of trust in television has lowered almost twice in 6 years: just 41% of Russians think it can be trusted now, compared to 79% in 2009. According to Levada center, 35% of citizens usually believe the news they see on the Internet, while 40% do not trust this medium. For those who actually use the Web as their source of the

[72] "Интернет В России 2014: Состояние, Тенденции И Перспективы Развития," 50.
[73] Ibid., 56.
[74] "Онлайн-Практики Россиян: Социальные Сети / ФОМ," accessed May 26, 2016, http://fom.ru/SMI-i-internet/12495.
[75] "Следы Поражения," accessed May 26, 2016, http://www.levada.ru/2016/02/24/sledy-porazheniya/.

news, the level of trust is slightly higher, 48%.[76] It seems like TV still has more authority in the eyes of the Russian public, despite the emerging doubts. Only up to 8% of generally more educated citizens do not trust TV completely, while for the Internet this rate is almost the same – 7%.[77] It is interesting that the Internet users not necessarily see the difference between the news coverage on television and on the Net. According to the Public Opinion Foundation, the amount of users who believe that TV and the Internet cover the news in the similar manner is the same as the amount of users who are convinced that the coverage differs significantly.[78] In the case of different coverage, the overall amount of users who would believe one medium over another is almost the same, around 30%. The poll shows a great fragmentation in media preferences, but the young active audience of 18-25 years old is more likely to accept the version of events transmitted through the Internet.

No sociological data is currently available on the attitudes of Russians toward the new laws concerning Internet regulation. However, the citizens are concerned about their privacy on the Web. 58% of respondents of the Public Opinion Foundation poll believe that the government should not be able to access their private data and messages.[79] The majority of citizens who supported this point of view think that such practices are a violation of human rights and an intrusion of the state into personal space. A quarter of the respondents, however, were for governmental surveillance, with the most popular arguments being safety, anti-terror measures and fighting organized crime. Exactly these arguments are often used by the authorities to implement new rules to control the Internet.

Overall, Internet penetration in Russia shows consistent growth, the citizens use the Web more and more actively, and regularly read the news and blogs online. The role of television as the

[76] "Новости В Интернете / ФОМ," accessed May 26, 2016, http://fom.ru/SMI-i-internet/12491.
[77] "Следы Поражения."
[78] "Новости В Интернете / ФОМ."
[79] "Приватность В Интернете / ФОМ," accessed May 26, 2016, http://fom.ru/SMI-i-internet/12496.

major source of information in Russia is in decline, but the Internet has not reached the same level of trust from the public. The boom of Web communication in Russia happened with the background of protests facilitated with the help of the Internet both inside the country and globally, from a violent nationalist riot on the Manege Square in Moscow in 2010 to the Occupy Wall Street movement in New York in 2011. As Smyth and Oates argued, "evidence from both Arab Uprising and the Russian protests would suggest that the rate of adoption is a significant factor" that could be weighed as a threat to the regime.[80] This change of equilibrium has not been unnoticed by the authorities, who rapidly reacted. The next section explores new legislation that can be used to control the spread of information on the Web in Russia.

2.3 Internet Regulation

Under president Medvedev, modernization was a buzz-word among the Russian elites. Internet and new technologies were meant to help achieving this goal. Medvedev was the first Russian president to create his own video-blog, and opened an official Twitter account during his visit to the Silicon Valley in California. In November 2011, he praised the independent nature of the Internet on a meeting with the Russian businessmen from the sphere: "I think that the Internet can help anybody, including politicians, to be up to date … I can get everything there without a filter. Sometimes it is unpleasant … but in any event it is very revealing."[81] At the same time, Soldatov and Borogan have pointed out that "Medvedev wanted to make Russia technically more advanced but not necessarily more democratic."[82] The journalists argued that it was Medvedev's government who started to extend the idea of Russia's "national sovereignty" to the Web through the introduction of the Cyrillic domain and the idea of a national search engine.

[80] Smyth and Oates, "Mind the Gaps," 290.
[81] Dunn, "Lottizzazione Russian Style," 1440.
[82] Andrei Soldatov and Irina Borogan, *The Red Web: The Struggle Between Russia's Digital Dictators and the New Online Revolutionaries.* (Public Affairs, 2015), 121.

The majority of Medvedev liberal reforms was abandoned once Putin came back to power in 2012. One example is the re-criminalization of defamation in both online media and traditional ones. Putin's take on the Internet also differed significantly from his predecessor's positive approach, as he famously put in 2014 that the Net "[had] emerged as a special project of the U.S. CIA and develop[ed] as such," and that Russia needed to "purposefully fight" for its interests online.[83] The experts claim that Putin's third presidential term is characterized by "a series of steady steps that increased pressure on civil society and restricted freedom of speech … many specifically targeting the RuNet."[84] In this section the most influential developments in this sphere will be mentioned along with some example of practical application of these laws.

2.3.1. The introduction of the blacklist

Let's have a look at how the legal instruments regulating the Internet developed in Russia in the last five years from 2011 to 2016. According to the Russian Federal Agency on Press and Mass Communications, active work on legal norms regulating the Net started "relatively recently, since the beginning of the 2010s."[85] Restrictive legislations, however, started to appear only after the mass protests of 2011. As political activist Leonid Volkov, a member of Alexey Navalny's Anti-Corruption Foundation and the founder of the Internet Protection Society NGO, stated in a personal interview, the incumbents have "been wiping out the Internet for five years" in order to prevent the repetition of 2011 scenario when online protests became offline ones.[86]

The first concerning law was introduced by the Russian Parliament, the State Duma, on June 2012. The stated aim of the Federal Law №139 was to protect children, as the name of the

[83] "Putin Says CIA Created the Internet, Cites Foreign Influence at Yandex," *The Moscow Times*, accessed May 28, 2016, http://www.themoscowtimes.com/news/article/putin-says-cia-created-the-internet-cites-foreign-influence-at-yandex/498903.html.
[84] Tselikov, "The Tightening Web of Russian Internet Regulation," 2.
[85] "Интернет В России 2014: Состояние, Тенденции И Перспективы Развития," 10.
[86] Leonid Volkov, Personal interview, May 20, 2016.

legislation mentioned "defending children from information harmful to their health and development."[87] Among this type information were child pornography and propaganda for drugs and suicide. One of the most important developments, however, was the introduction of the blacklist of websites that allegedly distribute such information. It was described as a "United registry of domains … on … the Internet … that include information which distribution is prohibited on the territory of the Russian Federation."[88] ISPs were to ban access to these websites if the contested information is not deleted within 24 hours after the notification. For the first time in the Russian legal practice, no judicial decision was needed to block a website.[89]

The administration of blocking went through the federal regulatory body established specifically for this purpose, Roskomnadzor. The execution was up to the ISPs, who would face legal problems if they failed to comply. The burden of proof was laid on the distributors of the content, who would be able to contest the blocking in court within three months after the fact. The number of regulatory bodies in charge of control over the information on the Web was broaden to include Federal Drug Control Service (FSKN) and the consumer protection agency.

The industry spoke out with harsh criticism of the law, arguing that it threatened freedom of the Net, and would make the blocking of the content a common practice.[90] Despite the protests of the major websites, including the blackout of the Russian version of Wikipedia, the law was supported unanimously by the State Duma. The voices against it were labeled "pedophile lobby"

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87 "О Внесении Изменений В Федеральный закон 'О Защите Детей От Информации, Причиняющей Вред Их Здоровью И Развитию' и Отдельные Законодательные Акты Российской Федерации (По Вопросу Ограничения Доступа К Противоправной Информации В Сети Интернет)," *Государственная Дума*, accessed May 28, 2016, http://asozd2.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=89417-6.

88 "N 139-ФЗ," *КонсультантПлюс*, accessed May 28, 2016, https://www.consultant.ru/document/cons_doc_LAW_133282/30b3f8c55f65557c253227a65b908cc075ce114a/.

89 Tselikov, "The Tightening Web of Russian Internet Regulation," 3.

90 "Новый Закон Угрожает Свободному Интернету," *Официальный Блог Google Россия*, accessed May 28, 2016, http://googlerussiablog.blogspot.com/2012/07/blog-post.html.

by the Parliament Member Elena Mizulina.[91] Federal Law № 139 came into power in November 2012. Since then it has been repeatedly reported that the law was "used to block sites with legitimate content."[92] The number of websites that were blocked as containing extremist material has raised around 60 percent from January 2012 to February 2013, according to the Freedom House.[93]

2.3.2. Activists disturbing the peace

At the end of 2013, a new rule was proposed which directly influenced opposition bloggers and online activists. Federal Law № 398 gave the Prosecutor General's Office a right to immediately block websites that contain extremist materials, "calls for riots" and "unlawful rallies".[94] The decision that the content is illegal is made by the Prosecutor General's Office with no involvement of the courts. Then it is up to ISPs to conduct the blocking. Roskomnadzor notifies violators only post-factum, and the website can be unblocked later, if the content is removed. Tselikov assessed the policy as "the first overtly political law that establishe[d] a mechanism for extrajudicial political censorship."[95] The law has come into effect in February 2014.

One of the first victims of the legislation were three anti-government websites. Just before the referendum on Crimean secession in March 2014, Grani.ru, Ej.ru and Kasparov.ru were blocked without any explanation provided by the authorities.[96] The first two were news sites,

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[91] "Top Investigator Alleges Pro-Pedophilia Lobby," *The Moscow Times*, accessed May 28, 2016, http://www.themoscowtimes.com/news/article/top-investigator-alleges-pro-pedophilia-lobby/480675.html.
[92] Smyth and Oates, "Mind the Gaps," 292.
[93] "Freedom on the Net 2013," 588.
[94] "Федеральный Закон От 28.12.2013 N 398-ФЗ 'О Внесении Изменений В Федеральный закон 'Об Информации, Информационных Технологиях И О Защите Информации"," *КонсультантПлюс*, accessed May 28, 2016, http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=156518.
[95] Tselikov, "The Tightening Web of Russian Internet Regulation," 7.
[96] "Freedom on the Net 2015" (Freedom House, October 2015), 653, https://freedomhouse.org/sites/default/files/FOTN%202015%20Full%20Report.pdf.

which had often demonstrated critical views toward the government, while the last one belonged to an opposition politician Gary Kasparov. The blog of an opposition leader, the founder of Anti-Corruption Foundation NGO, Alexey Navalny, was also blocked. He managed to restore the access to his LiveJournal only in November 2015, and had to delete all the previous posts, as the authorities have not specified the exact reason why the blog was banned.[97] The activist filed a complaint to the European Court of Human Rights, claiming that his blog was blocked in an attempt to stop his anti-corruption investigations.[98] The mentioned websites were not the first ones to be restricted from access, as Roskomnadzor also ordered to block websites of Russian nationalists, militant Islamist pages and pro-Maidan groups on social networks that March.[99] Nor was it the last political content blocked under this law. Leonid Volkov, who works alongside Navalny, has also experienced blocking of his content. For example, his Facebook event, in which he called for a rally against the prosecution of Navalny brothers was blocked in December 2014. He assessed that the Federal Law № 398 was "undoubtedly" the most harmful for online activists.[100]

The timing of the first filtering of content under this law, as well as the particular attention paid to websites criticising Kremlin's actions in Ukraine, supports the claim that Euromaidan has caused a new wave of even stricter internet control in Russia. In their piece for the World Policy Journal, Soldatov and Borogan argued that the annexation of Crimea and the conflict in Eastern Ukraine have "increased the fears of a free flow of information that could pose a 'threat to

[97] "Полтора Года Судов И Удаление Контента: Как Я Разблокировал ЖЖ," *Алексей Навальный*, accessed May 28, 2016, https://navalny.com/p/4541/.
[98] "Алексей Навальный Оспорил В ЕСПЧ Блокировку Своего Блога В «Живом Журнале»," January 15, 2015, http://www.vedomosti.ru/politics/articles/2015/01/15/navalnyj-dopisalsya-do-strasburga.
[99] Tselikov, "The Tightening Web of Russian Internet Regulation," 7.
[100] Volkov, interview.

stability.'"[101] Smyth and Oates also noted that with these events "the information challenge has moved beyond domestic issues," which led "to a significant increase in media controls."[102]

2.3.3. New responsibilities for bloggers and platforms

In August 2014, a new legislation came into force, specifying the "duties of an information distributor on the Internet."[103] These duties of any entity that "organizes the spreading of information on the Web" entail storing the data of user activity for six months and provide this information upon request. These rules broadened the opportunities for state surveillance andadded up to the functioning costof any Internet companies. Moreover, this law defined the term "blogger" and stated that those who have more than 3,000 unique visitors on their page daily should register as media outlets. Roskomnadzor established a list of such bloggers, and many of the rules applying to traditional media would then also apply to their blogs and social media pages. In particular, they were forbidden "from publishing false information, using obscenities, making unsupported claims" and were required to list their actual names.[104] RuBlacklist, an NGO founded by the Russian Pirate Party which monitors blocking and filtering by the authorities, stated in 2015 that in more than one and a half year after the law came into force, Roskomnadzor had only been filling the list of bloggers without any further actions.[105]

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[101] Irina Borogan and Andrei Soldatov, "RusNet On the Offensive," *World Policy Journal* 32, no. 3 (September 2015): 102.
[102] Smyth and Oates, "Mind the Gaps," 303.
[103] "Федеральный Закон От 05.05.2014 N 97-ФЗ (Ред. От 21.07.2014) 'О Внесении Изменений В Федеральный закон 'Об Информации, Информационных Технологиях И О Защите Информации' и Отдельные Законодательные Акты Российской Федерации По Вопросам Упорядочения Обмена Информацией С Использованием Информационно-Телекоммуникационных Сетей' - КонсультантПлюс," accessed May 28, 2016, http://base.consultant.ru/cons/cgi/online.cgi?req=doc&base=LAW&n=166124&rnd=208987.7092507492822033&SEARCHPLUS=97%20%F4%E7&EXCL=PBUN%2CQSBO%2CKRBO%2CPKBO&SRD=true&SRDSMODE=QSP_GENERAL.
[104] Tselikov, "The Tightening Web of Russian Internet Regulation," 8.
[105] "3 Года Первому Закону По Блокировке. 3 Года РосКомСвободе," *RuBlacklist.Net*, accessed May 28, 2016, http://rublacklist.net/13395/.

The next law regulating cyberspace was the Federal Law **№ 242.** Under this regulation, which was also adopted in summer 2014, companies using personal data were factually required to store it in Russian jurisdiction or to face otherwise. In order to comply with this law, all major social networks, from Twitter to Facebook, would have to store data on their Russian users on servers that are physically located in Russia. It is required in order to save the information on user activity for the periods longer than the six month limit.[106] Due to the many adjustments that foreign companies would have to make, Federal Law № 242 came into effect only in September, 2015. As some of the Internet giants allegedly refused to play by Kremlin's rules, it remains unclear how well this particular regulation is imposed. Two months before the law came into effect, Vladimir Putin offered to temporarily delay sanctions for those who were not ready.[107] Nevertheless, the legal basis for closing down social networks is now in place, and might be implemented if necessary.

2.3.4. The right to be forgotten, the Russian way

In 2015, Russian Parliamentarians decided to follow their European colleagues and to introduce the "right to be forgotten." This right, protected in the EU by the Article 6 of the Directive 95/46, states that "every reasonable step must be taken to ensure that [personal] data which are inaccurate or incomplete … are erased or rectified," and allows citizens to ask search engines to delete information about them from the search results.[108] It has been criticized by freedom of speech advocates as prone to abuse and has been even contested in the Grand Chamber of the Court of Justice of the European Union by Google. Despite losing this case, the

[106] Tselikov, "The Tightening Web of Russian Internet Regulation," 9.
[107] "Путин Поручил Обсудить Отсрочку Наказания По Закону О Персональных Данных," accessed May 29, 2016, http://www.forbes.ru/news/293923-putin-poruchil-obsudit-otsrochku-nakazaniya-po-zakonu-o-personalnykh-dannykh.
[108] Google Spain SL, Google Inc. v Agencia Española de Protección de Datos (AEPD), Mario Costeja González, 7 (Court of Justice of the European Union 2014).

search engine refused to delete links from the results globally, and applied the rules only to its European websites, even after receiving a formal notice from France.[109]

However, the Russian version of the law, which was signed by the president in July 2015 and came into force in January 2016 lacks the important safeguards present in the EU legislation.[110] For instance, according to the Russian bill, information could be considered "irrelevant" just because of the time of publication and can be delisted after two years. There is also no mention of the public interest and "the role played by the data subject in public life" which makes it prone to abuse by corrupted government officials. Advocates for free speech highlighted the fact that the bill is applied to the Internet as a whole, not only to the .ru domains. Search engines and the experts from the Internet industry asked for at least 32 amendments to the law while it was discussed in the parliament, but less than half of them were actually considered.[111] In March 2016 the Russian search engine Yandex published a report on the first three month of functioning under the new regulation.[112] The company received 3600 complaints and followed through with less than a third of them. According to its statistic, 51% of the requests were about valid, but "no longer relevant" information. More than 700 requests were concerning the people who might be figures of public interest, such as doctors or politicians. The company complained that it had no means to fact-check the information and once again argued for the inclusion of various safeguards.

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[109] "Implementing a European, Not Global, Right to Be Forgotten," *Google Europe Blog*, accessed November 13, 2015, http://googlepolicyeurope.blogspot.com/2015/07/implementing-european-not-global-right.html.

[110] "Legal Analysis: Russia's Right To Be Forgotten" (Article 19, n.d.), https://www.article19.org/resources.php/resource/38099/en/legal-analysis:-russia's-right-to-be-forgotten.

[111] "Госдума Разрешила Гражданам Удалять Из Сети Недостоверные Данные О Себе," *РБК*, accessed May 30, 2016, http://top.rbc.ru/technology_and_media/30/06/2015/559278119a7947342ed5f947.

[112] "Блог Яндекса — О Применении Закона «о Праве На Забвение»," accessed May 30, 2016, https://yandex.ru/blog/company/o-primenenii-zakona-o-prave-na-zabvenie.

2.3.5. The latest trends and future regulation

It is important to consider the rhetoric of the authorities in charge of regulating the Russian Web. In some cases, it was quite radical. In 2014, the deputy head of Roskomnadzor said in an interview: "We can block Facebook and Twitter within minutes. We do not see any big risks in that."[113] The prime-minister Medvedev quickly responded on his Twitter account: "The law is binding for everyone. But some officials need to think before announcing the closure of social networks in interviews."[114] The regulator had to specify that it was not going to actually ban Twitter in Russia.

It has become known in October 2015 that Roskomnadzor, the Ministry of Communications, the Ministry of Defense and FSB conducted "a training experiment" on a scenario in which Russia is cut off from the global Internet.[115] The experiment allegedly failed, as the traffic still went through to the foreign servers. The Minister of Communications later confirmed the fact, arguing that the goal of the model was to ensure that the Russian segment of the Internet would still function "independently from the geopolitical decisions of some countries."[116]

Another important development was the appointment of Web entrepreneur German Klimenko to a newly created position of Putin's advisor on the Internet in February 2016. Despite his close ties with the industry, Klimenko admitted that in case the Internet companies would not

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[113] "«Мы Не Видим Больших Рисков В Блокировке Twitter В России»," *Известия*, accessed May 30, 2016, http://izvestia.ru/news/570863.

[114] Дмитрий Медведев, "Законы Обязательны Для всех.Но Отдельным Чиновникам Нужно Думать,прежде Чем Объявлять В Интервью О Закрытии Соцсетей https://www.facebook.com/Dmitry.Medvedev/posts/10152047885946851 …," microblog, *@MedvedevRussia*, (May 16, 2014), https://twitter.com/MedvedevRussia/status/467234182272655360.

[115] "Провайдер Описал Неудачный Эксперимент По Отключению России От Интернета," *РБК*, accessed May 30, 2016, http://www.rbc.ru/rbcfreenews/561e67f29a79478273ecc4ce.

[116] "Министр Связи Рассказал Об Учениях По Отключению Интернета," *Новая Газета*, accessed May 30, 2016, http://www.novayagazeta.ru/news/1697414.html.

cooperate with the security services, they would be blocked in accordance with the new laws. The appointment itself shows that the regime becomes more and more interested in understanding and controlling the industry, however, the rhetoric of protectionism and threats toward foreign companies are a worrying trend.

In April, 2016, the Head of the Investigative Committee of Russia, Alexander Bastrykin, published an article about "information warfare" and fighting extremism.[117] He proposed to ban digital media that belong to foreign residents and to define "the limit of censoring of the Internet in Russia". Bastrykin also argued for more extensive filtering and more general application of extra-judicial methods of blocking. His statement fits a greater trend of politicizing the Internet control in Russia, as fighting the U.S. influence was mentioned among the goals and the example of Chinese regulation was used. Journalists point out that despite Bastrykin's proximity to the Presidential Administration, his ideas received a mixed reaction in the State Duma.[118]

It was reported in May 2016 that the Ministry of Telecom and Mass Communications prepared a package of laws "on the autonomous system of the Internet."[119] According to it, the state will gain exclusive control over the infrastructure of the Russian segment of the Web, including the domain and IP regulation, as well as traffic channels. It would give the RuNet an opportunity to operate independently from the global Internet. The proposal has not been officially revealed yet.

The rise of prosecution for online speech should be mentioned among the latest trends. In 2015, the accusations of extremism and separatism has led to at least five cases when people

[117] Alexander Bastrykin, "Пора Поставить Действенный Заслон Информационной Войне," *Журнал "Коммерсантъ Власть,"* April 18, 2016.
[118] "По Китайскому Пути: Что Власть И Бизнес Думают О Предложениях Бастрыкина," *РБК*, accessed May 31, 2016, http://www.rbc.ru/technology_and_media/18/04/2016/5714df569a7947518570fd91.
[119] "Чиновники Хотят Подчинить Себе Весь Российский Интернет," May 27, 2016, http://www.vedomosti.ru/technology/articles/2016/05/27/642739-chinovniki-hotyat-internetom.

were sent to jail for their comments online. For instance, one blogger got a three-year sentence for "claiming that Crimea was accepted into the territory of the Russian Federation illegally."[120] There were also dozens of cases when people were fined for shares and reposts on social media.[121] Volkov compares this practice with "Bolotnaya square case", in which more than 30 people were accused of participation in mass riots on the day before Putin's inauguration in 2012. "It is a repression against random people – not the leaders of the protest. Because of this case any person who attends a demonstration feels … like a potential victim. [And also with the persecution for the posts on social media,] the users start to think twice if he wants to repost some information … because of the possible consequences".[122]

2.4. Under pressure: adaption strategies of the Russian activists

How do online political activists in Russia respond to this growing pressure? Volkov acknowledged the decrease of protest activities online. The chilling effect, in his assessment, has influenced the user behavior the most: "it influenced the speed of sharing the information, including our anti-corruption investigations".[123] However, there are still ways to access the restricted content as well as to start new initiatives online.

I identified two major strategies that were used by the opposition in response to rising Internet control. First of all, they have tried to avoid or bypass filtering and blocking by using different technical tools and loopholes. Secondly, they have used the existing legislation on the Web sphere and the official tools of e-democracy to hold the government accountable. In this

[120] "Как В России Преследуют За Призывы Вернуть Крым Украине?," *Meduza*, accessed May 30, 2016, https://meduza.io/cards/kak-v-rossii-presleduyut-za-prizyvy-vernut-krym-ukraine.
[121] "Репосты От Полиции, Лайки От ФСБ: «Медуза» Записала Монологи Россиян, Которых Судили За «экстремизм В Соцсетях»," *Meduza*, accessed May 30, 2016, https://meduza.io/feature/2016/03/21/reposty-ot-politsii-layki-ot-fsb.
[122] Volkov, interview.
[123] Ibid.

section, I will outline the examples illustrating these strategies developed by non-parliamentary political forces and activists.

2.4.1. The big red button: bypassing the filters

There are various technical possibilities to bypass the blocking. Since the websites are only blocked by ISPs on Russian territory, users may use the different tools available for free in order to trick the system. For example, anonymizers, proxy-servers and virtual private networks (VPNs) help to get to the filtered content, as the user which uses them appears to be accessing the website from the outside of the country. In some cases, it is even easier. For instance, Twitter uses "soft-block" procedure, so all the user needs to do to access the banned tweet is to change the country in his account settings.[124] A popular Opera browser has even a built-in VPN feature.

Still, a user needs to make significantly more efforts to view the prohibited content than on a regular web site. People have to know how to cheat the system, and not all of the active audience of opposition blogs is familiar with the procedures. As Volkov recalled, the number of visits on his Livejournal blog dropped by around 80 percent after its ban. The numbers then gradually increased, as more people learned how to bypass the restrictions, but it never came back to the original figures: "overall only 30-40% of users know how to effectively avoid blocking."[125] This means that while the regular active audience might manage to follow the activists even once their sites blocked, it becomes harder for them to gain new supporters from passive general audience.

Political activists have also tried to reach out to those who do not know about these alternative ways to get the restricted information. Thus, the NGO RuBlacklist has promoted educational materials teaching users how to bypass the state filtering.[126] They specifically

[124] Tselikov, "The Tightening Web of Russian Internet Regulation," 8.
[125] Volkov, interview.
[126] "Instruction on How to Bypass the Blocking of Websites [in Russian]," *RuBlacklist.Net*, accessed May 31, 2016, http://rublacklist.net/bypass/.

highlighted that their goal is to inform about lawful ways to restore access to unlawfully blocked resources. The NGO also established its own list of blocked sites, as the Roskomnadzor's registry is open only for the ISPs and not to regular users. RuBlacklist thus collects and analyzes information on blocking and provides legal help to the owners of the restricted pages.

A further alternative are mirror websites, virtual copies of sites that run on a different server. When Navalny's blog was banned in 2014, his colleagues created a simple page with the links to numerous mirrors. It was named "The Big Red Button" because a regular user simply had to push a big red button on the page to access a randomly chosen subdomain displaying all the investigations of Navalny. The team of developers even played a few jokes on the regulators. By changing the protocol addresses in the settings of Navalny's page, they managed to redirect "the censorship to block Roskomnadzor's own internal list of sites that were currently blocked," paralyzing its work.[127]

2.4.2. Trojan horses: using legal framework to promote alternative agenda

The opposition has often exploited the paradoxical nature of the Russian internet, which expansion and development is supported by the state despite the rising control. In order to establish better contact with the young and active Internet audience, the government opened a few projects that allow citizens to voice their opinion and register initiatives online, such as ROI (Russian Public Initiatives) and "Active Citizen". These platforms for e-democracy were used by online political activists to promote their own agenda. For example, the first initiative meeting the required threshold of 100,000 confirmed electronic signatures to be submitted to the Parliament was an anti-corruption proposal of Alexey Navalny. The politician mobilized his supporters to vote for a legal norm to prohibit public officials to spend more than 1,5 million rubles from the budget on a car for their transportation.[128] The initiative was denied after consideration by the

[127] Borogan and Soldatov, "RusNet On the Offensive," 268.

[128] Alexey Navalny, "Почему Собирать Электронные Подписи Под Законопроектами — Это Хорошо И Правильно," *Navalny.com*, accessed May 31, 2016, https://navalny.com/p/3737/.

government. Navalny later used ROI to promote his initiative to ratify Article 20 of the UN Convention Against Corruption on Illicit enrichment. The document acquired the necessary amount of signatures from the citizens, but was later denied by the Ministry of Justice for being "unconstitutional".[129] This way, e-democracy platforms provided by the government were used to draw attention to the corruption problem. Navalny also used the opportunity to discredit the state narrative, showing that in reality, initiatives are not accepted despite their wide public support.

A more recent example of this approach is Volkov's plan to sue FSB for allegedly unlawful new requirements that forced ISPs to buy and install new surveillance equipment.[130] His NGO Internet Protection Society is currently preparing a class action with several regional ISPs. To avoid pressure on these ISPs, Volkov is going to establish his own provider, and file the case on its behalf. The activist has already collected the sum necessary for the registration of this ISP through crowdfunding.

Finally, Ivan Pavlov, a lawyer and the leader of the "Team 29" group that advocates for the free access to information, created an online media "RosOtvet".[131] Its only purpose is to send official requests to the authorities. According to Russian law, they are required to respond to the requests of a registered media outlet within 10 days. This way, the lawyers help the applicants to shorten the wait, as the time for response to regular citizens is 30 days.

Overall, civil society still finds a way to promote its agenda online. According to the Freedom House, "the Internet in Russia remains the most versatile and effective tool for activism."[132] Activists find and popularize ways to bypass the restrictive measures. The blocking of their blogs negatively influences the number of views and the chilling effect decreases the speed

[129] Alexey Navalny, "Пусть Это И Будет Наш Троянский Конь," *Navalny.com*, accessed May 31, 2016, https://navalny.com/p/4116/.
[130] "ОЗИ: Три Первых Проекта," *Леонид Волков*, accessed May 31, 2016, http://www.leonidvolkov.ru/p/107/.
[131] "About the Project [in Russian]," *RosOtvet*, accessed May 31, 2016, http://rosotvet.ru/about/.
[132] "Freedom on the Net 2015," 656–57.

and reach of information spreading. Nevertheless, activists use the existing legal grounds to promote their own agenda and launch new initiatives.

2.5. Conclusion

In this chapter I provided an overview of the Russian two-tier media system, in which Internet enjoys relatively more freedom than strictly controlled traditional media. The Internet penetration is rising consistently, and although its role is still dominant, TV's influence starts to fade. This challenges the equilibrium and as a consequences, incumbents respond with tightening control. Since 2011, several mechanisms of extra-judicial filtering and blocking were put in place. The application of these norms is often selective and targets political activists. Internet regulation has a negative influence on online political activism, however the opposition and civil society is still very active on the Web. They try to keep and expand their audience in spite of the blocking and endorse their agenda using existing legal instruments and opportunities on the Net.

Chapter 3. Internet control in Belarus.

3.1. The media system in Belarus

The media system in Belarus seems quite similar to the Russian one, but there actually are several important differences. State control on the media system is much more significant in Belarus. If the independent or relatively free media outlets in Russia form a significant, although less influential "second tier", in Belarus they face a higher degree of pressure and harassment, and are better described by the Manaev's term "Islands in the Stream".[133] The line of the divide is virtually the same as in the Russian case, with the state media supported by the common majority, and independent media supported by those who oppose the narrative of the regime.

The state enjoys almost a full monopoly on the broadcasting media. Privately-owned TV stations with national coverage simply do not exist. Regardless of the ownership, television is quite politicized, and its programming consists of propaganda, mere entertaining or sporadic anti-opposition campaigns, UN Special Rapporteur on the situation of human rights in Belarus Miklos Haraszti underlined in a personal interview.[134] This is indeed different from the Russian model, in which the state, despite the high level of control, does not directly own all the nation-wide broadcasters.

The metaphor of the "islands in the stream" becomes apparent when looking at the comparison of state and private media reach in Belarus. Manaev pointed out that "in terms of periodicity, circulation and air-time, the state-run media dominate the media landscape – the ratio between them and independent media is approximately 9 to 1."[135] A few dozens of independent

[133] Oleg Manaev, "Media in Post-Soviet Belarus: Between Democratization and Reinforcing Authoritarianism," *Demokratizatsiya* 22, no. 2 (Spring 2014): 226.
[134] Miklós Haraszti, Personal interview, May 26, 2016.
[135] Manaev, "Media in Post-Soviet Belarus," 210.

newspapers are excluded from the state distribution systems, which significantly limits their audience. Moreover, they mostly abstain from covering political issues. Almost a half of the respondents of the latest IISEPS poll reported listening to the Belarusian state radio.[136] The foreign radio stations that allow criticism towards the leadership, such as BBC, Voice of America and RFE/RL, do not gain more than 4% of the audience each. Russian stations, on the other hand, are listened by a quarter of the citizens.

In fact, experts point out that Russian media are very popular in Belarus. Harazsti highlighted that their influence has grown significantly since 2010.[137] Although Belarusian is the first official state language, "Russian-language broadcast, print, and online outlets dominate Belarus' media and information spheres."[138] The effects of this domination are particularly important because of the rise of the so-called "Russian world" propaganda following the conflict in Ukraine.

The legal environment in the media sphere is quite harsh. Although the freedom of speech is formally acknowledged in the Constitution, "criticism of the president and the government is considered a criminal offense, and libel convictions can result in prison sentences or high fines."[139] Working for foreign media outlets without permission is prohibited. Journalists and political activists are often detained for reasons as vague as "harm to state and public interests".

In parallel with Russia, in such realities the Internet has become an extremely important source of alternative worldview. Manaev stated that "the internet remains the most liberalized sector in Belarus's information space."[140] However, even in this relatively freer space, there has

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136 "Results of the Nation Opinion Poll," *IISEPS*, March 31, 2016, http://www.iiseps.org/?p=4278&lang=en.
137 Haraszti, interview.
138 "Freedom on the Net 2015," 127.
139 "Belarus: Country Report. Freedom of the Press 2015," *Freedom House*, accessed June 1, 2016, https://freedomhouse.org/report/freedom-press/2015/belarus.
140 Manaev, "Media in Post-Soviet Belarus," 211.

been an increase of self-censorship among the online journalists in 2014-2015.[141] Therefore, the expanding access to the Internet does not guarantee access to wider variety of political opinions. In order to assess how influential the new media in modern Belarus are, I will provide the analysis of the internet consumption patterns in the next subsection.

3.2. Internet consumption in Belarus

The Internet penetration grows in Belarus today at an extremely high rate. According to data from the International Telecommunications Union, in 2015 Belarus stayed on the first place among the members of the Commonwealth of the Independent States in the ICT Development Index.[142] This index measures the percentage of households with computer and access to the Web, as well as percentage of internet users and the level of literacy. In 2014, the country showed a better result than Russia for the first time. Belarus was also featured in the group of the most dynamic countries in world with major improvements over the past five years.

In 2015, the rate of the Internet penetration reached 59 percent of the population. The National Statistics Committee reports that the number of Internet subscriptions by the end of the year has surpassed 10 million, with the market saturation of 108%.[143] These numbers includes both individuals and legal entities. Therefore, the interpretation of these figures is that although some people and especially companies have several subscriptions, including mobile Internet, 40% of the citizens still do not use Internet regularly.

Just like in Russia, those who are already connected use the Web more actively. The experts highlighted that "the major trend over the last two years has been an increase in daily users".[144]

[141] "Freedom on the Net 2015," 136.
[142] "ITU Releases Annual Global ICT Data and ICT Development Index Country Rankings," *ITU*, accessed June 1, 2016, http://www.itu.int/net/pressoffice/press_releases/2015/57.aspx#.V05nNPl96JB.
[143] "Основные Показатели Развития Связи Общего Пользования," *The National Statistics Committee*, accessed June 1, 2016, http://www.belstat.gov.by/ofitsialnaya-statistika/realny-sector-ekonomiki/svyaz-i-informatsionno-kommunikatsionnye-tekhnologii/svyaz/godovye-dannye/osnovnye-pokazateli-razvitiya-svyazi-obschego-polzovaniya/index.php?sphrase_id=77435.
[144] "Freedom on the Net 2015," 126.

According to government data, search for information is the main activity on the Internet for the Belarusian users among all ages in 2015. It is not specified, however, if it implies only the usage of the search engines or also includes reading the news online. Communication through social networks is the third most popular way to spend time on the Web, and 96% of the users in the 16-24 audience go online for that purpose.

The digital divide in Belarus lies between Minsk and the regions, not between the city-dwellers and people from the rural areas. The share of internet users from industrial cities and small towns has actually shown a significant growth and now is more than 39%.[145] The price of subscription also is not a the major obstacle to the Internet access. The official statistic show that in 2015 the Internet subscription fee for businesses has risen 120% over the year.[146] The Freedom House noticed, however, that the prices remained "roughly the same" in dollars because of the inflation of Belarusian ruble, and that overall Internet access "has become more affordable."[147]

The position of the Internet in comparison to the traditional media is quite standard for the post-Soviet space. Television still has the widest reach and remains the main source of information for the citizens. Its penetration was around 98% in 2013, and the Internet cannot compete with this number, even in 2016. However, according to the media analytics from Gemius Belarus, the Internet's weekly reach was already comparable to the TV figures three years ago.[148] The citizens notice that television present the information from a single point of view, while the Internet provides different opinion, another research from 2013 showed.[149] Interestingly, it does not lead to a better trust in independent Internet sources. Both regional and national non-state

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145 Ibid.

146 "Об Изменении Цен В Апреле 2016 Г.," *The National Statistics Committee*, accessed June 1, 2016, http://www.belstat.gov.by/ofitsialnaya-statistika/makroekonomika-i-okruzhayushchaya-sreda/tseny/operativnaya-informatsiya_4/ob-izmenenii-tsen/ob-izmenenii-tsen-v-aprele-2016-g/index.php?sphrase_id=77435.

147 "Freedom on the Net 2015," 127.

148 "Internet vs. TV in Belarus," *Marketing.by*, accessed June 1, 2016, http://marketing.by/mnenie/internet-vs-tv-v-belarusi-zavtra-uzhe-nastupilo-mneniya-ekspertov/.

149 "Media Audience Is Not Inclined to Trust the News [in Russian]," *Mediakritika.by*, accessed June 1, 2016, http://mediakritika.by/article/1555/auditoriya-belorusskih-smi-vse-menshe-doveryaet-novostyam.

owned websites scored less on the scale of trustworthiness than state-owned internet resources. The study from 2011 showed that only a small portion of the Internet users were interested in political news on the Web. Just up to two independent news websites were in the top-10 most visited pages that year. Each of them was visited only by around 10% of the Internet audience. The apolitical character of Web users might have changed in 5 years, but it is unlikely that the interest has significantly risen, given the level of trust in the media, stable incumbent regime and new restrictions on online freedom of speech.

Overall, the Net usage is growing in Belarus, and people actively communicate online on a daily basis. The reach of the new media is growing, however citizens hesitate to believe the independent news outlets on the Net. The audience is also relatively apolitical. The complex of this factors makes it harder for political activists to gain attention even in the last island of freedom in the Belarusian media system.

3.3. Internet regulation in Belarus

The rise of Internet control began in Belarus earlier than in Russia. In 2010, the Presidential Decree № 60 introduced the requirement for all websites providing services to Belarusian citizens to register in the national domain zone and to store their data on the servers inside Belarus.[150] The decree also obliged ISPs to use surveillance system similar to the Russian technology and store the data on user activities for one year. Most importantly, the "lists of limited access," were created to restrict the prohibited content online.[151] The users were given the right to report the websites containing information they wanted to be restricted to the ISPs. The decree covered a lot of topics, from the specific working rules for internet-cafes to the protection of copyright online.

[150] Andrei Aliaksandrau, "Belarus: Pulling the Plug" (Index on Censorship, January 2013), 11–12, https://www.indexoncensorship.org/wp-content/uploads/2013/01/IDX_Belarus_ENG_WebRes.pdf.
[151] "Limitations of Access to Internet Resources Will Be Introduced in Belarus," *E-Belarus.ORG*, accessed June 1, 2016, http://www.e-belarus.org/news/201005261.html.

Perhaps, that is why there has been no major changes in the legislation concerning the Internet for the next few years. However, because of the vague wording and wide scope of the Presidential Decree, measures against online media and political activists were taken. One example could be the blocking of the Change.org website, that promoted online petitions in 2012. The platform had been previously used for campaigns against death penalty, which is still not prohibited in Belarus.[152]

The selective appliance against online activists of laws not directly linked to the Web space is a further illustrative case. Sometimes the oppressive laws on gathering and association were applied to the Internet. As unauthorized demonstrations are prohibited in the country, the authorities used pictures posted online as a proof of participation to such events and prosecuted individuals days after the original event. A famous case is the detention of a journalist after he posted pictures of the airdropping of teddy bears displaying press freedom messages over Minsk.[153] Harazti stressed that despite the different nature of the laws applied in these cases, they are "in fact […] a measure against internet freedom," as they created a chilling effect on political participation online.[154]

In December 2014, the Media law of 2008 was amended, and new powers to regulate online media were given to the Ministry of Information.[155] The rules for traditional media were extended to the online ones, allowing the authorities to close websites after two warnings issued by a Ministry without even judicial involvement. Online television and radio are now required to notify the Ministry about their programming two days in advance, and hosts were made

[152] "Belarus Has Blocked Access to a Change.org," *E-Belarus.ORG*, accessed June 1, 2016, http://www.e-belarus.org/news/201208141.html.
[153] Roy Greenslade, "Journalist Arrested in Belarus for Publishing Pictures of Teddy Bears," *The Guardian*, July 19, 2012, http://www.theguardian.com/media/greenslade/2012/jul/19/press-freedom-belarus.
[154] Haraszti, interview.
[155] "Freedom on the Net 2015," 130.

accountable for the comments that appeared on their web pages. These developments provided an opportunity for the censoring of speech. The vague wording "give the state the vast right to interfere with any information posted" on the Web, noted the OSCE Representative on Freedom of the Media.[156] Later that month, several independent news websites were blocked for two weeks to prevent spreading information about the financial crisis.[157]

Finally, in the beginning of 2015 a new directive was introduced, permitting the authorities to block the access to Tor and anonymizers, through which the previously blocked websites could still be viewed. The official goal of this directive is to fight drug trafficking, but the human rights activists feared that it could be misused for political purposes, as it happened many times before.[158]

3.4. The adaption strategies of the Belarusian activists

The way Belarusian political activists adapt to the tightening regulation partly mirrors the measures their Russian "colleagues." Until recently they have been using and promote the same technical tools for bypassing the blocking. For instance, when the news portal *Charter'97* was blocked in 2014, its journalists posted the instruction for users how to read their site using VPN.[159]

There are two aspects in connection to bypassing strategies that differ from the Russian case. First is the technical one, which comes from the 2015 directive. As some VPNs and anonymizers are being blocked by authorities as well, the users have to find other methods of bypassing. One of the possible solutions is to use Google's product UProxy, that creates a connection through other person's port and therefore is hard to block. However, these solutions are sometimes even more difficult than the. According to one cybersecurity expert, the new type blocking under the directive

156 "New Regulation and Recent Blockings Threaten Free Speech on Internet in Belarus, Says OSCE Representative," *OSCE*, accessed June 1, 2016, http://www.osce.org/fom/132866.
157 "Freedom on the Net 2015," 131.
158 "Belarus Tightens Grip on Internet With New Data Retention Decree," *E-Belarus.ORG*, accessed June 1, 2016, http://www.e-belarus.org/news/201503271.html.
159 "Instructions on How to Bypass Blocking (Updated)," *Charter'97*, 97, accessed June 1, 2016, https://charter97.org/en/news/2014/12/24/132270/.

because of these difficulties for the regular users can prevent up to 99% percent of readers from accessing the website for several weeks.[160] It might be enough in critical moments of mass demonstrations or elections. Second aspect that differs from the Russian case is less organized activities to promote bypassing. There has been no analogs of "the Big Red Button," a simple solution that could have made the access easy even for a not tech-savvy user. The campaigns were decentralized and fragmented.

This corresponds with another trend in online activists' response to the rising state control. As Haraszti mentioned, the most successful initiatives of the civil society in Belarus are single-issue movements. In order to succeed and avoid state repression, "they must appear as not politicised, not positional, and strictly remain focussed on the single issue they serve, which must be also non-political."[161] The example of single-issue campaigns can be found both offline and online. This preference of political activists might explain why "online petitioning has become one of the most popular forms of activism in Belarus."[162] It is easier to organize, gather and mobilize supporters around a specific problem. In comparison to losing access to a big project that has required a lot of effort, the risks of blocking one page that was created for one purpose are minimal. To illustrate such type of campaigns, Freedom House provides an example of online petition against deportation of a human rights activist Elena Tolkacheva and a crowd-funding initiative for a bookstore which registry with the authorities was rejected six times for political reasons.[163]

3.5. Conclusion

In this chapter I provided an overview of the media system in Belarus, which is characterized by the high level of direct state control over the broadcasting media, restrictive media

[160] "99% Пользователей Не Смогут Обойти Блокировку," *Mediakritika.by*, accessed June 1, 2016, http://mediakritika.by/article/2855/99-polzovateley-ne-smogut-oboyti-blokirovku.
[161] Haraszti, interview.
[162] "Freedom on the Net 2015," 141.
[163] Ibid., 141–42.

regulation, self-censorship and influence of the Russian media. The Internet penetration is growing in Belarus, but the low level of trust in the media and the dominance of the TV as the main source of information prevent activists from using its full potential. Internet control is carried out through a limited number of legislation concerning directly the Net and selective application of other criminal and administrative laws. The activists try to bypass the blocking, but it is more difficult with the prohibition of VPN and anonymizers. Civic mobilization usually happens around single issues, as these movements are easier to organize in the highly controlled sphere with apolitical audience.

Chapter 4. Comparing internet control regimes and responses of political activists

This chapter looks at similarities and differences in the explored cases. Firstly, I outline how the differences in media systems shape the practices of Internet control. Secondly**,** I try to give an explanation why political activists react differently to the state regulation that limits the opportunities for the actions. Finally, I argue that in the sphere of the Web regulation, it is Russia that learns from the legislative practices of Belarus, and not the other way around.

4.1. How media systems shape the Internet

The main difference between the Russian and Belarusian media systems is the amount of direct state ownership and control over media outlets. Despite two countries share similar approach to media, with a divide between pro-government and independent outlets, in the Russian case there are a few privately owned independent media with national coverage which enjoy a higher degree of freedom.

Similar features of the Internet legislation can be identified in bith countries. Firstly, it is the extra-judicial nature of blocking. Secondly, it is the vague wording of the legislation that gives an opportunity for selective and discretionary use of legal instruments. Thirdly, none of the countries pursue the total closure of the Internet in accordance with the Chinese scenario despite the aggressive rhetoric to maintain the existing equilibrium. Finally, both countries selectively prosecute online activists to create chilling effect and silence challenging narratives.

The Russian incumbents, however, rely mostly on direct regulation of the sphere with sporadic legal prosecution of online activists for other offences, such as extremism. The regime in Belarus to the indirect measures and constantly threatens its outspoken critics through the appliance of other existing laws, such as hooliganism or laws on unauthorized gathering. Overall,

both countries attempt by the states to shape the Internet sphere in accordance with the rest of the established media system.

4.2. Responses from political activists

The way in which internet activists response to the rising of the Internet control differs between the states. In the Russian case, the activists use the existing legal framework to hold the government accountable, use the platforms of e-democracy to promote their agenda and appeal to a wider audience despite the blocking of their content. In the case of Belarus, online activists concentrate on single-issue movements. I argue that the two main reasons for that are that the Internet audience in Belarus is less politicized, and that the new regulations effectively bans the usual means of bypassing of blocking. In this realities it is more cost-effective and less risky for the opposition to mobilize around the single issues.

4.3. The blind leading the blind: trans-border learning

Finally, I address the problem of trans-border learning. As described by Obinger, Schmitt and Starke, it is a process when countries faced with similar problem pressures "are geared to successful policies approved abroad … to reduce the uncertainty of the policy consequences". [164] Conditional factors that positively affect such policy transfer are geographical closeness, common cultural background, similar political institutions and ideological positions. It is obvious that Russia and Belarus as competitive authoritarian regimes shared the fear of color revolutions, and pursued similar policies toward the unregulated part of their media systems. An effective exchange of information regularly happens between the countries. The most recent example is the decision of the Ministries in charge of regulating the Web to pursue a "common informational space" to fight "destructive phenomena on the Net,"

[164] Obinger, Schmitt, and Starke, "Policy Diffusion and Policy Transfer in Comparative Welfare State Research," 114.

as Minister Ananich announced on May 12th, 2016.[165] The question is, however, who leads and who follows in that exchange.

Mr. Harazsti is confident, that it was the Belarus who introduced several measures that "have been then copied by several post-Soviet States."[166] According to him, it was the system of two warnings to the media from the regulator, after which this media outlet can be closed extra-judicially. This norm was introduced in Belarus in the 2008 Media Law, later adopted by Russia when Roskomnadzor was created in 2012 and came back to Belarus in 2014 with the amendments to the Media law to extend it to online outlets. Another example is the introduction of black-lists. It was done in 2010 in Belarus with the Presidential decree № 60, and it took Russia two years to adopt the similar legislation with the Federal Law № 139 in 2012. Harazsti also stated that Belarus was the first to introduce the extension of oppressive laws on extremism and unauthorized gathering to the Internet. The number of such cases in Russia has risen only after the conflict in Ukraine in 2014. Therefore, I argue that Russia applies the "best practices" of Belarus in the sphere of Internet regulation through the process of policy transfer.

[165] "Ананич: Беларусь И Россия Будут Вместе Противостоять Деструктивным Проявлениям В Интернете | БЕЛОРУССКИЕ НОВОСТИ," accessed June 1, 2016, http://naviny.by/rubrics/politic/2016/05/12/ic_news_112_474821/.
[166] Haraszti, interview.

Conclusion

In my research I looked into the media systems, internet consumption patterns, the specifics of Internet regulation and the activists' adaptation to it in two competitive authoritarian regimes – Russia and Belarus. My goal was to demonstrate how national contexts influences the development of the Net and can subvert the opportunities that this new media provides for democratization. I also traced how political activists react to tightening regulation in the sphere that was previously relatively free.

The main finding of my thesis is that despite its role of the hegemon in the post-Soviet space, Russia follows the policies of Internet regulation introduced by Belarus. Both countries increase the pressure on online sphere in an attempt to shape the Internet sphere in accordance with the rest of the established media system. As the media system of Belarus is more restrictive, it is logical, that such legislation pioneered there. Russia, however, relies more on the direct ways of control, while Belarus apply more covert measures, and more often uses laws that do not directly regulate the Net in order to create chilling effect.

The internet activists try to bypass the filtering and blocking of their content in order to continue to challenge state narratives. In Russia the activists manage to coordinate new initiatives and hold the government accountable using the existing legal instruments. In Belarus, due to a more advanced ways of blocking and more apolitical internet audience, it is hard to realize this scenario. The political activism online still thrives, but concentrates on the single-issue movements and online petitions. Both countries are not likely to pursue the radical example of the Great Chinese Firewall, as in accordance to the concept of competitive authoritarianism, they still reserve some space for competition where it is not threatening the equilibrium.

This research contributes to the field of digital politics through providing a deep national context of the countries which regime of the Internet control has not been explored in depth. It

combines theories and approaches from political science, media studies and international relations through the interdisciplinary approach to give a unique insight on the latest developments in the region, where the Internet control has significantly tightened in a limited time. The further research can be conducted to explore the regimes of Internet control in the Central Asia region, the process of policy transfer in this sphere between Russia, Belarus, and the rest of the post-Soviet space.

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