

Police Win Right to Close Internet Sites

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A new police law coming into force Tuesday will give officers the right to take down web sites without a court order, media reported — although industry representatives said police can already do that under existing legislation.

The police's right is mentioned in a report on intellectual piracy submitted last Tuesday by the Economic Development Ministry to the Office of the United States Trade Representative, which is preparing its own annual piracy survey, Vedomosti reported Monday on its web site.

The ministry [report](#), first leaked on the Marker.ru news web site, lists the police's right to shut down web sites among measures intended to help crack down on copyright infringement.

The police law provides officers with "an instrument to terminate the activity of Internet resources that infringe on Russian and international copyright law, which was previously possible only with the judicial order or during investigation," the ministry said in the report.

The actual police legislation does not mention web sites, but contains vague wording that authorizes the police to order any organization to change or stop operations that contribute to criminal activity in any way.

Repeated calls to a ministry spokesman went unanswered Monday, but an industry representative said the new law offered no surprises.

Existing legislation already allows law enforcement agencies to close down a web site without a court order, Diana Dymolazova, a spokeswoman for Agava hosting company, said by e-mail.

She said she referred to the federal law on communication, which allows the shutdown of web sites on the written order of a senior official of an investigative body.

Agava has received orders to close down web sites in the past, and complied, Dymolazova said, adding that the requests usually referred to pornography, including pictures depicting minors.

"In most cases we deal with well-motivated requests, so clients rarely complain about the unlawful closure of their web sites," she said. "We don't think that the new law will change the situation significantly."

But she said more trouble might arise if police targeted sites with allegedly pirated goods instead of pornography.

Police would have to provide evidence of a violation of intellectual property rights when seeking to close a web site, she said. Ordering the removal of a web site without evidence would infringe on the web site owner's rights, she said.

Web sites previously also have been closed on political grounds.

In a high-profile example, the Yota telecom provider was ordered in 2009 to suspend several opposition-minded web sites, including those of the banned National Bolshevik Party, the Solidarity movement and The New Times magazine. The provider later denied blocking the sites, but confirmed closing access to resources ruled extremist by the Justice Ministry.

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