[RU] Internet Control Decree

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On 25 July 2000 the Ministry for Communications and Informatizations ("Communications Ministry") issued a decree regulating implementation of the so-called System for Operational-Investigative Activity (SORM, by Russian acronym). These technical means enable security services to collect information from communications networks. The Decree allows access to the contents of personal communications in any form, including e-mail messages. The Decree was issued as part of enforcement steps for the Federal Statute Ob operativno-rozysknoi dejatelnosti (On Operational Investigation) of 1995 and other laws dealing with security matters.

The Decree obliges communications service providers, regardless of their ownership status, to install at their own expense relevant equipment to assist security services in conducting investigations. The providers should adopt a schedule for the introduction of the SORM system in co-operation with the Federal Security Service (FSB) and guarantee that the equipment meets the necessary technical specifications.

The Decree emphasizes the necessity of "taking into account" that any limitation of the right of citizens to confidentiality in communications is only acceptable under a court ruling. Unless authorized by the court, the use of eavesdropping or any similar equipment would violate Article 23 of the Constitution of the Russian Federation. The leading officers of the FSB are responsible for ensuring that this requirement is satisfied before requests for information are made. However, according to the Decree, the service provider that has been asked to deliver personal information to security services is not entitled to obtain a copy of the FSB's warrant.

Prikas Ministerstwa Rossijskoj Federazii po swiasi i informatisazii Nr. 130 "O poriadke wnedrenija technitscheskich sredstw po obespetscheniju operatiwno-rosysknych meroprijatij (SORM) na setiach telefonnoi, podwvischnoi i bezprowodnoi swiasi i personalnogo radiowyzowa obschchego polsowania".

http://www.telenews.ru/lawtext.phtml?id=29

Decree No. 130 On the order of implementation of technical means of providing the operational-investigative measures on telephone, mobile, and wireless

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communication and personal radio communication network.

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