

On July 6, 2016, President Vladimir Putin signed Federal Law No. 374-FZ "On the Introduction of Amendments to Federal Law 'On the Counteraction of Terrorism' and to Certain Legislative Acts of the Russian Federation with Regard to Establishing Additional Measures Designed to Counteract Terrorism and Promote Public Safety" (the **Amendments to Terrorism Legislation**).

The Amendments to Terrorism Legislation was adopted in an unprecedentedly short time span, but the scope of the amendments are nonetheless sweeping in their potential impact.

Overall, the Amendments to Terrorism Legislation affects, and makes significant changes to, almost two dozen federal laws on a very broad range of issues which are associated one way or another with countering terrorism. The new legislation modifies the legal arrangements applicable to counterterrorism operations, increases administrative penalties for the violation of laws on information and communications and for the promotion of illegal migration, modifies the procedure for the regulation of proselytize activities, expands the capacity and authority of government bodies engaged in counterterrorism activities and, more specifically, when gaining access to information which is transmitted via communication channels and the internet.

Significant amendments are introduced to the Federal Law No. 126-FZ "On Communications" (the **Communications Law**) and the Federal Law No. 149-FZ "On Information, Information Technology and Information Security" (the **Information Law**).

Communications service providers and internet-based data distributors will now have a duty to store both information **on actual instances** of the transmission of a message via a communication channel (for up to three years) or via the internet (for up to one year) in the territory of the Russian Federation and, most importantly, **the contents of such transmitted messages as such**. The contents of messages must be stored for up to six months.

It is worth noting that the obligation to store message content for six months will become effective on July 1, 2018. The postponement is likely to be attributable to the technologically complex and costly nature of the arrangements required for the storage of such large volumes of data and will require a great deal of effort and expense on the part of communications service providers and Internet-based data distributors.

Also, upon request from an authority engaged in the conduct of operational search activities, a communications service provider has a duty, within 15 days' time, to cease to provide communications services if this authority becomes aware that the personal data of actual users differs from the data stated in subscriber agreements.

Communications service providers and internet-based data distributors are charged with a duty to supply authorities that are engaged in the conduct of operational search activities or in the promotion of safety in the Russian Federation with information on actually transmitted messages and the content of such messages upon request, as well as information on users and the services provided to them.

The requirements to store both information on actual instances of the transmission of a message and the contents of such transmitted messages in the territory of the Russian Federation apply to voice data, written texts, images, sounds, videos or other messages (electronic messages) after the end of the receipt, transmission, delivery and/or processing thereof.

As was noted above, the Amendments to Terrorism Legislation will become effective on **July 20, 2016**, except for amendments to the Communications Law and the Information Law, imposing a six-month storage obligation for the contents of messages transmitted via communication channels or the internet in the territory of the Russian Federation, which will become effective as of **July 1, 2018**.

### Contact

**Irina P. Golovanova**

Of Counsel

T +7 495 258 5253

E [irina.golovanova@squirepb.com](mailto:irina.golovanova@squirepb.com)