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RUSSIA – JOURNALISTIC INVESTIGATIONS UNDER ATTACK

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ANALYSIS

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Executive Summary

For more than 30 years, investigative journalism has been playing a role in Russian society much bigger than it has ever had in traditional democracies. Gorbachev's reforms started with *Glasnost* ('Openness'), when many journalists became household names. The problem was that there were no standards for that new Russian journalism.

This hit Russian journalists badly in the 1990s, when the profession of investigative journalism became very dangerous – several journalists were killed. Additional risks emerged: primarily corruption which harmed the journalistic community considerably harmed.

This was exploited by the Kremlin in the 2000s: Putin, the new president did not tolerate any criticism of his actions, and a new narrative was promoted – that independent investigative journalism could not exist, and those journalists were just paid by outside actors to attack the Russian state. At the same time, the Kremlin made it very clear that funding investigative journalism could involve huge costs for the media owners.

As a result, the next decade saw a sharp decline in investigative journalism.

In 2008, the country got a new president, Dmitry Medvedev. His push for digitalization of government services led to an unexpected development - new methods of digital investigations emerged, along with new teams and renewed interest among the general public.

But when Putin returned to the Kremlin in 2012, the tide turned against journalists. Matters worsened year by year, and 2021 saw the harshest repressions against investigative journalists to days – they were pushed out of profession and out of the country by any means necessary, the most effective tool being the wide and unscrupulous usage of the Foreign Agent Law. But Russian investigative journalism projects show remarkable resilience, even if many were forced to relocate. What they need now from the international community is solidarity, which could take many forms.

1. Background: Genesis of Russian Investigative Journalism

In 1991, Russia inherited from its Soviet predecessor a disrupted economy, dispirited military, angry and confused secret services, but also journalism which enjoyed a very high status in the society. *Glasnost* (Openness) was one of the major slogans of Gorbachev's *perestroika*, and journalist reputations were made in a matter of months when reporters came to publish eye-opening accounts of what was really happening in the Soviet Union.

As a result, many journalists became household names in Russian public discourse. Journalistic investigations as a genre flourished – and in those days this included many things, from digging into archives and reporting on Stalin-era crimes, to the emotional and deeply personal attacks on the government or individual high-level officials.

The problem was that there were no standards for that new Russian journalism. Nobody in the country had any experience in working in democratic media free from censorship and party control. The only journalism available was Soviet – extremely doctrinal (its purpose was to tell the reader what to think about the respective topic) which turned into very opinionated moralizing under Gorbachev's rule. When the Soviet Union collapsed, these problems were passed down to the new Russian media.

Some editors recognized that problem and wanted to break with Soviet tradition entirely. However, they also did not know how to 'do' new quality journalism. They started by pushing their reporters to report facts but provide no opinion or position. This was called "objective journalism." They also encouraged cynical and tabloid-like headlines. Two newspapers were most prolific: *Moskovsky Komsomolets* and *Kommersant*. The most famous example was a *Kommersant*'s headline on the day of the 1991 Putsch, staged, among others, by the defence minister Dmitry Yazov who brought tanks onto Moscow's streets: "Koshmar: na ulitse Yazov." It was a pun on the American horror movie 'A nightmare on Elm Street', which was tremendously popular at the time/ The Elm in Russian is "Vyazov", and Vyazov was a homonym of Yazov, so the headline idea was that Yazov was a nightmare on the street.

Moskovsky Komsomolets and *Kommersant* were two daily newspapers which emboldened the dilemma new Russian journalism faced: *Moskovsky Komsomolets* was the most popular daily in Moscow with very liberal views, but its name literally referred to Muscovite member of the Communist party's youth organisation.

Even after the collapse of the Soviet Union, the newspaper refused to change the name cynically believing it was a widely recognized brand worth keeping. *Kommersant*, on the other hand, did not want to have anything to do with the Soviet tradition of taking the moral high ground, and was staffed with journalists with no previous experience in Soviet media – instead, the sought young people with background in business.

As a result, a judgement vacuum emerged for the profession which saw the biggest influx of young people in the history of the country's media, as *Kommersant's* approach to recruiting was picked up by other new Russian media.

Those young reporters were enjoying the perks of newborn capitalism as they were paid high salaries in U.S. dollars. Also, they still enjoyed the high social status of their profession, gained by the previous generation.

Yet, it soon became a very dangerous profession: in October 1994, *Moskovsky Komsomolets's* investigative journalist Dmitry Kholodov was assassinated. 27-year-old Kholodov had investigated corruption in the military, and he was killed by a booby trap bomb in his own newsroom after retrieving from a source with a briefcase that purportedly contained secret documents. The investigation established that the bomb was planted in the briefcase by special forces soldiers, who were promptly arrested, but all six defendants – four of them intelligence officers – were acquitted in two separate military trials, in 2002 and 2004.

There were also other risks, not so deadly but also very dangerous: the nascent public relations industry aggressively pursued to bribe journalists, promising financial rewards for publishing false or sometimes genuinely compromising in-

formation about high-level officials and prominent businessmen. A mix of intercepted phone calls and analytical profiles prepared by the oligarchs' shadowy security branches or the government security services became known as *kompromat* (compromising materials). What made it all even more confusing was that sometimes journalists willingly acted as mercenaries for various interests or loyal members of the oligarchic business structures. Russian security services carried out surveillance and intercepted phone calls, selling their findings as part of *kompromat*. The resulting articles effectively influenced public opinion. Some very reputable journalists, prominent since the Soviet times, were completely compromised by participating in such schemes.

Those days, journalism, including investigative journalism, suffered from a lack of restraint, and established ethical standards.

The editorial offices battled frantically with this corrupt journalism. *Kommersant* installed a special department called "re-write" (in English), tasked with heavily editing – rewrite, that is – every piece submitted by staff journalists for publication to filter out any *zakaz*, or information that had been paid for by a special interest. *Segodnya*, the daily newspaper we worked for in the late 1990s, had a former officer of the Fifth Directorate of the KGB on staff who in Soviet times was in charge of persecuting dissidents; now he checked suspicious articles after publication. If he concluded a story was unfair, the journalist was fired.

In the 1990s the flow of information in the media was free but could also be very confusing for readers. The oligarchs used their news media outlets as weapons to fight for control of the nation's vast resources.

2. Phase I: first major attacks on journalistic investigations (late 1990s / early 2000s)

The Russian government tolerated media freedoms only up to the point where it became seen as an existential threat. In 1999, the country was facing Duma elections and the oligarchs took sides supporting different parties. Media owned by the oligarchs were roped in, and journalists started digging into the Boris Yeltsin's family secrets, accusing the presidential family of corruption. Yeltsin's family needed a strongman capable of protecting the aging president and his family after his resigning: Vladimir Putin, then director of the country's main security service, FSB, was deemed an appropriate choice.

The attack on media freedoms begun even before Putin became new president. The first target for the attack was NTV, the most popular TV channel in the country, owned by media

tycoon Vladimir Gusinsky: the agreed-upon loan was canceled, the bank accounts were seized, journalists were denied access to the Kremlin. It was the same TV company which on May 30th 1999 displayed a chart of the president's family, suggesting they had been mired in corruption and spirited their illicit gains abroad. This appeared on NTV's widely respected show *Itogi*, then the most popular political broadcast in Russia. Very soon, NTV was subdued to the Kremlin, and many journalists left this now pro-Kremlin TV channel.

What started as an attack on one media group soon developed into the large-scale offensive on investigative journalism in general: TV series were produced and aired on Russian TV where good policemen were forced to investigate the assassinations of corrupted investigative journalists. Thus, a new

6 2. PHASE I: FIRST MAJOR ATTACKS ON JOURNALISTIC INVESTIGATIONS

narrative gained traction, supported by state-sponsored media: that independent investigative journalism could not exist, and those journalists were just paid from outside and submitted with the compromising material.

Putin personally contributed to that narrative -- in the very beginning of his political career in Moscow, on October 23rd 1999 at the Helsinki airport, during his second visit as prime minister overseas, Putin stopped to answer questions from Finnish journalists. One reporter asked a question, reading slowly from a note they had drafted earlier, about the war in Chechnya. Putin responded harshly, "First, we are not on equal terms: You were reading your question prepared beforehand on paper, and I am expected to respond right now."

For those trained in the KGB, if a correspondent reads a question, this signaled that someone else had written and prepared the question for the journalist. In fact, however, the Finnish reporter had just wanted to ask the question properly in a foreign language.¹

Investigative journalists in traditional media were losing not just the trust of the public but also their jobs. Over seven years we held positions at five publications: the political department at *Izvestia* was dispersed, the editor of *Versiya* weekly was fired, *Moskovskie Novosti* was shut down along as were two subsequent attempts of the *Moskovskie Novosti* team to launch a political magazine, and a political website which ultimately came to nothing. We then joined *Novaya Gazeta*, but after two years it let us go when the management decided to reduce its coverage of the secret service. In the early and mid-2000s, Moscow's newspapers and magazines changed hands frequently, most of them ending up in hands of oligarchs loyal to the Kremlin, which helped Putin dampen any hostile reporting.

Those few publications which remained independent from the Kremlin, struggled to survive, and sometimes were forced to accept shady ways to support themselves financially. This trend did not go unnoticed by the Kremlin: soon these media were targeted by a very elaborate operation purported to show their supposed corruptness. In May to June 2004, a pro-Kremlin movement called *Idushie Vmeste* ['Moving Together'] launched an operation against eight Russian publications: *Novaya Gazeta*, *Moskovsky Komsomolets*, *Moskovskie Novosti*, *Nezavisimaya Gazeta*, *Kommersant*, *Ezhenedelny Journal and Gazeta.Ru*. The activists contacted the editorial offices of the publications; each of them was offered money for publication of an article which was marked as an advertisement. In each of these presumed advertisement articles they hid the line "We publish lies for money."²

In the mid and late 2000s, independent investigative journalists increasingly lost their popularity. And it did not help that they kept attracting attention to problems Russian society wanted to forget, especially in the North Caucasus. The reporting of events in Chechnya, along with secret service coverage sharply declined.

On October 6th 2006, Anna Politkovskaya, the most famous investigative journalist in Russia and a reporter with *Novaya Gazeta*, was killed by hired assassins in the center of Moscow. More people took to the streets to honour her in Paris than in Moscow.

Three years later, the pro-Kremlin Youth Movement again tried to target independent media with a sting operation: in April 2009 an activist of the Nashi movement (it was the same *Idushie Vmeste* after rebranding) tried to bribe editors of *Novaya Gazeta*. The activist offered to pay 3–4 million rubles every month "for correcting editorial policy". He brought with him a list of 13 authors at *Novaya Gazeta* he wanted to work with. *Novaya Gazeta* called the police and the activist was detained.³

But the damage had already been done. The end of the 2000s was probably the lowest point in the modern history of Russian investigative journalism: traditional media were closing their investigative departments because they were too costly, both financially and politically; public trust was seriously undermined. Meanwhile, the political impact of investigations became negligible as the Kremlin made a point not to react to journalistic investigations of any kind – from exposing war crimes to outright corruption. The Kremlin PR experts also learned that the lack of reaction from the officials was the best way to kill a story – other publications never picked up a story published by a competitor if there had been no reaction from the official source. As a result, journalists kept quitting their profession in droves: at an investigative journalism conference in Lillehammer in the autumn of 2008 we with our friends tried to count how many investigative journalists were still active in Moscow, and we counted a total of eight people.

1 Putin visited Finland October 22–23, 1999. For details, see NTV reportage, 1999, www.youtube.com/watch?v=PYMng6H7WCo
2 https://www.solidarnost.org/themes/politika/politika_912.html,
<https://psycho.ru/library/653>

3 <https://www.kommersant.ru/doc/1146232>;
<https://www.kasparov.ru/material.php?id=49D44CA60AA46>

3. Phase II: Medvedev's reforms and the changing tides of investigative journalism (late 2000s)

In the very late 2000s, in this almost completely burned turf the dawn in journalistic investigations began: the new teams emerged, along with new themes and new methods, followed by a renewed interest of the public. There were several reasons for that;

In May 2008, Dmitry Medvedev, a former lawyer and law professor, was elected as new Russian president. Everybody took it that Medvedev was just picked up as a nominal seat-keeper by Vladimir Putin, but Medvedev sincerely tried to make the country's bureaucracy more efficient, which he believed could be achieved through massive digitalization of government procedures.

In 2008–2009, Medvedev's team of technocrats introduced several initiatives which had a huge impact on Russian society and investigative journalism:

- The obligation on government officials and their immediate relatives on all levels to publish income declarations (including property), including the government and federal ministers and heads of Russia's secret services.
- The development of the transparent government procurement system with its flagship the website zakupki.gov.ru. On this website, everybody could check what equipment or services government agencies were acquiring, how much they had paid, and whom these contracts had been granted to.
- The Kremlin pushed ministries and government agencies on all levels to increase their online presence, including via their websites which were required to post more data about the agencies' activities, including financial, biographical and statistical data.
- In July 2010, Russian courts were required by law to publish all their verdicts online.⁴ The "Pravosudie" [Justice] online system was developed and launched, where everybody could check the status of court proceedings and hearings, decisions taken, and even the names of lawyers and judges assigned to a case.⁵

In 2010 Alexey Navalny, a thirty-four-year-old lawyer, became the most popular Russian blogger with a clear political agenda. Over the previous decade, Navalny had tried different routes to prominence. He had joined the democratic and socialist party *Yabloko*, from which he was expelled for his xenophobic views. In 2007, he had founded a nationalistic movement, *Na-*

rod ('People'). He did not gain popularity.

Navalny found his magic tool in the spring of 2008 when he bought stocks of the biggest oil and gas companies like Rosneft, Gazprom, and the oil transport monopoly Transneft, all of which were partially owned by the state. He spent over 300,000 rubles (US\$10,000) for all the shares, and gained the right to access information on the companies' activities, to then sue their leadership for corruption. "My goal is to include the question of this investigation into the political agenda of the country," Navalny declared in a blog post about Transneft on November 17th 2010.⁶

That month, Navalny posted on his blog his investigation of corruption in Transneft during the construction of a pipeline from Eastern Siberia to the Pacific Ocean. He found that 120 billion roubles had disappeared, and then posted online scans of documents he had obtained. The next day he woke up as Russia's most popular muckraker.

It was also a period when international cooperation among investigative journalists of several countries emerged. The first project was launched by the Bosnia-based OCCRP (Organized Crime and Corruption Reporting Project). Starting in 2008, the OCCRP cooperated with the investigative department of *Novaya Gazeta* led by Roman Shleynov; the investigations were published jointly.

By 2011, the audience had increasingly been shifting to consuming their news online: new media were taking over from the old traditional print media, the bedrock of most of the journalistic investigations of the 1990s, while the Kremlin made it abundantly clear that television was off-limits for any independent journalism.

The new digital transparency introduced by Medvedev, offered exciting new opportunities, but very few media outlets were ready to publish journalistic investigations.

The OCCRP and *Novaya azeta's* investigative journalists collaborated on mostly low-profile cases, but they started learning how truly international investigations could be done involving journalists from a range of countries.

Meanwhile, Navalny clearly understood that he rose in popularity only because traditional media couldn't conduct journalistic investigations. "My blog exists only because there is media censorship," said Navalny in December 2011.⁷

4 <https://www.gazeta.ru/social/2010/07/01/3393296.shtml>

5 <https://pravo.ru/news/view/33086/>

6 Navalny blog, "Kak pilyat v Transnefti" [How They Are Sawing at Transneft], November 16, 2010, <http://navalny.livejournal.com/526563.html>

7 Pravila zhisni, Alexey Navalny* [Rules of Life, Alexey Navalny], Esquire, December 2011, <http://esquire.ru/wil/alexey-navalny>

4. Phase III: slow recovery (early 2010s)

In 2011–2012 Moscow was shaken by the protests prompted by Putin's decision to return to the Kremlin as president. However, this was soon followed by apathy and depression among the urban intelligentsia and middle class, the traditional audience for investigative journalism.

The upsurge of patriotic sentiment because of the Sochi Olympics, followed by hysteria after the annexation of Crimea later the same year did not provide any optimism in the journalist community.

The Kremlin also began a new purge of the media following the Moscow protests in 2011–2012. In media circles this purge was referred to as a “f-ing chain of events,” an expression coined by its first victim, the editor of the liberal journal *Bolshei Gorod* (The Big City), who was fired because his publication had been supportive of the protests. Moscow's media landscape was distinctly depressing, rife with stories about bad editors and teams of journalists which had just been fired.

Societal tensions became more tangible, but there was some room for investigations still available. In early 2014, the *RBK* media holding (which included the TV channel, the print daily and the website) received new funding and general approval to conduct high profile investigations from its owner, Mikhail Prokhorov, an essential Russian oligarch. Prokhorov had built his enormous fortune by participating in the “loans for shares” scheme back in the nineties, in which powerful banks lent money to the Russian government in exchange for shares of some of the country's most valuable assets. Prokhorov along with his partner picked up Norilsk Nickel, the world's leading smelter of palladium and nickel, built in Stalin's time by prisoners of the gulag two hundred miles north of the Arctic Circle. Now Prokhorov wanted more civilized rules for business.

In summer 2011, before the election and Putin's reascension to the presidency, Prokhorov launched his own political party, and a sizable contingent of Moscow elites was fairly supportive. But Prokhorov had not sought Putin's approval first, and that was a mistake. He lost his own party (it expelled him under instigation by the Kremlin) a few days before Putin announced his return to the Kremlin.

In December 2011, Prokhorov joined the hundred-thousand-strong protest rally on Sakharova Prospect. In 2012, Prokhorov stepped down from his businesses and left his partners to manage his assets.⁸ He had not given up his political ambitions, but he understood that his politics could place his companies at risk.

In 2014 he was behind the *RBK*'s newly launched investigative effort led by Lisa Osetinskaya and Roman Badanin. Over two years, in 2014–16, the *RBK* published the results of several highly sensitive investigations, and most of them benefited from the online transparency introduced under Medvedev's rule, which helped journalists to check data on property and assets belonging to the most powerful people in the country.

The most sensitive investigation *RBK* published was about one of Vladimir Putin's daughters, Katerina Tikhonova, and her then-husband Kirill Shamalov. In May 2016, Prokhorov was reportedly put under such pressure by the Kremlin that he was pushed to get rid of the *RBK* investigative team, which numbered more than twenty journalists.⁹

While *RBK* was being purged under Kremlin's orders, the new direction in investigative journalism based on international cooperation gained new traction which would deeply affect journalism in the country and in the world.

In the spring of 2016, OCCRP started a large-scale investigation, which consists of reporters based all over Europe and the former Soviet Union, from Azerbaijan to Romania to Ukraine to Russia. The project had gotten their hands on an extensive trove of documents detailing offshore Panamanian companies that government officials and oligarchs all over the world – Russians included – used for illegal purposes, including fraud, tax evasion, and evading international sanctions.

The international team spent months digging into the documents and connecting the dots. Each national team was given data on their compatriots. Using this data, each group tried to zero in on the financial activities of their country's high-placed government officials and their personal friends. The Russian team consisted of reporters from *Novaya Gazeta*.

When the journalists' findings were eventually published in April 2016, the *Panama Papers* made the headlines all over the world.

It turned out that the Russian team unearthed the biggest news contained in the *Panama Papers*. The Russian journalists identified multi-million-dollar accounts owned by Sergei Roldugin, a personal friend of President Putin's. Roldugin was a cellist, and although he had some business dealings, including oil and the media, he was no oligarch. And yet he appeared to have been put in charge of Putin's private money.¹⁰ These findings quickly developed into a major news story when Putin's spokesperson, Dmitry Peskov, commented on

8 Megan Davies, “Prokhorov Reassures Investors as He Focuses on Politics,” Reuters, October 28, 2012, <https://www.reuters.com/article/russia-prokhorov/prokhorov-reassures-investors-as-he-focuses-on-politics-idUSL1E8LS06Q20121028>

9 <https://meduza.io/feature/2016/05/13/razgrom-rbk-korotko>

10 Luke Harding, “Sergei Roldugin, the Cellist who Holds the Key to Tracing Putin's Hidden Fortune,” *Guardian*, April 3, 2016, <https://www.theguardian.com/news/2016/apr/03/sergei-roldugin-the-celist-who-holds-the-key-to-tracing-putins-hidden-fortune>

them.¹¹ This was highly unusual: Russian officials generally do not comment on sensitive stories in order to prevent them from gaining traction. To the team of Russian journalists, this looked like an endorsement of their findings.

The *Panama Papers* were a great combination of old and new methods of investigative journalism – journalists dug in databases, but they also placed numerous phone calls and collected comments, including the one from Roldugin, to contextualize and check their story properly.

Many journalists in Moscow felt inspired by the *Panama Papers* success.

Several new media entities were launched, while some online media started migrating to the field of conducting investigations.

- In 2016 *Meduza*, the media which has had its HQ in Riga, Latvia since 2014 and proved that it was possible to produce Russian journalism with the editorial office beyond Russian borders and came to publishing journalistic investigations.
- In 2017 Lisa Osetinskaya, a former editor at the RKB holding, launched *The Bell*.
- *The Insider*, an online media led by Roman Dobrokhotov in operation since 2013, became publishing investigations the same 2017.
- The following year, in 2018, Roman Badanin, a former colleague of Osetinskaya, launched the online media *Proekt*, specializing in investigative journalism.
- In 2020 Roman Shleynov joined an investigative media *IStories* (Important Stories) launched by a team of journalists who had previously worked with *Novaya Gazeta* and the OCCRP.

Most of these projects relied heavily on digital investigations tools – digging data from numerous databases, both in the country and abroad. The year after, however, Navalny's team discovered that digital methods were good not only to research but also to present the findings to the public.

In March 2017, Navalny's Foundation for combating corruption published a documentary, '*On vam ne Dimon*' (Don't Call Him Dimon) about Dmitry Medvedev. The 49.6 minutes-long film accused Medvedev of corruption, but its most striking feature was the extensive usage of stunning drone footage to show luxury properties owned by Medvedev, including the vineyard and a castle in Tuscany, Italy; the palaces in the Moscow region and on the Volga; and the two yachts that supposedly belonged to Medvedev.

The video was viewed 1.5 million times on its first day. Within two weeks, the video had been viewed over 13 million times. By October 2021, the film had been watched 44 million times.¹²

This success of Navalny's documentary prompted the investigative teams to adopt new forms and methods; many of them launched *YouTube* channels and began using drone footage in their investigations.

The investigative projects began to aggressively use new media platforms to publicize their investigations – by 2021 most of the projects in addition to the website had a *YouTube* channel, a page on *Facebook*, a channel on *Telegram*, and accounts on *Twitter* and *Instagram*.

The old problem of not picking up a story if published by a competitor also seems to be solved and replaced by a new feeling of cooperation. Now, when *IStories* or *Proekt* or Navalny's Foundation come up with an important story, *Meduza* would pick it up, helping to spread the message.

International cooperation flourished: the OCCRP kept cooperating with *IStories* and *Novaya Gazeta*; a new joint effort emerged when the *Bellingcat* group started strategic collaboration with *The Insider*, exposing Russian secret services' operatives, including the ones who had participated in the attempted poisoning of the Skripals in the UK in 2018 and Navalny's poisoning in 2020.

¹¹ Luke Harding, "Kremlin Dismisses Revelations in Panama Papers as 'Putinphobia,'" *Guardian*, April 4, 2016, <https://www.theguardian.com/news/2016/apr/04/kremlin-reaction-putin-dmitry-peskov-panama-papers-putinphobia>

¹² Navalny's film about Medvedev on YouTube https://www.youtube.com/watch?v=qrwk7_GF9g

5. The Kremlin's pushing back. Part I

The Kremlin, fully aware of the problem, pushed back against investigative journalism. The Russian authorities launched a strategic offensive – by attacking the new opportunities which had been created under Medvedev, essentially by classifying the data the Medvedev administration had forced government agencies to make public ten years earlier.

1. In 2017, the contracts on zakupki.gov.ru by the Ministry of Defence, the FSB and the Foreign Intelligence agency the SVR were made secret.¹³ In 2020 *Rosgvardiya*, the FSO and *Roskosmos* were added to the list of the agencies which contracts should be classified.¹⁴ The agencies provided a wide range of explanation why their contracts should be made secret – from a “terrorist threat” (the FSO), to the need to “avoid leaks and counter Western sanctions” (*Roskosmos*). In 2019, journalists at Fontanka checked the contracts of the FSO and learned that the bulk of them was about acquiring household purchases: from toilet brushes to fur hats.¹⁵

It is worth remarking that since 2012 the government had an option to classify some contracts – according to the government decree this decision was delegated to the Ministry of Economic Development.¹⁶ Starting in 2017, though, the agencies obtained an option to classify everything they acquire – from fuel to fur hats.

2. In the same year, in 2017, the State Duma adopted a law which classified personal information (including property ownership) of high-ranking officials and members of their families. In practice, this means that information about them was removed from the publicly available registers – from the road police database to the property registers, according to Transparency International.¹⁷ Starting in 2017, Russian investigative journalists began noticing that information about the high-level officials’ property, including their luxury villas, began to disappear – in databases and registers their names were replaced with “the Russian Federation.”¹⁸

3. The Moscow government also made a move against drones – since June 2020 it has been illegal to launch a drone in the capital.¹⁹ However, it is still possible to acquire a drone and launch it in the countryside.

4. The Kremlin also used lawsuits against films uploaded onto *YouTube*, as the most popular platform for publishing findings of investigations. In 2017, Alisher Usmanov, a Russian oligarch mentioned in Navalny’s documentary about Dmitry Medvedev, successfully sued Navalny. A court decision requested the Navalny organisation to take down Navalny’s film. However, the Foundation for Combating Corruption refused to do so, and the film is still available on *YouTube*.²⁰ In 2019, a criminal case was opened against Ivan Zhdanov, director of the Foundation for Combating Corruption, for failing to take down the film about Medvedev, and Zhdanov left the country.²¹

¹³ <http://government.ru/docs/all/114187/>

¹⁴ <https://www.rbc.ru/economics/01/06/2020/5ed4cd909a79472f7bfae1ce>,
<https://www.rline.tv/news/2020-06-02-pravitelstvo-prodolzhaet-zasekrechivat-ot-obshchestva-goszakupki-vedomstv-v-kotorykh-byli-korrupsio/>

¹⁵ <https://www.fontanka.ru/2019/01/20/013/>

¹⁶ <https://www.bicotender.ru/news/goszaupqi-snova-budut-zaseqrecheny.html>

¹⁷ <https://www.vedomosti.ru/politics/articles/2017/06/16/694626-zasekrechivat-imu-schestve-chinovnikov>

¹⁸ <https://openmedia.io/news/n3/rosreestr-spryatal-nedvizhimost-rukovodstva-minoborony-i-fsb-a-takzhe-doma-igorya-sechina-i-mixaila-mishustina/>

¹⁹ <https://www.mos.ru/otvet-transport/gde-v-moskve-mozhno-zapuskat-kvadrokoptery-i-drony/>

²⁰ <https://www.dw.com/ru/фильм-он-вам-не-димон-не-удален-из-youtube-кого-за-это-хотят-наказать-dw-новости-28082019/av-50203937>

²¹ <https://www.dw.com/ru/direktor-fbr-zhdanov-objavljen-v-rossii-v-federalnyj-rozysk/a-57854689>

6. The Kremlin's pushing back. Part II

Russian authorities soon resorted to straightforward repressions attacking investigative media and journalists personally. The Kremlin did some preparations as early as in 2017.

Legal grounds for the attack

In December 2017, the Ministry of Justice launched the 'list of foreign mass media performing the functions of a foreign agent.' The legislation allowed the Ministry of Justice to designate any media outlet as a 'foreign agent'. It came into force in November of the same year, and the Ministry of Justice promptly launched a list of foreign mass media purportedly functioning as 'foreign agents'.²²

The list started with the Voice of America and soon the Ministry of Justice added eight projects of the U.S. broadcaster *Radio Free Europe/Radio Liberty*, including *The Current Time*. The latter had drawn a lot of attention in Russia because of its investigations into government corruption and the Russian army's involvement into the war in Ukraine. *Radio Free Europe* was added to the list in February 2020. This move was predictable because the Russian authorities had despised the activities of these news outlets for the longest time, and they saw them as agents of U.S. government.

The media landscape dramatically changed in August 2020 when Ivan Safronov, a former *Kommersant* reporter was arrested and charged with treason. (Safronov covered sensitive topics such as the Russian army and Russian military industrial complex, and Russian arms sales). But the much bigger attack was yet to come, and it started in the spring of 2021.

The chronology of the attack

On March 6, 2021, Roman Dobrokhotov, an editor of the investigative website *The Insider*, was stopped at the border at Moscow's Sheremetyevo Airport on his way back from Austria. His phones were seized while he was questioned about unrelated issues like the lockdown in Austria and eventually, he was released without any explanation. Dobrokhotov believed that the FSB wanted to gain access to the information on his phones.

The Insider collaborated with Bellingcat, the investigative journalism website that specialises in fact-checking and open-source intelligence on variety of projects including the FSB attempt to poison the Kremlin critic Alexei Navalny, and that irritated the authorities.²³

In July 2021, *The Insider* was added to the Ministry of Justice's list of 'foreign agents'.²⁴

A few days later, on July 28 in the early morning the police raided Dobrokhotov's apartment, seizing his passport, as well as his cell phone, laptop, and tablets. Following the search, Dobrokhotov was taken in for questioning.²⁵

Police said that the searches were part of an investigation that was launched at the request of Dutch journalist Max van der Werff, who had accused *The Insider* of libel. He was suing Dobrokhotov, accusing the Dutch journalist of falsely claiming that he had ties to the GRU, Russia's military intelligence agency. Van der Werff is known for articles rejecting international investigators' conclusions that Malaysia Airlines flight MH17 was shot down in 2014 by a Russian-made Buk surface-to-air missile fired from territory controlled by Moscow-backed separatists in Eastern Ukraine.²⁶

Dobrokhotov's passports were taken in order to prevent him from leaving the country. Dobrokhotov nevertheless found a way to leave Russia, and on September 30th 2021, the Federal Security Service said that it had issued an arrest warrant for Dobrokhotov for illegally crossing the border into Ukraine in August "bypassing the established checkpoints." The FSB added that Dobrokhotov faces criminal prosecution and up to two years in prison. Earlier in the day, the FSB officers had searched Dobrokhotov's Moscow apartment and that of his parents, which is located next door. They confiscated his parents' computers and telephones and took them and his wife in for questioning with regard to the case of illegal border crossing.²⁷

The next victim of the security services' offensive was Roman Anin, chief editor and founder of the independent investigative news outlet *IStories*.

On April 9th 2021, the FSB officers raided the Anin's apartment in Moscow, and confiscated his mobile phones, notebooks, and memory sticks. The search ended at midnight and after that Anin was taken to the headquarters of the Investigative Committee for questioning.

The *IStories* editorial office was also searched that same evening. The searches were carried out on the grounds of a criminal case on supposed invasion of personal privacy (spreading information about the private life of a person), which could be punished by a prison sentence of up to four years.²⁸

The case was linked to a complaint filed by Olga Sechina, a former wife of the head of the Russian state-controlled energy company Rosneft, Igor Sechin. She claimed that Anin's reporting had violated her privacy. In 2016, Anin had published an investigation in *Novaya Gazeta* about a multi-million-dollar

22 <https://minjust.gov.ru/documents/7755/>

23 <https://zona.media/news/2021/03/06/roman>

24 <https://www.rferl.org/a/russia-insider-editor-searches/31485849.html>

25 <https://meduza.io/en/feature/2021/07/28/the-police-are-knocking>

26 <https://www.rferl.org/a/russia-insider-editor-searches/31485849.html>

27 <https://www.rferl.org/a/russia-insider-editor-searches/31485849.html>

28 <https://istories.media/en/reportages/2021/04/15/what-we-know-about-the-criminal-case-that-has-led-to-roman-anin-being-questioned/>

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yacht connected to Olga Sechina.²⁹ Igor Sechin won a separate court case against *Novaya Gazeta*, but the same case was nevertheless used as a pretext of a criminal case. *IStories* believed that 'what has happened is an example of direct pressure being put on independent journalism, an attempt to intimidate one of Russia's most well-known investigative journalists and an attempt to stop the activities of his publication.'³⁰

Five months later, on August 20th, *IStories* was declared a 'foreign agent'. Anin and five other editors and journalists at his team were added to the "list of foreign agents." (Roman Shleynov, Olesya Shmagun, Alesya Markhovskaya, Irina Dolinina, and Dmitry Velikovskiy).³¹ Subsequently, Roman Anin and some members of his team left the country.

The journalists of another independent media outlet *Proekt* (Проект, The Project) also had been targeted in the same series of attacks. *Proekt*, which was founded in 2018, published a series of well-researched and embarrassing investigations into Russia's ruling elite.

In the morning of June 29th 2021, the Moscow police raided the apartments of three journalists from another investigative website, *Proekt*: editor-in-chief Roman Badanin, his first deputy Mikhail Rubin, and correspondent Maria Zholobova. Police seized their laptops, cell phones, flash drives, and SIM cards, and took the journalists in for questioning. They were declared witnesses in a criminal libel case initiated a few years ago at the request of businessman Ilya Traber – an alleged mobster from St. Petersburg, who was also a long-time acquaintance of Vladimir Putin's.³²

Roman Badanin said that the real reason for the raids was an investigation into the alleged family wealth of the Russian Minister of the Interior, Vladimir Kolokoltsev.³³ Two weeks later *Proekt* was added to the list of "undesirable" organisations and several of *Proekt*'s journalists were proclaimed "foreign agents." Badanin, as well as *Proekt*'s journalists Olga Churakova, Yulia Lukyanova and Maria Zheleznova, were also added to the list of 'foreign agents'.³⁴

The status of an "undesirable organisation" is much worse than "foreign agent" – it effectively means immediate death for the media. According to the Russian legislation, an "undesirable organisation" must cease all activities in Russia. Russian law stipulates that Russian citizens who participate in the activities of an "undesirable organisation" can be fined up to 500,000 roubles (€5,710) or be sentenced to between one and four years in prison.³⁵

Other organisations and individuals that would try to engage in "continued involvement" with these organisations may be subject to administrative and criminal charges.³⁶

The unprecedented pressure forced Roman Badanin to leave Russia for the US and take down *Proekt* to prevent his journalists from being put under criminal investigation.

In September 2021, Badanin launched a new investigative media outlet, *Agentstvo* (The Agency), aiming to keep investigate corruption in Russia, but the team decided to publish some investigations anonymously to reduce risks for journalists who still live in Russia.³⁷

In April 2021, the Kremlin came after the most popular independent Russian media *Meduza*, headquartered in Riga, Latvia. *Meduza* was added to the list of 'foreign agents'.

The only reason why *Meduza* was based in Latvia was to provide more security for the media and its staff. As a result, *Meduza* lost many advertisers and cut its staff, but the team is still capable of providing the best independent news coverage in Russia. *Meduza* also keeps producing investigations.

In August 2021, the online TV channel *Dozhd* (Rain) was declared a 'foreign agent'. *Dozhd*'s chief editor, Tikhon Dzyadko, posted in social media that „*Dozhd* is not a foreign agent. Moreover, *Dozhd* is not any other agent. The *Dozhd* TV channel is a Russian media outlet." He added that the channel's funding sources were „well known" as its financial reports were available on its website.³⁸

Dozhd has long provided an opportunity for the Kremlin's critics to express their views. It also has conducted investigations, and the channel's broadcasting pissed off the Kremlin many times before. *Dozhd* went online after the cable operators had been requested by the Kremlin to cancel their contracts with the channel in 2014.³⁹

The Kremlin also attacked mainstream business media which conducted journalistic investigations. The second most popular newspaper in the country, *Vedomosti*, changed hands and editors in 2020, and as result saw an exodus of journalists. They then started a new media outlet they called *VTimes*. In May, *VTimes* was added to the list of 'foreign agents'. *VTimes* was closed three weeks after it had been listed. The editors wrote in a letter to readers: "In every scenario there is a risk to our employees of criminal prosecution and possible imprisonment. But the reason for our decision was not simply or so much the fear of prosecution for us honestly performing our professional duties ... We have seen from our own example: the government does not need professional or uncontrolled media."⁴⁰ (In October 2021, former *VTimes* journalists laun-

29 https://novayagazeta.ru/articles/2016/07/31/69418-sekret-printsessy-olgi?source=post_page-----

30 <https://istories.media/en/reportages/2021/04/15/what-we-know-about-the-criminal-case-that-has-led-to-roman-anin-being-questioned/>

31 <https://www.icij.org/inside-icij/2021/08/russia-brands-istories-a-foreign-agent-in-independent-media-crackdown/>

32 <https://meduza.io/en/feature/2021/06/29/i-il-survive-some-community-service>

33 <https://www.proekt.media/guide/vladimir-kolokoltsev/>

34 <https://www.themoscowtimes.com/2021/07/15/russia-bans-independent-investigative-outlet-proekt-with-undesirable-label-a74533>

35 <https://rsf.org/en/news/proekt-first-russian-media-outlet-be-declared-undesirable>

36 <https://www.hrw.org/news/2021/06/17/new-undesirables-law-expands-activists-danger-zone>

37 <https://www.agents.media>

38 <https://www.reuters.com/business/media-telecom/russia-declares-media-outlet-tv-rain-foreign-agent-2021-08-20/>

39 <https://www.interpretermag.com/people-themselves-asked-to-shut-down-tv-rain/>

40 <https://www.theguardian.com/world/2021/jun/03/russian-news-site-close-foreign-agent-vtimes>

ched a new media outlet, VPost, available only in social media at the time of writing this report.⁴¹)

In August, ahead of the parliamentary elections, the Russian censorship agency *Roskomnadzor* blocked *OpenMedia* and *MBKh*, two online media outlets sponsored by a Russian exiled tycoon Mikhail Khodorkovsky. The outlets claimed they had not received any notification from the authorities and they were never given an explanation as to why they were blocked, but it was very clear that the real reason was their connection with Khodorkovsky. Two publications announced that they had ceased operations because “the risks for the project’s staff members are too high.”⁴²

41 <https://lenta.ru/news/2021/10/11/vpost/>

42 <https://www.rferl.org/a/open-media-russia-websites-news-mbkh-foreign-agents-khodorkovsky/31394446.html>

In autumn, it was *Mediazona*, a media outlet founded by members of the Russian punk group *Pussy Riot*, that came into the Kremlin’s crosshairs. *Mediazona* had gradually become the main source of information about torture system in prisons. In September, *Mediazona* was added to the list of ‘foreign agents’, as well as its publishers Petr Verzilov and editor-in-chief Sergey Smirnov. Verzilov and Smirnov admitted that it would be difficult to work with that label: the sources and newsmakers would be unwilling to provide information and comments, scared by the ‘foreign agent’ tag.⁴³

43 <https://zona.media/agent>

7. Being a ‘foreign agent’: Implications for media and journalists

The law on ‘foreign agent’ media requires media outlets and individual journalists to provide detailed financial reports and to affix an all-caps warning to their content: “THIS MESSAGE (MATERIAL) WAS CREATED AND (OR) DISTRIBUTED BY A FOREIGN MEDIA OUTLET, PERFORMING THE FUNCTIONS OF A FOREIGN AGENT, AND (OR) A RUSSIAN LEGAL ENTITY, PERFORMING THE FUNCTION OF A FOREIGN AGENT.” The text must be posted on everything – articles, videos, Instagram stories, even if the content is unrelated to politics.⁴⁴

Citing stories published by a ‘foreign agent’ without a special label is punishable by fines ranging from 40,000 to 50,000 rubles (approximately €478 to 599) for legal entities.⁴⁵ Failing to include the label or placing it in a “wrong” way triggers this fine. For instance, a Moscow court has sentenced the radio station *Ekho Moskvy* and its chief online editor Vitaly Ruvinsky to a total of 24 fines for failing to label properly the mentions of organisations designated as ‘foreign agents’ in October 2021.⁴⁶

Beyond this disgusting warning that the media must put on their stories, it creates problems with advertisers. Many of them prefer not to risk dealing with ‘foreign agents’ and withdraw ads.⁴⁷ In the meantime, journalists listed as ‘foreign agents’, must register a special company, and report to the Ministry of Justice. After that the new company also must be designated as a ‘foreign agent’. The journalists must report the source of every ruble in their budget to the authorities and regularly submit a detailed financial report, including their personal expenses, to the Ministry of Justice.⁴⁸

44 <https://www.theguardian.com/world/2021/sep/11/putins-crackdown-how-russias-journalists-became-foreign-agents>

45 <https://rg.ru/2021/05/04/za-citirovanie-inoagentov-bez-markirovki-vvoditsia-shtrafy.html>

46 <https://meduza.io/en/news/2021/10/19/ekho-moskvy-handed-24-fines-over-missing-foreign-agent-labels>

47 <https://meduza.io/feature/2021/04/30/pochemu-meduzu-priznali-inostrannym-agentom-i-kto-za-etim-stoit-nam-poka-izvestny-dve-versii>

48 https://www.voanews.com/a/press-freedom_russia-using-foreign-agent-law-attack-journalism-media-say/6206858.html

8. Professional consequences and potential remedies

The large-scale attack on investigative journalism launched by the authorities in 2020–2021 have already had a huge impact on the media as well as on individual journalists in Russia. The Kremlin's campaign puts different kinds of pressure on the media and the reporters: financial, psychological, and bureaucratic, not to mention a fear of being sent to prison only for doing their job.

The criminal prosecution of the media, including the interrogations of journalists and their relatives, a series of raids and searches in their homes, seizing of their laptops and phones, makes their work in Russia highly risky and very complicated. Adding their names to the list of 'foreign agents' makes it almost impossible.

The wide and unscrupulous usage of the Foreign Agent law against media puts the investigative media and the journalists in a position when they can hardly continue working in the country.

The media outlets designated as 'foreign agents' must attach a disgusting warning to their stories and to their posts on social media, which inevitably scares off their readers and advertisers. Government officials don't respond to the journalist requests and even ordinary people think twice before talking to a 'foreign agent'. The journalistic community was shocked when a freshman at the Faculty of Journalism at Moscow University refused to talk a correspondent Alina Didkovskaya of *Dozhd* (TV Rain) on September 1 because *Dozhd* was designated a 'foreign agent'.⁴⁹

Journalists listed as 'foreign agents' must report the source of every ruble in their budget and regularly submit a detailed financial report to the Ministry of Justice. For violations of the law a journalist could be fined or sentenced to up to two years in prison.

As a result, the editors of the three most respected investigative media (*IStories*, *Proekt* and *The Insider*) were forced to leave Russia. *Meduza*, the most popular independent media outlet in Russia had to reduce its staff, and give up its editorial office space in Riga, moving to the apartment of the editor.

Radio Free Europe/Radio Liberty is moving its journalists out of the country – some to Prague and some to Kiev. Huge fines for violations of the 'foreign agent' law threaten to make normal operation of the editorial office in Moscow impossible.

Some media like *VTimes* had to cease operations at least for some time. *Proekt* had to liquidate its publishing company (Project Media, Inc.) and stopped all activities after the media was added to the list of "undesirable organisations."

The new media *Agentstvo*, launched by Roman Badanin, began to publish anonymous investigations in order to reduce risks for his journalists who are still working from Russia. It is a new trend. As a rule, it is a journalist's name and a reputation that makes the story trustworthy. But it is very likely that other media outlets will be forced to adopt this practice in the new circumstances.

Despite this unparalleled pressure, all these media are passionate to continue conducting their investigations. They are ready to work in new modes – the ones which suppose that at least part of their editorial offices are based beyond Russian borders, developing secure ways of communicating with their correspondents in the country, and trusted sources.

Russian investigative journalism projects show a remarkable resilience, partly because they rely on digital methods, which are available even to journalists based outside the country.

⁴⁹ <https://twitter.com/aldidkovskaya/status/1433152301129256970>

9. What to do? Recommendations

In this hostile environment where chief editors of the most popular investigative media and the journalists have already left Russia and many others are prepared to follow suit, new challenges have emerged. The professional editors and journalists find themselves in a completely new territory: they have to relaunch operations and organise their activity in a new way, and in a foreign country. They have to relocate some staff for security reasons and rehire reporters in Russia, but offer them new ways of collaboration – including contributing to the stories anonymously. They also need to reconsider how to pay their journalists in the country when every transaction from abroad could be seen by the authorities as a sign of their disloyalty or even treason. And some journalists find themselves in a situation when they are forced to make a hard decision to leave the country very suddenly – in a matter of days. These days, this means having to relocate abroad, mostly to Europe, without proper documents – for work and living.

That is why the most popular destinations for journalists are Georgia, Ukraine, Montenegro – countries which do not require Russian citizens to hold a visa to come and stay. Their closeness to Russian territory, the openness of their borders and occasional unpredictability of a local political situation however make them a security risk.

What is badly needed is a new mechanism of providing visa support in the Schengen area, with visas to be granted only by the European Union.

International organisations should be more engaged in providing support for the Russian media. The plight of Russian investigative journalism should be raised at all levels, including at talks with the Russian federal government. This implies not only case-by-case support but setting up long-term programmes to provide support to journalists are essential.

As we showed in our report “Digital surveillance and the impact on journalism in Russia”⁵⁰ Russian journalists learned the hard way that solidarity with a colleague under attack could be effective.

Now it is time for the international community to reach out to Russian journalists, inside the country and abroad, with a message of solidarity and support.

⁵⁰ <https://shop.freiheit.org/#/Publikation/943>

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Acronyms

FSB The Federal Security Service of the Russian Federation (FSB RF; Russian: Федеральная служба безопасности Российской Федерации (ФСБ), Transkript: Federal'naya sluzhba bezopasnosti Rossiyskoy Federatsii)

NTV (Cyrillic: НТВ) is a Russian free-to-air television channel that was launched as a subsidiary of Vladimir Gusinsky's company Media-Most since 14 April 2001 Gazprom Media controls the network.

RBC, The RBC Group oder RosBiznesConsulting (Russian: Группа компаний «РБК» РБК, РосБизнесКонсалтинг), is a large Russian media group headquartered in Moscow. It was established in 1993. The company holds an informational agency RosBusinessConsulting, including a news web-portal, business newspaper RBC Daily, monthly business magazine RBC, and RBC TV.

FSO The Federal Protective Service (Russian: Федеральная служба охраны, ФСО, romanized: Federalnaya sluzhba okhrany, FSO) of the Russian Federation, official name in English Federal Guard Service of the Russian Federation.

OCCRP The Organized Crime and Corruption Reporting Project

