



GRATA
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REQUIREMENTS FOR INTERNET SITES, SOFTWARE AND INFORMATION SYSTEMS WITH RECOMMENDATION TECHNOLOGIES FOR USERS IN RUSSIA

ALERT

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REQUIREMENTS FOR INTERNET SITES, SOFTWARE AND INFORMATION SYSTEMS WITH RECOMMENDATION TECHNOLOGIES FOR USERS IN RUSSIA

August 2023

From October 1, 2023, the requirements for Internet sites, software and information systems that use recommendation technologies - information technologies for providing information based on the collection, systematization and analysis of information related to the preferences of Internet users located on the territory of the Russian Federation (hereinafter referred to as "information resources") come into force.

Such information resources include, in particular, social networks, news sites, market places using recommendation systems and services that carry out individualized selection, as well as ranking of content or products for the end user using algorithmic calculations and machine learning based on user data or characteristics of elements in the system.

The requirements are set forth by the Federal Law No. 408-FZ of 31.07.2023 and provide for the following obligations of owners of information resources:

- 1 prevent the use of recommendation technologies:**
 - that violate the rights and legitimate interests of citizens and organizations; and/or
 - in order to provide information in violation of the legislation of the Russian Federation;
- 2 inform users about the use of recommendation technologies on the respective information resource.**

The requirements for the content of information on the use of recommendation technologies and the placement of such information on an information resource will be established by a regulatory legal act of Roskomnadzor;
- 3 publish on the information resource the email address for sending legally significant messages, the full name (for an individual) or the name (for a legal entity) of the owner of the information resource, as well as a document in Russian language that establishes the rules for the use of recommendation technologies.**

The rules for the use of recommendation technologies should contain:

- description of processes and methods for collecting, systematizing, analyzing information related to user preferences, providing information based on this information, as well as ways to implement such processes and methods;
 - types of information related to user preferences that are used to provide information using recommendation technologies, sources of obtaining such information.
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If the owner of the information resource does not take the above-mentioned measures, Roskomnadzor will send to the owner a demand to stop providing information using recommendation technologies.

If the owner of the information resource fails to comply with the demand to stop providing information using recommendation technologies, Roskomnadzor will require telecom operators to take immediately measures to restrict access to the information resource, that is, to block the corresponding Internet site, web application.

The procedure for the interaction of Roskomnadzor with the owners of information resources should be established by this agency.

The amendments to the Federal Law No. 149-FZ of July 27, 2006 "On Information, Information Technologies and Information Protection" also provide that a violation by the owner of an information resource on which recommendation technologies are used of the requirements listed above may result in criminal, administrative and other liability. It is possible, therefore, that special liability measures will be introduced in the Code of Administrative Offences and the Criminal Code of the Russian Federation.

Owners of information resources that use technologies for providing information based on the collection, systematization and analysis of information related to the preferences of users located on the territory of the Russian Federation need to consider, therefore:

checking the content published on information resources for compliance with the requirements of Russian legislation, in particular, on advertising, personal data, information, information technology and information protection;

organizing the development and publication on information resources of rules for the use of recommendation technologies, as well as contact details for sending legally significant messages.

For additional information please contact:

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> 22

countries of presence



> 31

years of experience



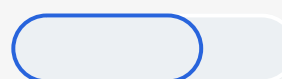
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professionals



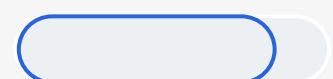
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practice areas



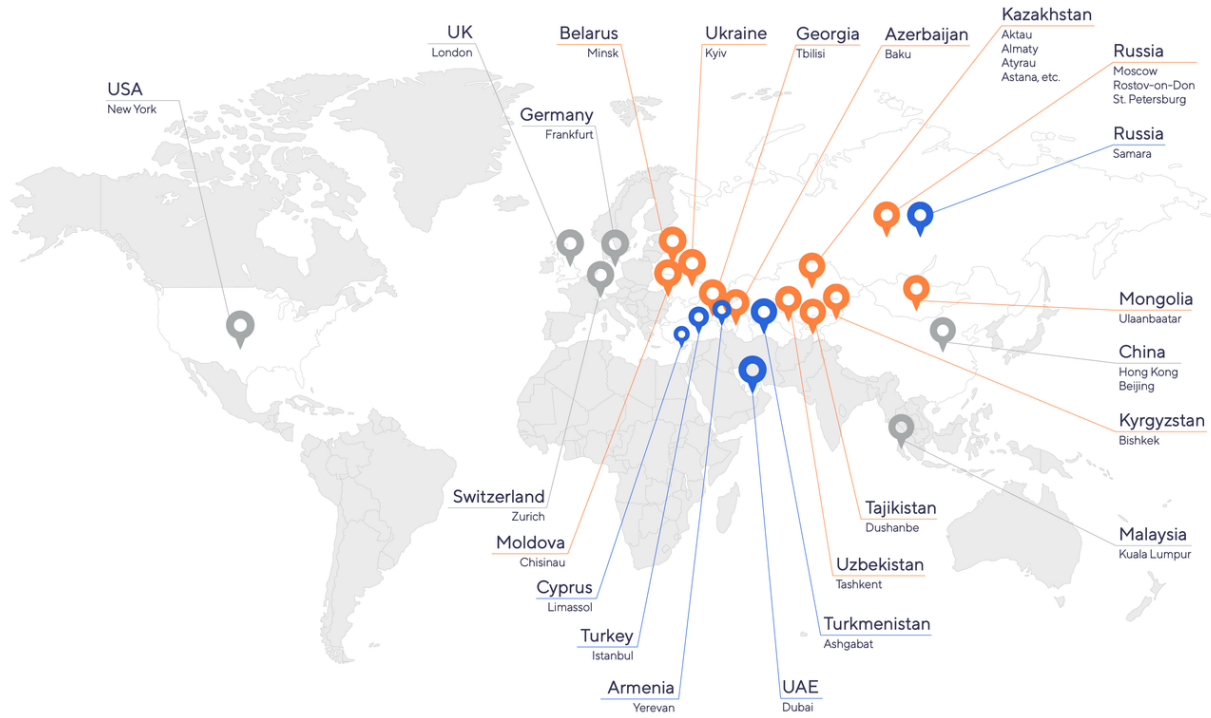
7 700+

clients



15 000+

projects



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- | | | |
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