

Owners of Russian blocked websites complain to the European Court

HRWF (13.03.2015) - The owners of several websites and blogs which were blocked by the authorities in 2014 have complained to the European Court on Human Rights.

One of the applicants is Garry Kasparov, a Russian (formerly Soviet) chess Grandmaster, former World Chess Champion, writer, and political activist opposed to Putin. From 1986 until his retirement in 2005, Kasparov was ranked world No. 1. He formed the United Civil Front movement, and joined as a member of *The Other Russia*, a coalition opposing the administration and policies of Vladimir Putin.

Another applicant is Alexei Navalny, a Russian lawyer, a political and financial activist. He has organized large-scale demonstrations promoting democracy and attacking political corruption, Putin and his political allies. Navalny has been arrested numerous times by Russian authorities, most seriously in 2012, when federal authorities accused him of three instances of embezzlement and fraud, all of which he denied. In July 2013 he was convicted of embezzlement and was sentenced to five years in a corrective labor colony. Russia's *Memorial Human Rights Center* recognized Navalny as a political prisoner. Navalny was released from prison a day after sentencing. The prison fine was suspended in October 2013. In February 2014, Navalny and his brother were prosecuted on embezzlement charges and Navalny was placed under house arrest and restricted from communicating with anyone but his family; he was sentenced in December 2014 with another suspended prison term of 3.5 years and his brother received an actual 3.5-year prison sentence.

Grani.ru appealed to the European Court of Human Rights

Sova-center (11.03.2015) - <http://www.sova-center.ru/misuse/news/persecution/2015/03/d31475/> - On 11th March 2015 grani.ru reported that it had submitted a complaint to the European Court of Human Rights for blocking their website. The ECHR had also received a complaint from Garry Kasparov regarding his blocked website (kasparov.ru) and from Alexei Navalny for his blocked blog in "Живойжурнал" (*LiveJournal*).

All three websites, as well the online publication "Ежедневныйжурнал" (*Daily Journal*) were blocked in March 2014 by the Federal Service for Supervision in the Sphere of Telecom, Information, Technologies and Mass Communications (ROSCOMNADZOR) at the request of the Prosecutor General.

"Grani.ru" is represented in Court by Damir Gainutdinov from the "Agora" association. The complaint noted that blocking the website goes against the Article 10 of the European Convention on Human Rights as it violates the right of freedom of expression. According to the claimants, blocking the website cannot be justified by law and was done without any legitimate purpose; furthermore, blocking the entire website cannot serve a democratic society.

The complaint also noted that the website was blocked without highlighting any specific publication and that the authorities disagreed on the reasons of the blocking: Prosecutor General's Office mentioned calls to participate in unauthorized actions, whereas ROSCOMNADZOR mentioned calls to extremist activities.

The entire website was thus blocked without resort to the court, but simply by referring to the *Lugovoi law* (on blocking websites considered as extremists).

According to the claimants, the *Lugovoi law* is so vague that it is extremely difficult to determine in advance whether a specific publication will become the reason for blocking the website, or whether the authorities will decide to block a particular publication or the entire website". In this situation, "website owners and other media have no actual protection against arbitrary decisions", which is contrary to the position of the ECHR regarding freedom of speech.

According to grani.ru, blocking the entire website throughout Russia "was decided to limit the expansion of information about protest activities, the opposition and the criticism of the authorities".

In May 2014 the Tagansky District Court of Moscow rejected grani.ru's claim against the decision to block the website. But it did not receive a positive response to the claim, and neither did the owners of the three other websites.

We believe that blocking all four websites (in March 2014) was unlawful.