



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

**CASE OF STOMAKHIN AND OTHERS v. RUSSIA**

*(Applications nos. 5804/15 and 8 others –  
see appended list)*

JUDGMENT

STRASBOURG

10 July 2025

*This judgment is final but it may be subject to editorial revision.*



**In the case of Stomakhin and Others v. Russia,**

The European Court of Human Rights (Third Section), sitting as a Committee composed of:

Diana Kovatcheva, *President*,

Canòlic Mingorance Cairat,

Vasilka Sancin, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 19 June 2025,

Delivers the following judgment, which was adopted on that date:

## PROCEDURE

1. The case originated in applications against Russia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Russian Government (“the Government”) were given notice of the applications.

## THE FACTS

3. The list of applicants and the relevant details of the applications are set out in the appended table.

4. The applicants complained of the various restrictions on the right to freedom of expression. The applicant company in application no. 48932/19, also raised a complaint under the provisions of the Convention.

## THE LAW

### I. JOINDER OF THE APPLICATIONS

5. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

### II. JURISDICTION

6. The Court observes that the facts giving rise to the alleged violations of the Convention occurred prior to 16 September 2022, the date on which the Russian Federation ceased to be a party to the Convention. The Court therefore decides that it has jurisdiction to examine the present applications (see *Fedotova and Others v. Russia* [GC], nos. 40792/10 and 2 others, §§ 68-73, 17 January 2023).

### III. ALLEGED VIOLATION OF ARTICLE 10 OF THE CONVENTION

7. The applicants complained principally of the various restrictions on the right to freedom of expression. They relied, expressly or in substance, on Article 10 of the Convention.

8. The Court has previously stated that freedom of expression constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and for each individual's self-fulfilment. Subject to Article 10 § 2, it is applicable not only to "information" or "ideas" that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb. Such are the demands of that pluralism, tolerance and broadmindedness without which there is no "democratic society" (see, among the recent authorities, *Morice v. France* [GC], no. 29369/10, § 124, ECHR 2015; *Pentikäinen v. Finland* [GC], no. 11882/10, § 87, ECHR 2015; and *Bédat v. Switzerland* [GC], no. 56925/08, § 48, ECHR 2016). Moreover, the Court reiterates the general principles concerning various issues under Article 10 established in its case law, in particular, as to hate speech and extremist activities (see *Dmitriyevskiy v. Russia*, no. 42168/06, §§ 90-101, 3 October 2017, and *Stomakhin v. Russia*, no. 52273/07, §§ 92, 96 and 113, 9 May 2018), blocking of websites (see *Vladimir Kharitonov v. Russia*, no. 10795/14, §§ 33 and 37, 23 June 2020, and *OOO Flavus and Others v. Russia*, nos. 12468/15 and 2 others, § 28, 23 June 2020), and disrespect for the authorities and State officials (see *Karuyev v. Russia*, no. 4161/13, §§ 17-19, 18 January 2022).

9. In the above leading cases the Court already found a violation in respect of issues similar to those in the present cases (see *Dmitriyevskiy*, cited above, § 119; *OOO Flavus and Others*, cited above, § 45; and *Karuyev*, cited above, § 26).

10. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. The Court considers that in the instant case the Russian authorities had failed to carry out a Convention-compliant balancing exercise in conformity with the criteria laid down in the Court's case-law and to apply standards which were in conformity with the principles embodied in Article 10 of the Convention.

11. These complaints are therefore admissible and disclose a breach of Article 10 of the Convention.

### IV. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE-LAW

12. The applicant company in application no. 48932/19 submitted another complaint which also raised an issue under the Convention, given the relevant well-established case-law of the Court (see appended table). This complaint

is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor is it inadmissible on any other ground. Accordingly, it must be declared admissible. Having examined all the material before it, the Court concludes that it also discloses a violation of the Convention in the light of its findings in *Vladimir Kharitonov*, cited above, § 56, as regards the lack of remedy to complain about blocking of a website.

#### V. APPLICATION OF ARTICLE 41 OF THE CONVENTION

13. Regard being had to the documents in its possession and to its case-law (see, in particular, *Taganrog LRO and Others v. Russia*, nos. 32401/10 and 19 others, § 300, 7 June 2022, and *Matveyev and Others v. Russia* [Committee], nos. 4128/18 and 4 others, § 11, 6 February 2025), the Court considers it reasonable to award the sums indicated in the appended table.

#### FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Holds* that it has jurisdiction to deal with these applications as they relate to facts that took place before 16 September 2022;
3. *Declares* the applications admissible;
4. *Holds* that these applications disclose a breach of Article 10 of the Convention concerning the various restrictions on the right to freedom of expression;
5. *Holds* that there has been a violation of Article 13 of the Convention as regards the complaint raised under the well-established case-law of the Court in application no. 48932/19 (see appended table);
6. *Holds*
  - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;  
that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

Done in English, and notified in writing on 10 July 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina  
Acting Deputy Registrar

Diana Kovatcheva  
President

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

APPENDIX

List of applications raising complaints under Article 10 of the Convention  
(various restrictions on the right to freedom of expression)

No.	Application no. Date of introduction	Applicant's name Year of birth/registration	Representative's name and location	Summary of facts	Final decision Date Name of the court	Penalty (award, fine, imprisonment)	Legal issues	Relevant case-law	Other complaints under well-established case-law	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros) <sup>1</sup>
1.	5804/15 14/01/2015	<b>Boris Vladimirovich STOMAKHIN</b> 1974	Gaynutdinov Damir Ravilevich Sofia, Bulgaria	The applicant was convicted of extremist offences after publishing an article on his personal blog. In the article, he made sarcastic remarks about terrorist attacks at a railway station and on a bus in Volgograd. He "congratulated" the government on these attacks, claimed they were its own fault, and described them as acts of vengeance by the "Caucasus Resistance." He was subsequently convicted under Article 205.2 of the Criminal Code for glorifying terrorism	Supreme Court of Russia, 23/07/2015	7 years' imprisonment and prohibition to work as a journalist for 5 years	the courts did not carry out an independent analysis of the applicant's statements; the authorities' failure to demonstrate convincingly "the pressing social need" for an interference with the applicant's freedom of expression in respect of a number of the impugned statements, as well as the severity of the penalty imposed on him	<i>Stomakhin v. Russia</i> , no. 52273/07, § 118, 9 May 2018 (glorification of terrorism)		10,000
2.	48932/19 06/09/2019	<b>OOO ZHIVAYA FOTOGRAFIYA</b> 2016	Bukharin Danil Alekseyevich Moscow	The applicant company's poster printing website was blocked without notice after Roskomnadzor blocked a range of IP addresses	Supreme Court of Russia, 14/06/2019	access blocked	no illegal content was present on the applicant company's website - no legal basis for the blocking measure	<i>Vladimir Kharitonov v. Russia</i> , no. 10795/14, §§ 38-39, 23 June 2020 (website blocked as	Art. 13 - lack of any effective remedy in domestic law - The remedy used	7,500

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

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				belonging to its hosting provider DigitalOcean in an attempt to restrict access to Telegram messenger. Courts dismissed the company's complaint despite its website containing no illegal content, leading to the business's closure.				automatic consequence of blocking order against another website with the same IP address)	was not effective (see <i>Vladimir Kharitonov v. Russia</i> , no. 10795/14, § 56, 23 June 2020)	
3.	4099/20 23/12/2019	<b>Vladislav Yuryevich SINITSA</b> 1989	Gaynutdinov Damir Ravilevich Kazan	In July 2019, a Twitter user asked whether it would be possible to identify police officers involved in suppressing protests in Moscow using photographs published online and take revenge on them. In response, the applicant posted the following comment: "They will look at happy family photos, check the location tags, and next thing you know, the child of a proud law enforcement officer doesn't come home from school. Instead, a snuff video CD arrives in the mail. You ask such questions as if it is your first day in this world!" He was convicted	Supreme Court of Russia, 21/09/2020	5 years' imprisonment	inadequate reasoning in courts' decisions, the courts did not convincingly establish the applicant's intention and purpose for disseminating the text, specifically incitement of others to engage in acts of hatred or enmity, particularly disproportionate punishment	<i>Dmitriyevskiy v. Russia</i> , no. 42168/06, § 113, 3 October 2017 (hate speech, conviction under Article 282 of the Criminal Code)		7,500

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

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				under Article 282 of the Criminal Code of inciting hatred and enmity towards police officers and was sentenced to 5 years' imprisonment by decision of 03/09/2019 of the Presnenskiy District Court, upheld on cassation appeal on 21/09/2020 by the Supreme Court of Russia.						
4.	4945/20 11/01/2020	<b>PRIVATE NETWORKS LP</b> 2017	Darbinyan Sarkis Simonovich Moscow	The applicant company's VPN service website was blocked by Roskomnadzor as part of a mass blocking of IP addresses allegedly enabling access to Telegram messenger platform, which had been subject to a court order restricting specific content. Courts dismissed the company's complaint that the blocking was unlawful, finding that providing means to access blocked content justified the measure.	Supreme Court of Russia, 12/07/2019	access blocked	no illegal content was present on the applicant company's website - no legal basis for the blocking measure	<i>Engels v. Russia</i> , no. 61919/16, §§ 28-30, 23 June 2020 (lack of foreseeability and safeguards in the domestic law against excessive and arbitrary effects of website blocking measures)		7,500

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

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5.	11619/20 18/02/2020	<b>Grigoriy Elektronovich VINTER</b> 1969	Peredruk Aleksandr Dmitriyevich St Petersburg	The application concerns the insult of municipal officials, Ms G., head of Cherepovets and Cherepovets Town Duma, and Ms A., mayor of Cherepovets. In 2017-2018 the applicant made several posts concerning the local authorities' intention to cut down the Puloivskiy Forest in Cherepovets. In particular, he stated that the local authorities were going to sell the land plot with the sanctuary forest to rich businessmen and called them fascists and scum. He said that some of the local officials had bought their posts and the mayor had not been elected by the people. The local officials had had meetings with environmental experts and had posted photos of themselves skiing in the forest but next day they had signed the law allowing to destroy it. He also referred to a manifestation organised by the local residents to save	Cherepovets Town Court, 26/08/2019	280 hours of compulsory works and award to the victims in the amount of RUB 60,000	the national courts did not carry out a proper analysis of the applicant's statements, they did not take into account the position of the applicant, the position of the persons against whom the statements were directed, the subject matter of the publications, the wording used by the applicant; the penalty imposed on the applicant was not proportionate to the legitimate aim pursued	<i>Karuyev v. Russia</i> , no. 4161/13, 18 January 2022 (related to inadequate court's analysis of statements alleging disrespect for the authorities/ State officials)		7,500

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

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				the forest and said that the authorities had told them to get lost. On 26/08/2019 the Cherepovets Town Court, by its final decision, convicted the applicant of insulting public officials and sentenced him to 280 hours of compulsory works, and awarded the victims 60,000 Russian roubles.						
6.	13442/20 29/02/2020	<b>Aleksey Aleksandrovich MENYAYLOV</b> 1957	Savchuk Aleksandr Mikhaylovich Chernoye	Criminal proceedings were initiated against the applicant under Article 282 of the Criminal Code for causing an injury to dignity of a social group as a result of his scripting and posting on a social network nine videos: "Why are girls in such a hurry to have sex?", "What is the face of a woman who wants you?", "Why do girls talk on the phone in negligee?", "Why is a stupid woman considered sexually preferable?", "Prostitutes of the 74th Company", "What do Hitler's mother and	Tula Regional Court, 30/08/2019	none, despite the fact that proceedings were discontinued, the courts stated that the applicant was guilty	inadequate reasoning of the courts, no detailed assessment of statements or citations	<i>Dmitriyevskiy v. Russia</i> , no. 42168/06, § 113, 3 October 2017 (hate speech, conviction under Article 282 of the Criminal Code)		7,500

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				<p>Poroshenko have in common?"; "The roots of Krupskaya's fierce hatred of Stalin and heroes in general", "Ahnenerbe vs. NKVD or the nuances of ramming" and "Why is it easier for oligophrenic teachers to gain power?", in which the applicant, using a video sequence from a well-known film or TV series, identified a problem from one or another sphere of social life and exposed deceptions or misconceptions that caused difficulties in relationships in a family, between spouses, parents and children, and in the society as a whole. Among other things, he critically reflected on the behaviour of women and men in certain life situations and analysed the preconditions for such behaviour. Criminal proceedings were later terminated due to the amendment of the law,</p>						

STOMAKHIN AND OTHERS v. RUSSIA JUDGMENT

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				however, the court stated that the applicant's guilt had been proven.						
7.	41853/23 12/11/2023	<b>Ivan Yuryevich PAVLOV</b> 1971	Shmygina Yekaterina Mikhaylovna Voronezh	On 16/07/2021 access to the applicant's entire website was restricted pursuant to a take-down request from the Prosecutor General's office on the grounds that the website republished materials from an "undesirable organisation". The request did not indicate the offending materials or their URL addresses.	Supreme Court of Russia, 13/07/2023	access to the website blocked	excessive scope of the blocking measures	<i>OOO Flavius and Others v. Russia</i> , nos. 12468/15 and 2 others, 23 June 2020 (blocking of websites based on unforeseeable provisions of domestic law)		7,500
8.	17835/24 20/06/2024	<b>OOO NOVYYE VREMENA</b> 2013	Misakyan Tumas Arsenovich Moscow	On 26/02/2022 the Russian authorities requested the applicant media organisation to remove three war reports from its website. Despite the applicant's compliance with this request, access to the entire website newtimes.ru was subsequently blocked.	Supreme Court of Russia, 20/02/2024	access to the website blocked	excessive scope of the blocking measures	<i>OOO Flavius and Others v. Russia</i> , nos. 12468/15 and 2 others, 23 June 2020 (blocking of websites based on unforeseeable provisions of domestic law)		7,500
9.	24650/24 10/08/2024	<b>OOO MEMO</b> 2007	Pupykin Vyacheslav Ivanovich Talovaya	On 16/03/2022 access to the website of the online media Kavkazskiy Uzel, of which the applicant company was the publisher, was blocked. On 19/04/2022 the	Supreme Court of Russia, 15/04/2024	access to the website blocked	wholesale blocking measures affecting entire websites are disproportionate	<i>Vladimir Kharitonov v. Russia</i> , no. 10795/14, §§ 33-47, 23 June 2020, <i>Engels v. Russia</i> , no. 61919/16, §§ 24-		7,500

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				telecommunications regulator upheld the blocking measure, claiming that the media had published untrue information about Russia's military actions in Ukraine. A judicial appeal was unsuccessful.				35, 23 June 2020 (lack of foreseeability and safeguards in the domestic law against excessive and arbitrary effects of website blocking measures)		

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<sup>1</sup> Plus any tax that may be chargeable to the applicants.