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Russian Blogger Appeals to ECHR Over Social Media Case

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A Russian blogger has filed a complaint to the European Court of Human Rights in Strasbourg, challenging the sentence he was handed for the republication of extremist texts online, the Kommersant newspaper reported Wednesday.

Konstantin Zharinov, a blogger and activist from the Urals region of Chelyabinsk, was convicted in 2015 for sharing a post on Russian social networking website VKontakte from the Ukrainian right-wing nationalist organization Right Sector which called for a Russian uprising against local authorities.

Zharinov's lawyer Irina Khrunova said the Russian Supreme Court banned Right Sector on Nov. 17, 2014, yet security services had criminally charged her client in April 2014 under a new article in the Russian Criminal Code: "calling for actions to violate the territorial integrity of the Russian Federation."

Zharinov states in the appeal that he believes his criminal prosecution is politically motivated. The case against him comprised numerous reports from employees of the General Administration for Combating Extremism in the Chelyabinsk region in which detectives note

that the blogger took part in a large opposition rally to support opposition politician Alexei Navalny in 2012.

The appeal describes decisions to monitor Zharinov's page made on March 2, 2014 and the "tapping" of his telephone. In addition, Khrunova says, the criminal case against her client includes two "unidentified witnesses."

"They are complete strangers, who allegedly by chance went onto his page to delete the post, told the police that they were offended by it and demanded a case against Zharinov," she said, Kommersant reported.

Zharinov was sentenced on Sept. 28, 2015 to two years in prison, but was later pardoned.

According to Damir Gainutdinov of the Agora legal rights NGO, there were more than 200 cases taken out against social media users in 2015. Eighteen of these cases resulted in real prison terms.

Alexander Verkhovsky — head of the SOVA Center, a Moscow-based think tank specializing in extremism — said that authorities equate reposts with published statements, without taking context into consideration.

Verkhovsky says the Supreme Court earlier clarified the technological assessment of anti-extremist legislation in which it says that courts should study the circumstances.

"A repost is a definite action, but it does not guarantee approval of the ideas expressed in the original publication," he said, Kommersant reported.

"Theoretically, after the decision of the ECHR you can hope for more clarification about reposts, but that could take years," he said.

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