Google LLC and Others v. Russia: The European Court on Human Rights' Analysis on Speech, Sovereignty, and the Search Bar

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I. OVERVIEW

Russia's strife with one of the world's largest platforms, YouTube, pushes the boundaries of a state's authority to regulate multinational content-sharing platforms.[1] As a subsidiary of Google LLC (Google), YouTube became a direct target of Russia's telecommunications regulator, Roskomnadzor (the RKN), for allegedly failing to comply with Article 13.41 of the Russian Code of Administrative Offences (the CAO).[2] Enacted in 2020, this provision authorizes the RKN to impose fines on platform owners that refuse to comply with take-down requests (TDRs) under Section 15.3 of Russia's Information Act, which classifies political criticism and other dissenting content as unlawful.[3] Many of the contested TDRs sought the removal of political expression, including criticism of Russia's COVID-19 response, constitutional reform proposals, Alexei Navalny's YouTube channel, and independent reporting on Russia's invasion of Ukraine.[4] While Google geo-blocked[5] some videos, it refused to remove content it deemed legitimate political speech, leading to escalating sanctions.[6]

Throughout 2021 and 2022, the RKN promulgated a series of TDRs obligating Google to restrict access to certain YouTube content and

1. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 5 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

2. *Id.*

3. *Id.* at ¶¶ 5-7.

4. *Id.* at ¶¶ 7, 10.

5. Geo-blocking is technology that restricts online content, platforms, or services based on a user's geographic location.

6. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 7.

channels, a substantial portion of which conveyed criticism of the Russian government.[7] Due to Google's alleged noncompliance with these regulations, the RKN imposed lump-sum fines ranging from 3 million to 21 million Russian rubles, calculated based on percentages of Google's global revenue and Google Russia's earnings, creating unprecedented financial pressure.[8] This amounts to between approximately USD 38,200 to USD 267,500.[9] Google argued that these penalties were disproportionate, unlawful, and designed to force it to engage in political censorship.[10] The European Court of Human Rights (ECtHR) held that Russia's imposition of heavy fines, coupled with the threat of escalating sanctions for noncompliance with the TDRs, placed excessive pressure on Google to censor YouTube's content, thereby undermining its function as a platform for the free exchange of ideas and information. Google *LLC and Others v. Russia*, App. No. 37027/22 (July 8, 2025).

II. BACKGROUND

Content-sharing platforms such as YouTube have revolutionized global communication through the instantaneous spread of information, ideas, and opinions across borders.[11] While this has created a more interconnected world that empowers people to share perspectives and discuss social and political issues, it has also created significant concern among nations seeking to control narratives within their jurisdictions.[12] Russia has been confronted with the influence of media outlets like Google, viewing the multinational content-sharing platform as an adversary to Russia's authority and sovereignty over information within its borders.[13] This arises from the fact that Google and other similar platforms playing a notable role in bringing international attention to controversial governmental actions.[14] As a result, Google has become the focus of scrutiny and legal action by the Russian government, particularly in connection with its subsidiary YouTube's coverage of the current war in Ukraine and its hosting of content critical of the Russian government.[15]

7. *Id.* at ¶¶ 6-10.
8. *Id.* at ¶¶ 6-12.
9. Conversion rate calculated on January 14, 2026.
10. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 9.
11. *Id.* at ¶ 66.
12. *Id.* at ¶ 5.
13. *Id.*
14. *Id.*
15. *Id.*

In response to the increasingly negative coverage of the Russian government and its actions, Russia enacted Article 13.41 of the Code of Administrative Offences[16] in 2020, authorizing Russia's telecommunications regulator to impose administrative fines on platforms that fail to comply with take-down requests for content deemed unlawful under Section 15.3 of the Information Act[17] The provision came into force in January 2021, and within the first six months, the RKN issued multiple TDRs ordering Google to block certain YouTube content and channels. Google complied with requests it deemed legally justified, but refused to comply with those it viewed as political expression.[18] Due to their noncompliance, Google was subjected to multiple lump-sum fines ranging from 3 to 8 million rubles.[19] Later in 2021, the RKN issued an additional eight TDRs targeting YouTube content, including a video that criticized the Russian authorities' handling of the COVID-19 pandemic, discussed potential constitutional amendments, and expressed support for the opposition and its leader, Alexei Navalny.[20] Google implemented geo-blocking measures on five of the eight videos and channels, making the content inaccessible to users within Russia's jurisdiction.[21] However, Google did not block the other content, including the video discussed above, because it determined that it was legitimate political speech.[22]

In December 2021, the justice of the peace for the Court Circuit no. 422 in Moscow found that Google violated Article 13.41 of the CAO and imposed a fine of RUB 7,221,916,235 (about EUR 87 million).[23] The Court held that Google failed to comply with the TDRs but did not assess

16. Kodeks Rossiĭ skoĭ Federatsii RF ob Administrativnykh Pravonarusheniiakh [KOAP RF] [Code of Administrative Offences] art. 13.41 (Russ.) (stating a violation of the order of restricting access to information, information resources, access to which is subject to restriction in accordance with the legislation of the Russian Federation on information, information technologies, and information protection, and (or) the procedure for deleting this information).

17. Federal'nyĭ Zakon RF Ob Informatsii, Informatsionnykh Teckhnologiyakh I Zashchite Informatsii [Federal Law of the Russian Federation on Information, Informational Technologies, and the Protection of Information] 2006, No. 149-FZ, art. 15.3. (stating the use on the territory of the Russian Federation of information-telecommunications networks in economic and other activity may not serve as a basis for imposing additional requirements or restrictions concerning regulation of the said activity conducted without the use of those networks and also for non-observance of the requirements established under federal laws).

18. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 6.

19. *Id.*

20. *Id.* at ¶ 7.

21. *Id.*

22. *Id.*

23. *Id.* at ¶ 8.

the implications of this ruling on Google's freedom of expression.[24] The fine was calculated at five percent of the combined revenue of Google and its subsidiaries' total revenue in 2020, without explaining why subsidiaries not party to the proceedings were included.[25] Google appealed the decision, arguing that the court lacked jurisdiction, that it was not afforded the opportunity to contest the TDRs, and that the fine was unlawfully disproportionate, exceeding the company's total revenue generated in Russia by approximately one hundred percent.[26] The Tagansky District Court,[27] however, dismissed the appeal on summary judgment.[28]

Subsequently, in 2022, the RKN issued further TDRs ordering Google to block certain YouTube videos and channels, alleging the content contained "socially significant disinformation" and "[called] for extremist activities" in violation of Section 15.3 of the Information Act.[29] The targeted videos and channels included coverage from various news outlets on Russia's invasion of Ukraine and Navalny's YouTube channel.[30] Google declined to remove the content, maintaining its position in favor of protecting political expression.[31] As a result, the same justice of the peace imposed two more lump-sum fines totaling RUB 21,088,391,312 (slightly more than EUR 360 million).[32] This time, the court based the calculation of the fine on the aggregated 2021 revenue of Google, Google Ireland Limited, Google Commerce Limited, Google Voice Inc., and Google Cloud EMEA Limited, citing provisions in YouTube's Terms of Service and Google's Privacy Policy to justify treating all companies within Alphabet Inc. (Google's parent company) as one collective entity.[33] The court further applied paragraph 5 of Article 13.41 of the CAO, which provides for an enhanced penalty for repeat

24. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 8 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

25. *Id.*

26. *Id.* at ¶ 9.

27. Under the Russian Court system, the justice of the peace courts hear minor civil and criminal matters, with appeals directed to district courts. Here, the noted case originated in Justice of the Peace for the Court Circuit no. 422 in Moscow and was appealed to the Tagansky District Court. *Id.*

28. *Id.*

29. *Id.* at ¶ 10.

30. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 10 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

31. *Id.*

32. *Id.* at ¶¶ 11-12.

33. *Id.* at ¶ 12.

violations, as Google has continuously failed to comply, rendering the prior fine ineffective.[34]

Google appealed once more, reiterating its prior objections and emphasizing that the inclusion of revenue from entities not party to the proceeding nor charged with any offense lacked any legal basis, that it violated the principle of separate legal personality, and that it improperly relied on user agreements over domestic civil law.[35] Nonetheless, the Tagansky District Court again dismissed the appeal, asserting that Russian courts have jurisdiction because Google had no representative office in Russia.[36]

On July 27, 2022, Google and its subsidiaries submitted an application to the ECtHR, arguing that Russia violated Articles 10 and 6 of the European Convention on Human Rights (the Convention).[37] Article 10 of the Convention safeguards the right to freedom of expression, including the rights to hold opinions and to receive and impart information and ideas, as well as the freedom from interference by public authorities.[38] However, these rights are subject to limitations that are "prescribed by law" and "necessary in a democratic society."[39] The term "prescribed by law" means that the interference was established and has a basis in domestic law, and that the law is accessible to the public.[40] The term "necessary in a democratic society" requires a pressing social need that, in the manner of the public's interest, the government must restrict expression.[41] Article 6 ensures that all persons or entities are entitled to a fair and public hearing and that it is conducted in a reasonable time by an independent and impartial court established by law.[42] Following Russia's withdrawal from the Convention in September 2022, the ECtHR was required to examine its jurisdiction over the matter, and due to the conduct giving rise to the violation occurring prior to Russia's withdrawal, it

34. *Id.*

35. *Id.* at ¶ 13.

36. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 14 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

37. *Id.* at ¶ 57.

38. European Convention for the Protection of Human Rights and Fundamental Freedoms art. 10, Nov. 4, 1950, 213 U.N.T.S. 221.

39. *Id.*

40. Guide on Article 10 of the European Convention on Human Rights, EUR. CT. OF H.R., ¶ 68 (Aug. 31, 2022), https://rm.coe.int/guide-on-article-10-freedom-of-expression-eng/native/1680ad61d6.

41. *Id.* at ¶ 92; Google LLC and Others v. Russia, App. No. 37027/22, ¶ 74.

42. European Convention for the Protection of Human Rights and Fundamental Freedoms, *supra* note 38, at art. 6 § 1.

determined that it did have jurisdiction.[43] The ECtHR based its jurisdictional reasoning on articles 32 and 58 of the Convention.[44] Article 32 grants jurisdiction to apply and interpret the Convention and Protocols, and Article 58 asserts that a state's withdrawal or expulsion does not release it from responsibility for violations that occurred while it was bound by the Convention.

In advancing its case, Google set out a series of claims contending that Russia's actions amounted to an unlawful and disproportionate interference with Google's rights under the Convention.[45] Google asserted that the pressure and enforcement of fines against the company in relation to content hosted on its subsidiary platform, YouTube, was an unjustified interference with its right to freedom of expression.[46] With respect to the exception that an interference can be prescribed by law, Google asserted that Section 15.3 of the Information Act did not have the adequate legal quality to impose legitimate restrictions on expression.[47] Specifically, Google emphasized that the phrasing "untrue socially important information disseminated under the guise of reliable reports" and "calls . . . to extremist activities" were impermissibly vague and overbroad, giving unfettered discretionary power to the Russian government.[48]

Furthermore, Google asserted domestic proceedings had major procedural flaws: no administrative investigation occurred before the prosecution as required by domestic law, the Russian courts asserted jurisdiction over a U.S.-based company without proper service or an adequate opportunity to be heard, the turn-over fines were unlawfully imposed, and the courts provided no consideration to relevant mitigating circumstances.[49] Finally, Google maintained that the interference could not be considered "necessary in a democratic society," as the punitive fines were imposed for Google's refusal to remove content amounting to ordinary political speech, a highly protected category under the

43. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 54.

44. *Id.*; *see* Fedotova and Others v. Russia*,* App. Nos. 40792/10, 30538/14, 43439/14, ¶¶ 68-73 (Jan. 17, 2023), https://hudoc.echr.coe.int/fre?i=001-211016; *see also* Pivkina and Others v. Russia, App. No. 2134/23, ¶ 46 (June 6, 2023), https://hudoc.echr.coe.int/eng?i=001-225645 (establishing that the ECtHR has jurisdiction over Russia because the alleged violations occurred before Russia withdrew from the Convention).

45. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 57.

46. *Id.*

47. *Id.* at ¶ 58.

48. *Id.*

49. *Id.*

Convention.[50] The penalties further failed to consider YouTube's role as a content-sharing platform facilitating videos from third parties rather than Google.[51] Google asserted that this open exchange of information and ideas through content-sharing platforms was incompatible with Russia's restrictive legal framework to justify such severe penalties.[52]

III. THE COURT'S DECISION

In the noted case, the ECtHR considered whether Russia violated Article 10 by imposing excessive fines on Google through the RKN for its failure to remove content deemed adversarial on YouTube, as well as whether an Article 6 violation occurred due to the defective reasoning of domestic courts.[53] The ECtHR ultimately held that both Article 10 and Article 6 of the Convention had been infringed.[54] When assessing whether the penalties imposed by Russia constituted an interference with Google's freedom of expression, the Court applied the two-part test under Article 10, asking whether the interference was "prescribed by law" and "necessary in a democratic society."[55] These principles are firmly rooted in the ECtHR's jurisprudence, particularly within the context of digital communication and online platforms.[56] The Internet, characterized by its accessibility, immense storage capacity, and global reach, plays a vital role in facilitating the exchange of information and enhancing general access to news, which, in turn, serves as an essential means for the exercise of freedom of expression.[57]

The ECtHR previously determined that the protections afforded under Article 10 extend not only to individuals but also to "profit-making companies" engaged in commercial activities.[58] More specifically, the

50. *Id.* at ¶ 60.

51. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 60 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

52. *Id.*

53. *Id.* at ¶¶ 66, 102.

54. *Id.* at ¶¶ 83, 107.

55. *Id.* at ¶ 61.

56. *Id.*

57. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 62 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.; *see also* Times Newspaper Ltd v. United Kingdom, App Nos. 23676/03 and 3002/03, Eur. Ct. H.R., 6 (Oct. 11, 2005), https://hudoc.echr.coe.int/eng?i=001-70942 (stating that the ECtHR's interpretation of Article 10 ensures not only the right to share information but also the public's right to access and receive it).

58. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 63; *see also* Autronic v. Switzerland, App. No. 12726/87, Eur. Ct. H.R., 14 (May 22, 1990), https://hudoc.echr.coe.int/eng?i=001-57630 (emphasizing that Article 10 encompasses both legal persons and companies conducting commercial, profit driven activity).

Court recognized that both Google and its users are entitled to their right to freedom of expression under Article 10.[59] Furthermore, the Court highlighted YouTube's distinctive role as a platform for the exercise of freedom of expression, noting its accessibility and demonstrated ability to enable users to receive and disseminate information and ideas.[60] Finally, the Court reaffirmed that any requirement imposed on a content-sharing platform to remove or restrict material under threat of punishment interferes with the platform's right to freedom of expression.[61]

The court then examined Article 13.41 of the CAO and Section 15.3 of the Information Act, which authorizes the government to sanction content-sharing platforms that the government deems to fail to comply with TDRs relating to "untrue socially important information disseminated by law."[62] The ECtHR observed that domestic courts emphasized national security, territorial integrity, and public safety as the primary goals of Article 13.41 and Section 15.3.[63] While the Court acknowledged these goals are legitimate under Article 10, it asserted that such grounds must be applied and interpreted narrowly and only utilized when it is clear that restricting the dissemination of specific information is needed to prevent actual harm.[64]

In the noted case, the Court observed that Russian authorities failed to demonstrate any causal link between Google's decision to host the contested content and any harm to the protected interests.[65] Instead, authorities relied solely on the mere divergence of the content from the official state narrative to satisfy the grounds for imposing penalties.[66] The

59. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 63; *see also* Tamiz v. United Kingdom, App. No. 3877/14, Eur. Ct. H.R., 4 (Dec. 1, 2015), https://hudoc.echr.coe.int/eng?i=001-159188 (acknowledging prior cases concerning Google and its users' freedom of expression).

60. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 64; *see also* Cengiz and Others v. Turkey, App. Nos. 48226/10 and 14027/11, Eur. Ct. H.R., ¶ 6 (Dec. 1, 2015), https://hudoc.echr.coe.int/eng?i=001-159188 (acknowledging that YouTube serves as a unique platform for freedom of expression due to its accessibility, defining features, and capacity to facilitate the exchange of ideas and information).

61. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 65; *see also* Özgür Radyo-Ses Radyo Televizyon Yayin Yapin Ve Tanitim A.Ş. v. Turkey (no. 1), App. Nos. 64178/00, 64179/00, 64181/00, 64183/00, and 64184/00, Eur. Ct. H.R., ¶¶ 2-6 (Mar. 30, 2006), https://hudoc.echr.coe.int/eng?i=001-72956 (reiterating that government measures that compel platform operators to restrict access to content under the threat of penalty constitutes an interference with the freedom of expression).

62. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 68.

63. *Id.* at ¶ 70.

64. *Id.* at ¶ 71.

65. *Id.* at ¶ 72.

66. *Id.*

Court found no indication that such expression or reporting posed a genuine threat to national security, territorial integrity, or public safety.[67] Having found no demonstrated harm or causal connection, the Court further identified that the fines imposed on Google were applied indiscriminately to an overly broad range of YouTube content encompassing forms of political expression and independent reporting.[68] Consequently, the Court held that Russia's interference lacked a legitimate goal within their interpretation of Article 10 of the Convention.[69]

The Court then focused on the meaning of "necessary in a democratic society" under Article 10 as it pertains to the limitation of an individual or legal entity's freedom of expression when there is a pressing social need.[70] The Court stated that there is little purview under Article 10 for limitations on political expression and independent reporting.[71] However, the Court did assert that in a democratic system, the government is subject to closer scrutiny when limiting the actions of the press and the public.[72]

When applying these concepts to the noted case, the contested material concerned public interest, particularly in the context of an armed conflict between Russia and Ukraine that has significant implications for Europe and global security.[73] Because of this, Russian authorities were able to classify the content as "socially important information" for the purposes of Section 15.3 of the Information Act, but also brought the content into the protected expression under Article 10.[74] Public discourse on matters such as war is crucial in a democratic society, and any limitation on such debate calls for the ECtHR's close scrutiny.[75]

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67. *Id.*

68. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 72 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

69. *Id.* at ¶ 73.

70. *Id.* at ¶ 74.

71. *Id.*; *see also* Sürek v. Turkey, App. No. 26682/95, Eur. Ct. H.R., ¶ 58 (July 8, 1999), https://hudoc.echr.coe.int/eng?i=001-58279 (maintaining that Article 10 § 2 provides only narrow grounds for restricting political speech on issues of public discourse).

72. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 74; *see also* Castells v. Spain, App. No. 11798/85, Eur. Ct. H.R., ¶ 46 (Apr. 23, 1992), https://hudoc.echr.coe.int/eng?i=001-57772 (recognizing that criticism of a government warrants broader protection as the ECtHR has noted that the limits of permissible criticism are wider with respect to governments than to private citizens).

73. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 75.

74. *Id.*

75. *Id.*; *see also* Novaya Gazeta and Others v. Russia, App. Nos. 11884/22 and 161 others, ¶ 12 (Feb. 11, 2025), https://hudoc.echr.coe.int/eng?i=001-241738 (highlighting the importance

Furthermore, the Court did not find that the content contained hate speech, incitement to violence, or discrimination; rather, the sole basis for the content to be removed was its capacity to inform the public on matters of public discourse that the government wanted to suppress.[76] The Court asserted that Article 10 does not just cover positive speech and information, but also negative speech that encourages pluralism, tolerance, and civil debate, as without both, there would not be a democratic society.[77] In relation to Section 15.3, which states that information that is not true or creates specific risks should be restricted for public safety, the ECtHR asserts that the domestic courts failed to demonstrate any of the contested content was true or created a risk, but instead used the presumption that any divergence from the state narrative threatens the nation's interest without proving any evidence of harm.[78] The Court then reiterated YouTube's role as a forum where people can share various perspectives and information of public interest that may not be expressed in traditional media, which is protected by established case law regarding Article 10's right to freedom of expression.[79]

The Court determined that imposing penalties on Google for hosting content on YouTube critical of governmental policies and actions without demonstrating a pressing social need for the content's removal undermines the core purpose of the Internet as a place for the free exchange of information and ideas.[80] When examining the proportionality of the fines, the Court asserted that the fines amounting to billions of rubles and calculated based on the revenue of Google and its subsidiaries created a stifling effect on Google's willingness to have content critical of the Russian government.[81] The ECtHR further examined the government's approach when imposing penalties with broadly framed TDRs on content-sharing platforms, which placed an undue burden on companies like Google and led to platforms serving as instruments of

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of open debate in a democratic society such that any restriction of it must be subjected to the ECtHR's closest scrutiny).

76. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 76.

77. *Id.*; *see also* Handyside v. the United Kingdom, App. No. 5493/72, Eur. Ct. H.R., ¶ 49 (Dec. 7, 1976), https://hudoc.echr.coe.int/eng?i=001-57499 (stating that Article 10 does not just protect inoffensive expression but also expression that shocks or disturbs, as that is the demand of pluralism and without it there is no democratic society).

78. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 77; *see also* Novaya Gazeta and Others v. Russia, App. Nos. 11884/22 and 161 others, ¶ 12 (stating that the Russia did not provide concrete evidence of harm but rather relied on the presumption that any divergence from official narratives endangers national interests).

79. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 78.

80. *Id.* at ¶ 80.

81. *Id.* at ¶ 81.

state censorship.[82] The Court found this to be inconsistent with protections under Article 10, and concluded that Russia's interference with Google's right to freedom of expression was not "necessary in a democratic society."[83]

With respect to the alleged Article 6 violation, the Court examined whether the domestic courts provided adequate reasoning for their decisions to require Google to adhere to the government's TDRs and imposition of penalties for noncompliance.[84] The Court asserted that in accordance with the principle of proper administration of justice, judicial decisions must give sufficient reasons in which the decision was based.[85] Courts are not obliged to address every argument in detail.[86] However, the court must provide the essential factors of the decision with adequate clarity to allow parties to exercise their right to appeal effectively while allowing the ECtHR to perform its supervisory role.[87] Thus, when assessing the domestic proceedings, the Court observed that domestic courts sanctioned Google based on an aggregated revenue of Google and its subsidiaries without offering a legitimate legal rationale for doing so or explaining its adherence to the principle of administrative law that penalties be imposed exclusively on the party responsible for the offence.[88] Considering these deficiencies in judicial reasoning, the ECtHR held that the domestic proceedings failed to adhere to Article 6 of the Convention, thus constituting a violation of Google's right to a fair trial.[89]

Judge Darian Pavli filed a concurring opinion in which he acknowledged that the judgment is the first of its kind from the ECtHR, as it directly addressed the rights and responsibilities of a major content-sharing platform under Article 10 of the Convention.[90] Pavli noted that it was unfortunate that Russia did not submit observations defending its measure against Google to prevent mass disinformation.[91] The opinion discussed how earlier jurisprudence began to explore the duties of online

82. *Id.*

83. *Id.* at ¶ 82.

84. *Id.* at ¶ 102.

85. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 104 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

86. *Id.*

87. *Id.*

88. *Id.* at ¶ 105.

89. *Id.* at ¶ 107.

90. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 2 (July 8, 2025) (Pavli, J., concurring), https://hudoc.echr.coe.int/eng?i=001-243982.

91. *Id.*

intermediaries and digital actors, but the decision in the noted case represented a significant evolution in the ECtHR's approach to Article 10 in the context of online platforms.[92] Furthermore, the judgment emphasizes that major platforms such as YouTube cannot be considered mere intermediaries, as their function in society shapes public discourse.[93] Thus, the Court now recognizes that such platforms have a duty of care and due diligence that may justify government actions to ensure safe and democratic online environments, as they manage, moderate, and monetize user-created content.[94] However, the Court stressed that requiring private companies to censor and suppress information and ideas is not compatible with Article 10 of the Convention.[95] Lastly, the concurrence asserted that the penalties imposed on Google by the Russian government exemplified such extreme measures that amounted to state-created censorship that hit the core of freedom of expression.[96]

IV. ANALYSIS

This decision by the ECtHR will be one of increasing importance in an ever-changing and increasingly globalized world. As Judge Palvi pointed out, the noted case is the first of its kind to directly address the rights and responsibilities of content-sharing platforms in relation to their freedom of expression under Article 10 of the Convention.[97] By doing so, the Court recognized the indispensable role global online platforms play in the modern information ecosystem. These platforms are not solely private enterprises but have become central to the exchange of information and ideas, serving as primary spaces where people, communities, and organizations access news, engage in debate, and shape public discourse.[98] Protecting content-sharing platforms' freedom of expression preserves the rights not only of citizens within a nation but also of users around the world who rely on these platforms to receive and relay information and ideas.[99]

92. *Id.* at ¶¶ 3-4.
93. *Id.* at ¶¶ 6-8.
94. *Id.* at ¶¶ 7-8.
95. *Id.* at ¶ 9.
96. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 9 (July 8, 2025) (Pavli, J., concurring), https://hudoc.echr.coe.int/eng?i=001-243982.
97. *Id.* at ¶ 2.
98. Google LLC and Others v. Russia, App. No. 37027/22, ¶ 62-6 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.
99. *Id.* at ¶ 64.

When Russia began issuing a series of rapidly escalating fines against Google for its alleged failure to comply with the TDRs, the situation quickly drew widespread media attention. The staggering penalties became impossible to ignore as a BBC article in October 2024 captured global disbelief under the headline "*Russia fines Google more money than there is in entire world*."[100] At that point, Russia had imposed fines totaling 2 undecillion rubles , an amount so astronomical that it not only exceeds Google's worth of approximately USD $2 trillion but also the world's total GDP of about USD $110 trillion.[101] The Kremlin stated that the amount was primarily symbolic, intended to pressure Google to comply with the TDRs and ensure that pro-Kremlin content remained accessible on YouTube.[102] This controversy underscores the growing tension between state efforts to assert digital sovereignty and the transnational nature of online expression, exactly the conflict the ECtHR sought to address in this judgment.

Following the decision, it quickly became the subject of widespread commentary and analysis across legal and media circles. Certain analyses focused on the ruling's significance for businesses operating within the media and technology sectors.[103] These analyses emphasized that the decision strengthens protections for platforms against disproportionate fines and undue censorship, while reaffirming that restrictions on freedom of expression must be grounded in relevant and sufficient reasoning rather than in generalized or stereotypical justifications.[104] Although states retain a margin of appreciation in regulating online content, this discretion is not without limits.[105] Similarly, an article in the *Strasbourg Observers* analyzed Russia's tactics to pressure Google and other online platforms, framing them as part of the concept of indirect government censorship.[106] The article linked these practices to the notion of "jawboning," a term from U.S. legal scholarship described as "the use of official speech to

100. Graham Fraser, *Russia Fines Google More Money Than There Is in Entire World*, BBC (Oct. 31, 2024), https://www.bbc.com/news/articles/cdxvnwkl5kgo.

101. *Id.*

102. *Id.*; Agence France-Presse, *Russia Says $20 Decillion Fine Against Google Is 'Symbolic'*, GUARDIAN (Oct. 31, 2024, 2:59 PM), https://www.theguardian.com/world/2024/oct/31/russia-20-decillion-fine-against-google-symbolic-youtube-ban-pro-kremlin-media.

103. *See* Joris Deene, *Could Russia Give Excessive Fines to Google?*, ICT LEGAL GUIDE (July 8, 2025), https://www.ictrechtswijzer.be/en/could-russia-give-excessive-fines-to-google/.

104. *Id.*

105. *Id.*

106. Babette De Naeyer, *Bye, Bye, Appleby?* Google v. Russia *as First Cracks in the Forum Doctrine*, STRASBOURG OBSERVERS (Aug. 6, 2025), https://strasbourgobservers.com/2025/08/06/bye-bye-appleby-google-v-russia-as-first-cracks-in-the-forum-doctrine/.

inappropriately compel private action" and "occurs when a government official threatens to use his or her power . . . to compel someone to take actions that the state official cannot."[107] The article suggested that the noted case would have been an ideal opportunity for the ECtHR to engage with and adopt the concept of jawboning in its reasoning.[108]

From a policy perspective, the decision reflects the ECtHR's awareness of the dangers of excessive state control in the digital environment.[109] Allowing governmental authorities unrestricted discretion to dictate what content remains accessible on platforms within their nation risks fragmenting the global information space and encouraging authoritarian practices that suppress information beyond national borders.[110] In particular, the Court's decision illustrates a commitment to preserving the integrity of drawing clear legal boundaries that protect platforms from coercive measures while also safeguarding users' access to and dissemination of information and ideas.[111] This insistence on legality, necessity, and proportionality serves as a check against arbitrary and politically motivated restrictions on online communication.

This decision can be seen as a defense of informational pluralism and transnational democratic discourse, as it demonstrates how the law is adapting to ensure that freedom of expression remains resilient in the face of state pressure. The ECtHR recognized that in a world where information and ideas spread globally and instantly, the protection of content-sharing platforms' freedom of expression is essential to preserving a free and open online discourse.[112] These platforms have fundamentally transformed the way people access and share information and ideas, becoming central to the rapid dissemination of news and narratives across borders, shaping how global conversations are formed. In this sense, protecting their freedom of expression is not merely a legal concern but a democratic necessity, as it ensures that diverse perspectives can circulate freely without undue interference. The judgment thus reflects the Court's effort to align legal principles with technological realities, which emphasizes that states must adopt narrowly tailored,

107. *Id.*

108. *Id.*

109. *Google LLC and Others*, COLUMBIA GLOBAL FREEDOM OF EXPRESSION (July 8, 2025), https://globalfreedomofexpression.columbia.edu/cases/google-llc-v-russia/.

110. *Id.*

111. Google LLC and Others v. Russia, App. No. 37027/22, ¶¶ 82-83 (July 8, 2025), https://hudoc.echr.coe.int/eng?i=001-243982.

112. *Id.* at ¶¶ 62-63.

accessible, and transparent legal frameworks before imposing penalties on online platforms, particularly when penalties have a suppressive impact on expression.[113]

The effects of this decision will be everlasting, as the noted case establishes a significant precedent for how the Court will evaluate governmental interference with global content-sharing platforms that do not produce contested material but rather facilitate its dissemination. This decision emphasizes that the capacity of content-sharing platforms to distribute third-party material should not automatically justify a state's imposition of penalties without a strict examination of whether the interference was "prescribed by law," "necessary in a democratic society," and proportional to this necessity.[114] Most importantly, the Court's analysis of necessity and proportionality sets a framework for assessing the scale and justification of government-imposed fines.[115] Moving forward, the noted case will serve as a foundation for future judicial proceedings of state measures targeting online platforms to ensure that the governance of online information remains compatible with democratic values, transparency, and human rights.

V. CONCLUSION

The noted case represents a critical moment in international jurisprudence. By defining the boundaries of state power in the digital age, the ECtHR's decision to hold a powerful state such as Russia accountable for restrictive and disproportionate regulatory practices demonstrates the essential role international courts and international law play in safeguarding fundamental rights. This role is especially important within an increasingly interconnected and digitalized world. This judgment strikes a careful balance between respecting a state's sovereignty and protecting the rights of global companies. It affirms that states have discretion in regulating online spaces within their countries. Still, that discretion cannot extend to measures that infringe upon the freedom of expression under Article 10 of the Convention. In a time where information and ideas transcend national borders almost instantaneously, this decision established a crucial precedent for courts to navigate the tension between freedom of expression and legitimate governmental regulation. It thus serves as a useful model for future international jurisprudence on government interference, digital

113. *Id.* at ¶¶ 76-79.
114. *Id.* at ¶¶ 68-69, 74-83.
115. *Id.* at ¶ 81.

regulation, and the proportionality of penalties imposed on global online platforms.

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