



Forthcoming judgment

The European Court of Human Rights will be notifying in writing one judgment on Tuesday 10 September 2019.

*Press release and text of the judgment will be available at **10 a.m.** (local time) on the Court's Internet site (www.echr.coe.int)*

Tuesday 10 September 2019

[Pryanishnikov v. Russia \(application no. 25047/05\)](#)

The applicant, Sergey Pryanishnikov, is a Russian national who was born in 1957 and lives in St Petersburg (Russia).

The case concerns the refusal to grant the applicant a film reproduction licence.

The applicant, Sergey Viktorovich Pryanishnikov, is a Russian national who was born in 1957 and lives in St Petersburg (Russia).

Mr Pryanishnikov is a producer of erotic films and owns the copyright to over 1,500 such films. The films were approved for public distribution, and he holds valid distribution certificates for audiences over 18 years old. In 2003 he applied to the Ministry of the Press, Broadcasting and Mass Media for a film reproduction licence. In October 2003 it refused the application as Mr Pryanishnikov was “involved in investigative measures concerning the illegal production, advertising and distribution of erotic and pornographic material and films”, an offence under the Criminal Code.

Mr Pryanishnikov challenged the refusal before the Commercial Court of Moscow. However, in May 2004 that court upheld the decision of October 2003. It noted that Mr Pryanishnikov had never been formally charged with the distribution of pornography and had only been questioned by the police as a witness. However, no decision had yet been taken in the criminal proceedings and “it could not be ruled out that [the applicant] was involved in the illegal production of pornographic films ...”.

In September 2004 the Appeal Court upheld the judgment. It found that Mr Pryanishnikov's involvement in the distribution of pornography had been confirmed by material from the Internet containing offers to sell pornographic products. Two months later the Court of Cassation upheld the judgments, noting in particular that the licence had been refused because the applicant was “involved in investigative measures concerning the illegal production of pornographic material”.

The charges of producing and distributing pornography were subsequently dropped.

Relying on Article 10 (freedom of expression) of the European Convention on Human Rights, Mr Pryanishnikov complains that the refusal to grant him a film reproduction licence violated his rights.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.