



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

FIFTH SECTION

CASE OF SURADYEYEV v. UKRAINE

(Application no. 43918/18)

JUDGMENT

STRASBOURG

15 October 2026

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

In the case of Suradyev v. Ukraine,

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

Gilberto Felici, *President*,

Mykola Gnatovskyy,

Vahe Grigoryan, *judges*,

and Martina Keller, *Deputy Section Registrar*,

Having regard to:

the application (no. 43918/18) against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 7 September 2018 by a Ukrainian national, Mr Igor Oleksandrovych Suradyev (“the applicant”), who was born in 1980 and lives in Kremenchuk, and was represented by Mr M.O. Samoylenko, a lawyer practising in Kremenchuk;

the decision to give notice of the complaint under Article 8 of the Convention to the Ukrainian Government (“the Government”), represented by their Agent, Ms M. Sokorenko, of the Ministry of Justice, and to declare the remainder of the application inadmissible;

the parties’ observations;

Having deliberated in private on 24 September 2026,

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

SUBJECT MATTER OF THE CASE

1. The application concerns the applicant’s complaint under Article 8 of the Convention that the domestic courts failed to protect his reputation from public allegations that he had been involved in planting drugs and drug trafficking.

2. The applicant is a police officer. At the material time he held a managerial post in a specialised unit of the Ministry of Internal Affairs in the Poltava region dealing with organised crime.

3. On 24 September 2015 T., a businessman and candidate in forthcoming local elections, discovered that his car was not responding to his key. Two men were sitting in a nearby vehicle, one of them apparently working on a laptop. Suspecting them of interfering with his car, T., together with his son and other persons, blocked the vehicle. The applicant and another police officer, who were nearby, intervened allegedly to calm down T. and the others, who were acting aggressively, and to prevent damage to the nearby vehicle and harm to its occupants. An altercation occurred between the applicant and T.

4. When T.’s car was opened, a package containing a powdery substance was found in the car boot. The substance was later confirmed to be amphetamine. It was subsequently established that the two men in the

neighbouring car had been undercover police officers carrying out covert investigative measures in unrelated criminal proceedings.

5. The following day, unknown persons appeared at the scene with a coffin bearing the inscription “To [the applicant] from the mothers of children killed by amphetamines” and signs reading “Stop Amphetamines!”

6. On 28 September 2015 T. held a press conference regarding the incident, during which he alleged that drugs had been planted in his car by police officers and presented the incident as a provocation. He announced the launch of a campaign called “Stop Amphetamines!”. The press conference was covered by local media, including the television channel VIZIT, and was also reported on in an election bulletin published and distributed by T.’s local party organisation. The article in the bulletin, entitled “Political-narcotics scandal”, was accompanied by a photograph of T. and by photographs of the coffin bearing an inscription referring to the applicant (see paragraph 5 above). It included the following passages referring to statements made by T. during the press conference:

“On 28 September [T.], during a press conference, announced the launch of the campaign ‘Stop Amphetamines!’. According to him, the police officers, who, he claims, had planted drugs in his car, had been ‘just trying to make money.’

‘I already know of four similar cases where drugs were planted and people then paid money to hush it up,’ [T.] said, naming the police officer whom he suspected – [the applicant]. According to [T.], it was [the applicant] who had been the first to arrive at the scene of the incident and who had threatened him and his son when they had begun to raise the alarm.

‘I filed a complaint with the [Security Service of Ukraine] and the prosecutor’s office. There, I stated that [the applicant] had threatened to kill me ... Over the course of those three days I found out many things, and I now understand that this werewolf in uniform [the applicant] has a developed network for selling amphetamines. They are already producing amphetamines here and distributing them using police operational vehicles,’ T. said. ‘At this point, I assume that the provocation might have been organised by [the applicant], and perhaps other police officers should not be blamed.’”

7. Following the public attention generated by the incident, the city police held a press conference at which the applicant gave his account of the events of 24 September 2015 and responded to T.’s allegations.

8. An internal police investigation was conducted following a complaint lodged by T. According to its conclusion of 8 October 2015, no breaches were found in the applicant’s actions. The investigation examined, *inter alia*, video-recordings from surveillance cameras at the place of the incident of 24 September 2015, which showed that no other persons had approached T.’s car, apart from T. and his son. It also referred to the results of a polygraph examination carried out with the applicant’s consent. The investigation concluded that no objective data had been obtained to show that the applicant had been involved in planting drugs in T.’s car, in the production or distribution of amphetamines, or in making threats against T. and his son.

9. According to official records, no criminal proceedings were ever instituted against the applicant in relation to drug trafficking or misconduct in office.

10. In January 2016 the applicant lodged a civil defamation claim against T. and the local organisation of T.'s political party. He sought a declaration that the impugned statements had been false and damaging to his honour, dignity and professional reputation, their retraction, and 100,000 Ukrainian hryvnias (equivalent to approximately 3,700 euros at the time) as compensation in respect of non-pecuniary damage. He submitted that T. had disseminated false information about him by stating that he had planted drugs in T.'s car in order to make money and had organised or provided protection for drug trafficking. He also submitted that those statements had subsequently been reproduced in the election bulletin.

11. On 4 May 2017 the Avtozavodskyi District Court of Kremenchuk dismissed the applicant's claim. It accepted, referring to an audio-recording of the press conference, that T. had disseminated negative information about the applicant. However, after assessing T.'s statements in the context of his speech as a whole, it held that he had not communicated specific factual data but had expressed doubts, beliefs and his own understanding of the events. The court further held that the events were of public interest, that the applicant, as a law-enforcement officer, was subject to wider limits of acceptable criticism, and that he had later had an opportunity to respond to the impugned statements at a press conference organised by the city police. It also dismissed the claim against the local organisation of T.'s political party, finding that the article in the election bulletin had reproduced, in shortened form, phrases from T.'s statements almost verbatim. The applicant appealed.

12. On 29 June 2017 the Poltava Court of Appeal upheld that judgment and the reasoning given for it. It agreed, in particular, that T.'s conduct amounted to the exercise of his right to express his views and that no violation of the applicant's non-pecuniary rights had been established.

13. In an appeal on points of law lodged by the applicant, he argued that the lower courts had wrongly treated the impugned statements as value judgments rather than as statements of fact. He submitted that T. had accused him of committing criminal offences, including drug trafficking and the planting of drugs, and that those allegations were capable of verification. He relied on official replies from law-enforcement authorities, the internal service investigation and the polygraph examination, arguing that no criminal proceedings had been opened against him and that the allegations made by T. had not been confirmed. He further argued that the press conference and the subsequent publication in the election bulletin had been commissioned by T.'s political party and had not pursued a genuine public-interest purpose, but had been aimed at discrediting him during the election campaign. He complained that the appellate court had merely endorsed the assumptions of

the first-instance court and had failed to give proper reasons in response to his arguments.

14. On 25 June 2018 the Supreme Court dismissed the applicant's appeal on points of law and confirmed the lower courts' findings. Relying on the domestic legal framework governing freedom of expression, protection of reputation and value judgments, it held that T. had not communicated specific factual data but had expressed his doubts, beliefs and his personal understanding of the events. The Supreme Court further considered that the information disseminated by T. concerned the activities of law-enforcement bodies and was of public interest, and that the applicant, as a law-enforcement officer, had to tolerate wider public criticism than an ordinary person. It concluded that T. had exercised his constitutional right to freedom of expression and had not acted with the intention of disseminating false information in order to damage the applicant's professional reputation. It further held that the applicant's arguments had already been examined by the lower courts and required no additional legal analysis.

THE COURT'S ASSESSMENT

ALLEGED VIOLATION OF ARTICLE 8 OF THE CONVENTION

15. The Court reiterates that, in order to be taken into account, the damage to personal reputation, examined under Article 8 of the Convention, must be of a certain level of seriousness and have been carried out in such a way as to cause prejudice to the personal enjoyment of the right to respect for private life. It also reiterates that Article 8 cannot be relied on to complain of damage to one's reputation that would result foreseeably from one's own actions, such as a criminal offence (see *Denisov v. Ukraine* [GC], no 76639/11, §§ 98 and 112, 25 September 2018).

16. In the present case, the impugned statements, read as a whole, were capable of being understood as linking the applicant personally to serious criminal conduct, including the planting of drugs and participation in drug trafficking. They were therefore sufficiently serious to fall within the scope of Article 8 of the Convention. That provision is therefore applicable in the present case.

17. Finding, furthermore, that the application is not manifestly ill-founded or inadmissible on any other ground referred to in Article 35 of the Convention, the Court declares it admissible.

18. The general principles concerning protection afforded by Article 8 to the right to reputation as part of the right to respect for private life have been summarised in *Von Hannover v. Germany* (no. 2) ([GC], nos. 40660/08 and 60641/08, §§ 95-99, ECHR 2012), *Axel Springer AG v. Germany* ([GC], no. 39954/08, §§ 82-84, 7 February 2012) and *Pfeifer v. Austria*, no. 12556/03, § 35, 15 November 2007). In cases that concerned allegations

of criminal conduct, the Court also took into account that under Article 6 § 2 of the Convention, individuals had a right to be presumed innocent of any criminal offence until proved guilty (see, among other authorities, *Worm v. Austria*, 29 August 1997, § 50, *Reports of Judgments and Decisions* 1997-V, and *Du Roy and Malaurie v. France*, no. 34000/96, § 34, ECHR 2000-X).

19. A careful distinction is to be made between factual statements on the one hand, and value judgments on the other. While the existence of facts can be demonstrated, the truth of value judgments is not susceptible of proof (see *Lingens v. Austria*, 8 July 1986, § 46, Series A no. 103, and *Erla Hlynisdóttir v. Iceland (no. 2)*, no. 54125/10, § 66, 21 October 2014).

20. When exercising its supervisory function, the Court's task is not to take the place of the national courts but rather to review, in the light of the case as a whole, whether the decisions they have taken pursuant to their power of appreciation are compatible with the provisions of the Convention relied on (see, in particular, the summary of the relevant principles in *Perinçek v. Switzerland* [GC], no. 27510/08, § 198, ECHR 2015 (extracts)). Where the balancing exercise has been undertaken by the national authorities in conformity with the criteria laid down in the Court's case-law, the Court would require strong reasons to substitute its view for that of the domestic courts (*ibid.*, § 198; see also *Von Hannover*, cited above, § 107).

21. Turning to the facts of the present case, the Court agrees with the domestic courts' assessment that the statements concerning alleged misconduct by police officers and the integrity of law-enforcement operations pertained to a matter of general public interest. It also agrees that the applicant, as a senior police officer exercising public authority, was required to tolerate a wider degree of public scrutiny and criticism than a private individual.

22. However, the wider limits of acceptable criticism of public officials do not extend to unsubstantiated allegations that a named officer has committed serious criminal offences (see, for instance, *Lesnik v. Slovakia*, no. 35640/97, § 54, ECHR 2003-IV). The Court accepts that police officers exercising public authority are subject to close public scrutiny, particularly where allegations of abuse of power or misconduct are concerned. At the same time, public confidence in law-enforcement bodies may be undermined, not only by misconduct itself, but also by serious, unfounded accusations against named officers. The protection of public debate on police misconduct therefore does not dispense with the requirement of a sufficient factual basis for allegations that an identified officer has committed serious criminal offences.

23. In the present case, the domestic courts accepted that T. had disseminated negative information about the applicant. However, they considered that T. had not communicated specific factual data but had merely expressed his doubts, beliefs and his personal understanding of the events.

24. The Court is not persuaded by such classification. It accepts that some of T.'s statements were framed as suspicion or assumption, and that derogatory language, such as "werewolf in uniform" could in itself be regarded as a value judgment. However, the allegations linking the applicant personally to the alleged planting of drugs and to a network for the production and distribution of amphetamines went beyond rhetorical criticism or subjective assessment. They attributed to the applicant specific conduct amounting to serious criminal offences and were therefore factual allegations susceptible of proof, not merely value judgments.

25. The domestic courts did not identify a sufficient factual basis for those allegations. The fact that the applicant was among the first police officers to arrive at the scene, that T. considered his conduct suspicious, and that T. allegedly received information from other persons after the incident could not, without more, substantiate allegations that the applicant had planted drugs or was involved in drug trafficking. Nor could T.'s emotional reaction to the incident substitute for a factual basis for such serious allegations.

26. The Court also attaches weight to the manner and context in which the statements were disseminated. They were not confined to a spontaneous exchange during the incident. They were made four days later at a press conference, after T. had had time to reflect on the incident and to seek at least some verification before making such serious accusations publicly. They were covered by local media and subsequently reproduced in an election bulletin published and distributed by T.'s local party organisation. This manner of dissemination was relevant to the assessment of T.'s good faith and of the potential impact on the applicant's reputation. However, the domestic courts did not give adequate weight to those circumstances or examine whether T. had acted in good faith and on a sufficient factual basis when making and further disseminating such accusations.

27. The courts also failed to address in any meaningful way the official material relied on by the applicant, including the conclusion of the internal investigation, which had found no breach in his actions, no objective data supporting T.'s allegations and the absence of any criminal proceedings against him in relation to drug trafficking or misconduct in office. In the Court's view, that material was directly relevant to the question whether such serious accusations had a sufficient factual basis.

28. The fact that the applicant later responded at a press conference organised by the city police was relevant, but not decisive. An opportunity to reply may be taken into account in the balancing exercise. However, a subsequent denial could not entirely undo the reputational harm caused by widespread public allegations of serious criminal conduct.

29. The Court is also not persuaded that the absence of criminal or disciplinary proceedings, the favourable outcome of the internal investigation and the applicant's continued career in senior police posts erased the reputational impact of the impugned statements. Those circumstances might

have mitigated the professional consequences of the allegations; they did not, however, retrospectively erase the reputational impact of publicly linking the applicant to serious criminal conduct.

30. In the light of the foregoing, the Court considers that the impugned statements, in so far as they linked the applicant personally to the alleged planting of drugs and to a network for the production and distribution of amphetamines without a sufficient factual foundation, exceeded the acceptable limits of criticism in the context of a public debate on matters of general interest. The Court further finds that the reasons relied upon by the domestic courts to protect the defendants' right to freedom of expression were insufficient to outweigh the applicant's right to respect for his reputation.

31. There has accordingly been a violation of Article 8 of the Convention.

APPLICATION OF ARTICLE 41 OF THE CONVENTION

32. The applicant claimed 5,000 euros (EUR) in respect of non-pecuniary damage and EUR 239 in respect of costs and expenses incurred in the domestic proceedings.

33. The Government contested the applicant's claims as being unsubstantiated and excessive.

34. The Court awards the applicant EUR 1,200 in respect of non-pecuniary damage, plus any tax that may be chargeable. As regards the costs and expenses, and having regard to the documents in its possession, the Court considers it reasonable to award the full amount claimed by the applicant, plus any tax that may be chargeable to him.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;
2. *Holds* that there has been a violation of Article 8 of the Convention;
3. *Holds*
 - (a) that the respondent State is to pay the applicant, within three months, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:
 - (i) EUR 1,200 (one thousand two hundred euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (ii) EUR 239 (two hundred and thirty-nine euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;
 - (b) 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;

4. *Dismisses* the remainder of the applicant's claim for just satisfaction.

Done in English, and notified in writing on 15 October 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Martina Keller
Deputy Registrar

Gilberto Felici
President