



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

Published on 28 September 2026

FIFTH SECTION

Application no. 6565/20
Leonid Mykhaylovych CHERNOVETSKYY
against Ukraine
lodged on 17 January 2020
communicated on 11 September 2026

SUBJECT MATTER OF THE CASE

The application concerns defamation proceedings brought by the applicant (a businessman and, from 2006 to 2012, Kyiv mayor) against O., a private online media outlet, and Mr K., a former Member of Ukrainian Parliament (from 2007 to 2012).

In 2016 K. published a blog post on O. website, entitled “Shenanigans of Chernovetskyy’s organised crime group and those of his son are incomparable”. The post stated:

“The arrest in Spain of the son of the former mayor of Kyiv poses a major challenge for the current Ukrainian authorities, as the scale of what Chernovetskyy and his ‘young team’ were up to in Ukraine cannot be compared with Stepan’s shenanigans in Spain. However, the Ukrainian Prosecutor’s Office could, within the framework of international legal assistance, render an invaluable service to the success of the investigation conducted by the Spanish authorities.

The Ukrainian law enforcement agencies have all the materials needed to assess the scale of the organised crime group’s activities, and these have been gathering dust for years. If they have forgotten about them or somehow lost them, I am prepared to provide the information, as the person who headed the parliamentary investigative commission that looked into the activities of Chernovetskyy and his organised crime group.”

The domestic courts found that those statements constituted value judgments and, on those grounds, rejected the applicant’s defamation claim. Final decision: Supreme Court, 13 July 2019.

Invoking Article 10 of the Convention, the applicant complains that the impugned statements damaged his reputation and that domestic courts failed to protect it.

QUESTIONS TO THE PARTIES

Did the respondent State comply with its positive obligation under Article 8 of the Convention to secure respect for the applicant's private life, in particular his right to protection of reputation, by ensuring that the domestic courts struck a fair balance between that right and the opposing parties' right to freedom of expression under Article 10 of the Convention (see, for instance, *Petrina v. Romania*, no. 78060/01, 14 October 2008)? In particular, did the domestic courts provide relevant and sufficient reasons for their conclusions, including with regard to the classification of the impugned statements as value judgments rather than statements of fact, and any factual basis for them, as well as their assessment of the evidence before them (see, for example and *mutatis mutandis*, see *Ramishvili v. Georgia*, no. 4100/24, § 36, 3 February 2026, *Editorial Board of Grivna Newspaper v. Ukraine*, no. 41214/08, § 93, 16 April 2019, *Jishkariani v. Georgia*, no. 18925/09, §§ 53-63, 20 September 2018, *Egill Einarsson v. Iceland*, no. 24703/15, §§ 40-53, 7 November 2017)?