



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

Published on 12 October 2026

FIFTH SECTION

Application no. 36449/23
Oleksandr Mykhaylovych HRANOVSKYI
against Ukraine
lodged on 22 September 2023
communicated on 21 September 2026

SUBJECT MATTER OF THE CASE

The applicant is a Ukrainian politician and businessman.

In November 2019 an article “On smuggling with “a smuggler”: the first big interview with [Mr F.]” was published at the website of a privately owned news agency. A businessman, Mr F., alleged that the applicant had been involved in organising smuggling and in other corruption-related unlawful activities within the customs authorities. The negative statements concerning the applicant included the following: “the infamous smuggling office run by [the former President Poroshenko’s] partner Granovskyy”; “representatives of Oleksandr Granovskyy laid down a condition: either we took them on as full partners, or we would not be able to continue our business activities”; “it was a very real structure controlled by Oleksandr Granovskyy”; and “Granovskyy’s team no longer wanted to squeeze us out; they simply made our lives a misery”.

The applicant brought defamation proceedings against the news agency and Mr F. The courts of three levels of jurisdiction (the Kyiv Shevchenkivskyy District Court on 27 September 2021, the Kyiv Court of Appeal on 4 April 2023 and the Supreme Court on 30 May 2023) dismissed his claim, finding that the information in question amounted to nothing more than value judgments concerning the work of the customs authorities and certain individuals who, in the author’s view, had been involved in their work at the relevant time. The courts considered that those views had not been

expressed in a gross, degrading or indecent manner. They also noted that the functioning of the customs authorities and the fight against smuggling were matters of importance to society and the subject of public debate. Lastly, it was observed that the applicant was a public figure and therefore had to be prepared to accept wider limits of criticism of his person and conduct than an ordinary individual.

The applicant complains under Article 8 of the Convention that the domestic courts failed to protect his reputation and honour against the impugned statements. He argues, in particular, that the courts failed to conduct an adequate balancing exercise between the competing rights at stake, notably by classifying the statements in question as value judgments rather than assertions of fact.

In addition, the applicant complains under Article 6 § 1 of the Convention about the refusal of the appellate court to admit as evidence an expert linguistic report submitted by him.

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?

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?