EUROPEAN COURT OF HUMAN RIGHTS

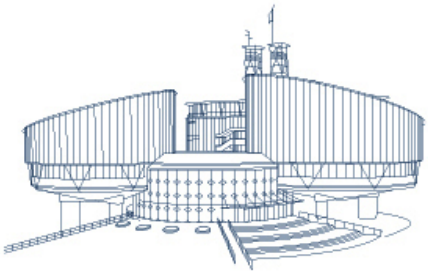
PRESS RELEASE

STATE CONNECTION TO FATAL ACID ATTACK ON ANTI-CORRUPTION CAMPAIGNER BREACHES RIGHT TO LIFE AND FREEDOM OF EXPRESSION

Gandzyuk and Others v. Ukraine

ECHR 277 (2026) 05.11.2026

Press release issued by the Registrar of the Court



The case of Gandzyuk and Others v. Ukraine (application no. 52380/21) concerned a lethal sulfuric acid attack on Kateryna Gandzyuk, a local anti-corruption activist and public official in Kherson, allegedly commissioned by State officials.

In today's Chamber judgment[1] in the case, the European Court of Human Rights held, unanimously, that there had been **a violation of Article 2 (right to life/effective investigation) of the European Convention on Human Rights** on account of both Ms Gandzyuk's death and the subsequent failure to conduct an effective investigation.

The Court found, in particular, that the attack, in 2018, had been a premediated and renumerated operation with the purpose of silencing an individual acting as a public watchdog. There were sufficiently strong, clear and concordant influences to conclude that there had been a close connection between the attack and the exercise or abuse of public authority so to engage the State's responsibility.

The Court also found **a violation of Article 10 (freedom of expression)**. The attack had been objectively capable of instilling fear in other journalists, activists and members of civil society. It carried an especially serious chilling effect on public debate concerning corruption and abuse of power.

As concerns just satisfaction (Article 41), the Court held that Ukraine was to pay 40,000 euros (EUR) to the first and second applicants jointly and EUR 40,000 to the third applicant in respect of non-pecuniary damage and EUR 4,000 in respect of costs and expenses.

A legal summary of this case will be available in the Court's database HUDOC (link).

PRINCIPAL FACTS
AND COMPLAINTS

The applicants are three Ukrainian nationals, Viktor Mykhaylovych Gandzyuk, Nadiya Illivna Gandzyuk and Sergiy Dmytrovych Denysov who were born in 1954, 1952 and 1989 respectively. The applicants are Kateryna Gandzyuk's parents and partner.

Ms Gandzyuk was a member of the Kherson city council and a campaigner against corruption. On 31 July 2018 she was doused with sulfuric acid near her home. Ms Gandzyuk was admitted to hospital where she remained until her death on 4 November 2018, owing to multiorgan failure caused by the chemical burns.

Immediately after the attack, the Kherson police instituted criminal proceedings. On 25 October 2018 Ms Gandzyuk identified several local high officials as possible commissioners of the crime.

On 6 June 2019 the Pokrovskyy District Court of the Dnipropetrovsk Region approved plea agreements concluded between the prosecution and five participants in the attack on Ms Gandzyuk. By a court decision of 16 October 2020, the Prymorskyy District Court of Odesa approved another plea agreement between the prosecutor and one more individual for concealment of a serious crime. Finally, on 26 June 2023 the Dniprovskyy District Court of Kyiv convicted two more persons of organising the intentional infliction of grievous bodily injuries on Ms Gandzyuk and sentenced them to ten years' imprisonment. The appeal proceedings are currently pending.

Relying, in particular, on Article 2 (right to life/effective investigation), the applicants complained that their daughter and partner had been killed in a particularly painful manner. They alleged that the attack had been commissioned by State officials, namely officials of the Kherson Regional Council and the Kherson Regional State Administration, in retaliation for Ms Gandzyuk's anti-corruption activities and public criticism of local authorities, and that the authorities had failed to conduct an effective and independent investigation into the attack. Relying on Article 10 (freedom of expression), they also alleged that State officials had contracted the killing of Ms Gandzyuk because of her public activities, in particular, her statements in the mass media and on social networks about widespread corruption and abuse of power by local authorities.

The application was lodged with the European Court of Human Rights on 12 October 2021

OUTCOME
REASONING OF THE COURT

Article 2 – Right to life (substantive aspect)

This was the first time the Court had been called to determine whether targeted lethal violence carried out by private criminal actors could engage the State's direct responsibility where it was alleged to have been procured by a serving holder of senior public office for the purpose of silencing an individual acting as a public watchdog on account of her or his scrutiny of the exercise of public power. The Court had to determine whether the alleged conduct of the officeholder had been undertaken in their official capacity or under the guise of authority attaching to their office and, if so, whether the private actors had carried out the attack on instructions attributable to the State.

The Court found that the attack had been a premediated and remunerated operation directed against a prominent civic activist. The national authorities had established that the purpose of the attack had been to intimidate Ms Gandzyuk and to prevent her from continuing her civic and political activities. A local official alleged by the prosecuting authorities, and found at first instance, to have commissioned the attack, had occupied one of the highest elected offices in the region and had himself been subject to Ms Gandzyuk's scrutiny. Public authority was not merely the background against which an otherwise private offence had occurred. The relationship between the exercise of public power and democratic scrutiny of that power lay at the centre of the conflict and of the objective which the attack had been intended to achieve.

The Court found that were sufficiently strong, clear and concordant inferences to conclude that there had been a sufficiently close connection between the attack on Ms Gandzyuk and the exercise or abuse of public authority so to engage the State's responsibility under the substantive aspect of Article 2. The organiser's alleged conduct in commissioning the attack could not be regarded as so far removed from his official status to fall within the sphere of genuinely private conduct. Rather, the circumstances indicated that the alleged conduct had involved an abusive use of the position and influence attaching to his public office and had been undertaken under the guise of that authority.

The attack on Ms Gandzyuk had constituted a criminal act of utmost gravity directly threatening her life. The Court held that there had been a violation of Article 2 of the Convention under its substantive aspect.

Article 2 - Effective investigation (procedural aspect)

The national authorities had rapidly identified and prosecuted the direct perpetrators of the attack, established that it had been committed on commission, identified the persons alleged to have organised and commissioned it, secured cooperation from the direct perpetrators through plea agreements, and obtained convictions against the direct participants and subsequently at first instance against the organisers. The investigation had also established the motive for the attack and had accepted that it had been committed in response to Ms Gandzyuk's civic and anti-corruption activities.

However, those significant results were not enough in themselves to establish that the procedural requirements of Article 2 had been met. Where authorities were confronted with a contract killing or other commissioned lethal violence, the investigation had to be capable of identifying not only the immediate perpetrators but also those who had commissioned organised or otherwise orchestrated the crime.

The Court considered that the central shortcomings of the investigation lay in the failure to pursue with sufficient thoroughness and diligence the outstanding line of inquiry concerning the possible involvement of additional commissioners. That deficiency persisted notwithstanding sustained public and institutional scrutiny and had been aggravated by shortcomings in inter-agency coordination and by the prolonged absence of tangible progress in the relevant proceedings. Accordingly, notwithstanding the substantial results achieved, the investigation, viewed as a whole, did not satisfy the requirements of thoroughness and reasonable expedition inherent in Article 2 of the Convention.

There had therefore been a violation of the procedural aspect of Article 2.

Article 10 (freedom of expression)

Ms Gandzyuk had been a prominent civic activist and public watchdog who had regularly exposed alleged corruption, criticised regional authorities and law-enforcement bodies, investigated attacks on journalists and activists and publicised allegations concerning unlawful activities involving influential regional figures. The attack had been directly connected with those activities. The violent attack had been employed as an instrument for suppressing a form of democratic scrutiny of the exercise of public power and constituted an extreme form of interference with her freedom of expression.

The use of lethal violence to silence criticism of corruption and regional political influence struck at the very essence of the right protected by Article 10. The effect of the attack extended beyond Ms Gandzyuk personally. A carefully organised acid attack against a prominent anti-corruption activist, allegedly commissioned by a serving senior regional officeholder because of her criticism of public authorities, was objectively capable of instilling fear in other journalists, activists and members of civil society engaged in similar scrutiny. It therefore carried an especially serious chilling effect on public debate concerning corruption and abuse of power.

The attack struck directly at the values protected by Article 10 and disclosed an interference with the freedom of expression. Having regard to the established purpose of the attack and to its finding

that the requisite functional connection with the public authority existed, the Court considered that the interference was attributable to the respondent State.

There had therefore been a violation of Article 10.

PROCEDURE
AND COMPOSITION OF THE COURT

The application was lodged with the European Court of Human Rights on 12 October 2021.

Judgment was given by a Chamber of seven judges, composed as follows:

Kateřina **Šimáčková** (the Czech Republic), *President*,
María **Elósegui** (Spain),
Gilberto **Felici** (San Marino),
Andreas **Zünd** (Switzerland),
Diana **Sârcu** (the Republic of Moldova),
Mykola **Gnatovskyy** (Ukraine),
Vahe **Grigoryan** (Armenia),

and also Victor **Soloveytchik**, *Section Registrar.*

The judgment is available only in English.

The Court's judgments finding a violation are binding on the State concerned. The Committee of Ministers of the Council of Europe, the executive body of the Council of Europe, supported by the Department for the Execution of Judgments of the European Court of Human Rights, is responsible for supervising their implementation.

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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.

[1] Under Articles 43 and 44 of the Convention, this Chamber judgment is not final. During the three-month period following its delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day.
Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution.