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**PRESS RELEASE**

**UK: Libel Tourism Case Dismissed – Victory for Freedom of Expression**

London 24.02.11: ARTICLE 19 welcomes today's High Court decision to dismiss the defamation claim brought by the Ukrainian businessman Dmytro Firtash against the *Kyiv Post*, an independent Ukrainian newspaper. Firtash complained about an article published in the *Kyiv Post* in which the outcome of an international arbitration concerning a dispute between RosUKrEnergO, of which Firtash is a major shareholder, and an Ukrainian national gas company.

*"Today's court decision is an important victory in the battle against libel tourism given the prominence of British courts in this phenomenon"* said Agnes Callamard, Executive Director of ARTICLE 19. *"We congratulate the Kyiv Post on their victory and call on the UK government to change English defamation laws,"* continued Callamard.

Master Leslie – the High Court judge who heard the arguments – decided that Dmytro Firtash's connections to the UK were "tenuous in the extreme." He found the businessman neither resides nor currently has business affairs in the UK. He also ruled that the subject matter of the allegedly defamatory article did not relate to the UK. Finally, the judge found procedural defects in the service of the claim on the *Kyiv Post*.

ARTICLE 19 campaigned in support of *Kyiv Post* and against libel tourism, the practice of foreign plaintiffs to look for jurisdictions where their libel claims are more likely to get a favourable result. To coincide with the pre-trial hearing of the case against, ARTICLE 19 held a silent protest outside the Royal Court of Justice today to highlight the silencing effect the increasing use of UK courts has on investigative journalism in countries, including Ukraine.

*"The support by ARTICLE 19 was very important for us"*, comments Brian Bonner, the chief editor of *Kyiv Post*. *"We are very thankful for their action of solidarity and for standing for free expression."*

Mark Stephens, of Finers Stephens Innocent, who represented the *Kyiv Post* said, *"This is one of the worst cases of libel tourism I've encountered in recent years. This is a dispute between a Ukrainian oligarch and a Ukrainian paper about matters in the Ukraine. It has no connection with the UK and the learned Master Leslie quite rightly threw the case out. Forum shopping in libel cases have become the scourge of the British legal system."*

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**NOTES TO EDITORS:**

- For more information please contact: Boyko Boev, Legal Officer, at [boyko@article19.org](mailto:boyko@article19.org) or at +44 20 7324 2500
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.