

10.08.2022 case No. 756 44307/18
Proceeding No. 2/756/108/22
Unique No. 756/14307/18

**DECISION
IN THE NAME OF UKRAINE**

10 August 2022
presiding judge
secretary

Obolon District Court of Kyiv composed of:
Maybozhenko A.M.,
Lyubin A.O.,

having considered in open court hearing in Kyiv the civil case on the claim of Lyudmyla Kozlovska against the NGO "STOP CORRUPTION", Rusanov Roman Mykolayovych on the protection of honour, dignity and business reputation, refutation of untrue information and recovery of moral damage,

FOUND:

Guided by Article 259 Section b of the Code of Civil Procedure of Ukraine, the court,

RULED:

To partially satisfy the claims of Lyudmyla Kozlovska against NGO "STOP CORRUPTION" and Rusanov Roman Mykolayovych on the protection of honour, dignity and business reputation, refutation of untrue information and recovery of moral damage.

To recognise as untrue and degrading to the honour, dignity and business reputation of Kozlovska Lyudmyla Oleksandrivna the information posted on 8 October 2018 on the website www.stopcor.org under the title "*The Security Service of Ukraine opens a case against Lyudmyla Kozlovska - defender of swindler Ablyazov*" with the following content:

"The Zakarpattia regional office of the Security Service of Ukraine opened criminal proceedings against the president of the "Open Dialogue" international Foundation Lyudmyla Kozlovska. This has been reported to the activists of "Stop Corruption". In a response to the organisation's enquiry, the SSU said that the defender of the rights of international financial swindler Mukhtar Ablyazov was accused of violating a number of articles of the Criminal Code and we were also informed of the fact that a complaint from "Stop Corruption" was attached to the case.

Kozlovska is suspected of violating Article 109 Section 1 "Actions aimed at forceful change or overthrow of the constitutional order or take-over of government, and also a conspiracy to commit any such actions";

Article 110 Section 2 "Willful actions committed to change the territorial boundaries or national borders of Ukraine in violation of the order provided for in the Constitution of Ukraine, and also public appeals or distribution of materials with appeals to commit any such actions";

Article 111 Section 1 "high treason";

Article 15 Section 2 "an attempt to commit a crime";

Article 190 Section 3 "Fraud committed in respect of a gross amount".

The human rights activist has "earned" fifteen years in prison.

On 15 October law enforcement officers await the defendant in the case for interrogation.

It should be noted that the project team is currently working on a large-scale investigation into the fraudulent schemes of Kazakhstani citizen Mukhtar Ablyazov, involving Lyudmyla Kozlovskaya.

According to journalists, the international organisation "Open Dialogue", headed by Kozlovskaya, has long been involved in issues related to the infringement of Mukhtar Ablyazov's rights and fundamental freedoms. "Open Dialogue" is funded by Ablyazov himself (there is a branch of the Polish Open Dialogue in Ukraine).

We would like to add that Kozlovskaya was recently deported from Brussels.

It should be noted that the last time journalists saw Kozlovskaya in Brussels was in June during filming. After our attempt to get comments, the human rights defender filed a complaint with the police and accused the camera crew of all the deadly sins, in particular of espionage and working for the security services.

For 2 days the camera crew tried to contact Mrs. Lyudmyla Kozlovskaya.

So, when the journalists finally managed to talk to her, what they got was not answers to their questions, but an aggressive, derisive response and a staged show. The girl refused to give a comment and behaved in a defiant and rude manner. She started harassing the camera crew (she was not alone but with a friend Bota Jardemalie, who is a political refugee and also worked in the BTA bank, the institution in the embezzlement of which Mukhtar Ablyazov is being accused) and filming the journalists on her mobile phone.

Such behaviour of the person who is under investigation is common, as it is a reaction to the reluctance to answer inconvenient questions.

Frightened by this strange behaviour of Mrs. Lyudmyla Kozlovskaya, the camera crew was forced to enter the shop in order to avoid harassment.

Lyudmyla Kozlovskaya called the police and accused the journalist and cameraman of spying on her.

So, after the federal police arrived, the film crew was detained and taken to the police station for identification," the journalists reported.

After checking our colleagues' documents, the police let them go and apologised.

At the end of August this year, "StopCor" journalists learned that after her deportation from Brussels, Kozlovskaya has been staying in a hotel in Kyiv and only leaves the room when accompanied by private security.

The human rights defender, accompanied by three bodyguards, was spotted on the streets of the capital [Kyiv] by a film crew.

"I wonder why the human rights defender is hiding behind the guards and who pays for their services.

Since we saw Mrs. Lyudmyla Kozlovskaya at a late hour, it looks like there are guards on duty around the clock," noted StopCor".

By the way, one of the bodyguards had previously been seen by journalists guarding another participant of the "StopCor" piece.

"A number of criminal proceedings have been initiated against Ablyazov over the embezzlement of funds from a Kazakh banking institution on an extremely large scale in Ukraine, Russia, Kazakhstan and other countries. We are conducting a journalistic

investigation into his activities. In order to do this, we went to Brussels, where Lyudmyla Kozlovska, the president of the "Open Dialogue" organisation, resided.

However, other reports suggest that Lyudmyla Kozlovska and Abylazov may be in a romantic relationship.

On 13 June 2018, an intimate video of Abylazov and Kozlovska was posted and distributed on the internet".

To oblige the NGO "STOP CORRUPTION" to refute the untrue information posted on 8 October 2018 on the website www.stopcor.org under the title: "The Security Service of Ukraine opens a case against Lyudmyla Kozlovska - defender of swindler Abylazov" with the following content:

"The Zakarpattia regional office of the Security Service of Ukraine opened criminal proceedings against the president of the "Open Dialogue" international Foundation Lyudmyla Kozlovska. This has been reported to the activists of "Stop Corruption". In a response to the organisation's enquiry, the SSU said that the defender of the rights of international financial swindler Mukhtar Abylazov was accused of violating a number of articles of the Criminal Code and we were also informed of the fact that a complaint from "Stop Corruption" was attached to the case.

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by publishing the court decision in this case on the website www.stopcor.org within ten days from the date of its entry into legal force.

To exact from the NGO "STOP CORRUPTION" in favour of Kozlovskaya Lyudmyla Oleksandrivna the moral damages in the amount of 50, 000 (fifty thousand) hryvnias.

To refuse to satisfy the claim against Rusanov Roman Mykolayovych.

To exact from the NGO "STOP CORRUPTION" in favour of Kozlovskaya Lyudmyla Oleksandrivna a court fee in the amount of 1, 800 (one thousand eight hundred) hryvnias.

Claimant: Kozlovskaya Lyudmyla Petrivna. Tax payer registration card number: 3112204161.

Defendant: NGO "STOP CORRUPTION", the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Formations code: 39946405; registered office: Kyiv, Jordanska street 8/198.

Defendant: Rusanov Roman Mykolayovych. Tax payer registration card number: unknown, possible place of registration: Luhansk region, Metalist village, Radyanska street 8.

The appeal against the court decision can be submitted within thirty days from the date of its full text submitted to the Kyiv Court of Appeal through the Obolon District Court of Kyiv.

The court decision enters into force upon the expiry of the term for filing an appeal by all parties to the case if no appeal has been filed.

In the case of an appeal, the decision, if not reversed, comes into force after the return of the appeal, refusal to open or close the appeal proceedings or the adoption of the decision of the court of appeal following the appeal review.

Judge:

A.M. Maybozhenko