

13
Dec 2018

▲ Lvl. 2

State
replied

Ukraine

Alert created on: 05 Sep 2018

Ukraine Court Allows Prosecutors Access to Investigative Journalist's Phone Records

SOURCE OF THREAT ▶ State

CATEGORY ⓘ ▶ Other acts having chilling effects on media freedom

PARTNER: EFJ/IFJ, AEJ, CPJ, Index

On 27 August 2018, Kyiv's court granted the Prosecutor's General's Office access to text messages, calls and locations from the phone of journalist and editor-in-chief of TV investigative programme "Schemes. Corruption in detail", Natalie Sedletska. The ruling covers the 17-month period between July 2016 and November 2017, according to the Kyiv Post.

According to a letter signed by more than 30 journalists and NGOs, this decision is linked to the case against Ukraine's National Anti-corruption bureau head Artem Sytnyk - accused of divulging a state secret by leaking information to journalists - in which Sedletska and other journalists are witnesses.

UPDATES

06 Sep 2018: On 5 September 2018, a court has granted the Prosecutor General's Office access to the phone records of Novoye Vremya magazine journalist Kristina Berdynskykh, reported the Kiyv Post. Berdynskykh is the second Ukrainian journalist whose cell phone data was disclosed to authorities within 10 days. Prosecutor General Yuriy Lutsenko's spokesperson Larysa Sargan said that the warrant was "analogous" to the one targeting Natalie Sedletska's phone records issued on 27 August by the Kiyv court.

➔ Article by the Kyiv Post: "Prosecutors get access to phone records of yet another journalist"

ADDITIONAL INFORMATION



- ➔ Mapping Media Freedom report: "Ukraine/Україна: Court grants prosecutors access to investigative journalist's phone records"
- ➔ CPJ report: "Ukraine court grants prosecutors access to investigative reporter's phone records"
- ➔ News article published by RFE/RL: "RFE/RL Investigative Journalist Targeted In Ukraine Data-Disclosure Order"
- ➔ News article published by the Kyiv Post: "Court allows prosecutors to access investigative journalist's phone records"
- ➔ Public statement by journalists and NGOs in reaction to the Kyiv court's decision : "Journalists Outraged by Ukrainian Court's Decision to Allow Access to Muckraker's Phone"

STATE REPLIES



04 Oct 2018 | Reply from the Government of Ukraine

- ➔ Official position of Ukraine

FOLLOW-UPS



13 Dec 2018 | On 18 October 2018, the European Court of Human Rights decided to extend its order banning public authorities in Ukraine from accessing cell phone data belonging to journalist Natalia Sedletska. The ban is in force "until further notice".

- ➔ Article by Radio Free Europe : "ECHR Extends Ban On Ukrainian Government Access To RFE/RL Journalist's Data "



20 Sep 2018 | OSCE media freedom representative welcomes decision by European Court of Human Rights to safeguard phone data of Ukrainian journalist.

- ➔ Statement by Harlem Désir



19 Sep 2018 | On 18 September 2018, the European Court of Human Rights has ordered the Ukrainian government to abstain from accessing any data from the cell phone of investigative reporter Natalya Sedletska. The interim order is in effect until October 2018 and can be extended afterwards if need be. The Court also decided to give priority to Mrs Sedletska's application.



07 Sep 2018 | PACE Rapporteur on media freedom and the safety of journalists calls for respect of confidentiality of journalists' sources.

[!\[\]\(c507f772dba2b921f86777f01218e570_img.jpg\) Statement by Lord George Foulkes](#)



07 Sep 2018 | OSCE Media Freedom Representative seriously concerned by Court order for disclosure of another investigative journalists' data and reiterates his call to respect journalists' right to protection of sources.

[!\[\]\(a03a7eb2f4046e1d3c76772003e549ea_img.jpg\) Tweet by Harlem Désir](#)



05 Sep 2018 | OSCE Representative calls on Ukrainian authorities to respect journalists' privilege of confidentiality of sources

[!\[\]\(3e2231b1ad3ca8da8658228c00dd08e0_img.jpg\) Statement by Harlem Désir](#)