



**Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
Dunja Mijatović**

Report by the OSCE Representative on Freedom of the Media

“Media Freedom under siege in Ukraine”

This report is a comprehensive overview of the activities, interventions and an assessment of the situation in Ukraine between 28 November 2013 and 23 May 2014 by the OSCE Representative on Freedom of the Media, Dunja Mijatović.

Overview

The current media freedom situation in Ukraine reflects the overall security situation. We are clearly witnessing an information war in the regions of Ukraine affected by conflict. As I have already warned on several occasions, this situation must be reversed to avoid further escalation of the conflict.

As we know too well, in times of crisis and conflict, journalists and members of the media are among the first to be attacked, both physically and psychologically. Because those in power during periods of conflict demand complete control of all information free media is often their first target. Media outlets are blocked and journalists are silenced in a bid to control information.

In the past few months I travelled to Ukraine three times - to Kyiv, Kharkiv, Odesa and Simferopol - to speak with journalists, and civil society from these and many other cities including Luhansk, Donetsk, Yalta, Sevastopol, Mykolaiv and Kerch.

During my visits I also discussed media freedom related issues with senior officials including the Acting Foreign Minister Andrii Deshchytsa, Deputy Foreign Minister Andrii Olefirov, Deputy Interior Minister Mykola Velychkovych, Vice-Speaker of Verkhovna Rada Ruslan Koshulynskyi, Head of Rada Committee on freedom of speech and information Mykola Tomenko and Head of the General Prosecutor's Department of Supervision over the observance of laws by the interior forces Yuriy Sevruck.

In February my Office participated in an [international assessment mission](#) to Kyiv together with the International Federation of Journalists, the European Federation of Journalists, the World Association of Newspapers, Article 19, Reporters Without Borders, International Media Support and the Open Society Foundation.

Since the end of November there have been nearly 300 reported cases of violence against journalists, including murder, physical assaults, kidnappings, threats, intimidations, detentions, imprisonments, and damage and confiscation of equipment.

Again and again, broadcasts stemming from conflict-ridden areas have been illegally switched off, often accompanied by violence or the threat of violence. In Crimea and eastern Ukraine broadcasts have repeatedly been replaced by state media channels originating from the Russian Federation.

Members of the media have continually been denied access to events and information, often by force.

In many cases balanced and professional journalism is being superseded by blatant propaganda. On 15 April, I issued a [Communique](#) warning that propaganda is a dangerous instrument that can be used to dominate the public sphere, restricting access to information and thus distorting pluralism and the open exchange of ideas.

The examples listed in this text are the cases I have raised, both publicly and in direct communication with the relevant authorities, as grave breaches of OSCE media freedom and freedom of expression commitments. A full list of my public interventions is annexed to this report and will also be included in my next report to the Permanent Council on 19 June 2014.

Since my Office was established it has closely been following the complex, multi-faceted developments related to media freedom in Ukraine. In the years after 2005, Ukraine has served as an outstanding example among the CIS countries in upholding media freedom commitments. The work of independent media has improved considerably, media pluralism flourished and liberal legislation, including decriminalization of defamation was adopted to create an environment that encouraged a wealth of ideas and opinions.

Since 2010, however, there has been a clear deterioration of the media freedom situation. I have kept OSCE participating States abreast of this alarming situation since my first visit to Ukraine in October 2010.

I also criticized the obvious attempts to suppress media freedom via direct and indirect forms of censorship, including interference in the work of media outlets and staff, the abolishment of the National Commission on Freedom of Speech, the political appointees to the National Council on TV and Radio, the replacement of the Heads of the National TV and Radio and the pressure on critical media via threats to licensing restrictions as was the case with *5 Kanal* and *TVi*. I expressed my particular concern regarding negative trends in media legislation, including the adoption of new restrictive laws and the delay in the adoption of the PSB and Access to Information Laws.

I have been especially troubled by the increasing number of violent attacks against journalists since 2010 and subsequent impunity from prosecution that has significantly curtailed previous gains for media freedom in the country. I have repeatedly denounced all attacks against journalists and urged the authorities to investigate all cases, especially 2000 murder of Georgiy Gongadze and the disappearance of Vasiliy Klimentyev in 2010, the latter was solved in 2012. Olexiy Pukach, a former police chief, was found guilty and sentenced to life imprisonment in January 2013 for Gongadze's murder, the masterminds of this horrible crime are still at large and the impunity in this case still has an enormous chilling effect on members of the media in the country. Therefore, while welcoming the conviction in I have stated that there is still a long way to go to break the vicious circle of impunity for those who instigate violence against journalists.

Unfortunately, my warnings were ignored.

Starting in 2010 these restrictions have led, slowly but surely, to an atmosphere of increased self-censorship and have, without any doubt, contributed to the current political and media freedom crisis in Ukraine.

Safety of journalists

Given the sheer number of recent attacks with no sign that they will stop, the safety of journalists and other media workers is my primary concern. Attacks of any kind are simply not acceptable. Journalists' safety must be guaranteed at all times and those responsible for the crimes against journalists must be brought to justice to prevent an environment of intimidation, fear and impunity from taking hold.

There are clearly two phases of the current conflict that have triggered attacks on media freedom in Ukraine. During the first phase - the protests in Kyiv and other cities throughout Ukraine between November and February - one journalist, Viacheslav Veremyi, was killed and nearly 200 others were victims of violence. The second phase is linked to the current crisis and events in the south and east of the country.

First phase

I have repeatedly called on the Ukrainian authorities to fully investigate the murder of Viacheslav Veremyi and bring the perpetrators to justice. As it now stands, a suspect has been arrested and the investigation continues. All other attacks on journalists must also be thoroughly investigated. It is clear that of the majority of the 200 journalists received injuries from stun grenades and rubber bullets used by the police. In some cases, journalists were specifically targeted by law enforcement despite displaying clear identification as members of the press.

Listed below in chronological order, I have raised the following cases with OSCE participating States:

On 28 and 29 November, Vlad Puchich, Chief Editor of "20 Minutes" newspaper, was attacked and injured in Zhitomir. Dmitry Gnap and Yakov Lyubchich from Hromadske.tv were attacked while reporting on the demonstrations in Kyiv. They were injured and their equipment was damaged.

In December 2013, more than 40 journalists were physically assaulted and severely injured while covering the protests in Kyiv. Among them were: Dmitriy Larin - Ukrainskaya Pravda; Mustafa Nayyem - Hromadske.tv, Nataliya Zhijko, Yurii Usik, Ivan Nakonechniy - 5 Kanal, Roman Kupriyanov – Euronews, Gleb Garanich – Reuters, Sergei Supinskiy - Agence France-Presse, Sergei Chuzavkov - The Associated Press, Joseph Sywenskyj - The New York Times, Tomasz Piechala – Eastbook, Oleksandr Perevoznik – Liga Business Inform, Valeriya Burlakova, Stanislav Kozlyuk – Ukrainskii Tizhden', Max Levin – LB.ua, Johannes Wamberg Andersen – Danish freelance journalist, Maxim Kudimets – Insider, Pawel Pieniazek – Polish freelance journalist, Anton Chernyshov – Independent Journalist Union, Denis Dan'ko and Dmitriy Volkov – 1+1, Yaroslav Galata – Demokratichna Ukraina, Mikhail Zagorskii – Zhitomir.info, Dmitriy Kachura – Kommentarii, Yevgenii Golovatyuk – Ukrainskiye Novini, Oleg Khavruk – Comments.ua, Sergei Dolzhenko – European Pressphoto Agency, Yevgenii Feldman – Novaya Gazeta, Yurii Butusov – Censor.net, Emin Kalantarov – Lifenews, Sergei Polezhaka – freelance journalist, Yevgenii

Maloletka – Unian, Valeriy Kolosyuk – Aratta.Vikno v Ukrainu and Sergei Yurchenko – Novoross.info.

On December 15, Yurii Kot a journalist with Inter TV channel was attacked near his house in Kyiv and injured.

On December 16, Svetlana Malitskaya, a photojournalist with Internet-based newspaper “Dorozhnyi Kontrol”, was attacked by two assailants at her home and also suffered injuries.

On December 24, Tatyana Chernovil, a journalist with Ukrainskaya pravda was severely beaten after being followed from Boryspil to Kyiv. She suffered serious injuries, including a concussion and broken nose.

In January 2014, more than 30 journalists from various media outlets, including Novaya Gazeta, Vesti, Spilno TV, Radio Svoboda, 1+1, and 5 Kanal, were severely injured while covering the protests in Kyiv.

On 18 February 2014, assailants opened fire on Vyacheslav Veremyi, a Vesti daily journalist, who was shot in the chest and died in the hospital. A number of other journalists were targeted and injured including: Glib Garanych - Reuters, Maksym Trebukhov - news photographer, Yevhenia Taganovych and Leonid Taranenko - Channel 5, Yevhen Kotenko - Holos Stolytsi, Oleksander Kozachenko - UNN photographer, Maksym Trebukhov and Azad Safarov - Channel 5, Sergiy Klymenko - Channel 5, Anatoliy Morozov - HromadskyTV, Andriy Gudzenko - PHL, Alla Khotsianivska and Artem Bagrov - 1+1 TV channel, Olena Maksymenko - freelance photographer, Ivan Lyubysh-Kirdey - 1+1 TV channel, Sergiy Holovniiov - Insider, Oleksiy Byk - Glavkom, Yarmea Horodchuk - Dilova Stolytsia, Kyrylo Chebotin - Kommersant, Volodymyr Borodin - Vesti, Maksym Kudymets - Insider, Igor Lypynsky - Ukraina TV, Marianna Hardy - Chernihiv-info, Igor Volosiankin - Uyezdnye Novosti, Oleksander Ratushniak, Mykyta Didenko - Hromadske.TV, Oleksiy Kondakov - TV channel Business, Oleksander Mykhelson - Ukrainsky Tyzhden and Victor Hatsenko - From UA.

Second phase

In March attacks on journalists intensified in the south and east of the country. That these assaults have gone without prosecution is deplorable and points to the breakdown of the rule of law in the parts of Ukraine affected by conflict.

Starting in March in Crimea, in April in Sloviansk and Donetsk, and in May in Luhansk, broadcasting stations and related infrastructure were attacked by unidentified and often armed individuals who then supplanted regularly scheduled television programming with state media from the Russian Federation, although there is a ban on cable rebroadcasts of the Russian television channels. On 27 March I issued a [Communique](#) denouncing the switching off and banning channels.

While the situation in Crimea dominated the headlines in February and March, the situation for journalists on the peninsula is still dire today, with regular threats and harassment and possible eviction from the region for those who are not considered loyal to the effective de facto authorities and for those who refuse to change citizenship.

On 2 March I reacted to attacks in Donetsk and Kharkiv, where journalists from Radio Liberty, Perviy Delovoi and the Ura-Info Donbass portal were assaulted by protesters in the presence of law enforcement officers who did not intervene. On the same day in Simferopol, a group of about 30 men, in military uniform, attacked offices of the Information and Press Centre, a hub for independent media in the region, and the Crimean Centre for Investigative Journalism.

On 3 March, the Chernomorskaya television and radio station, the largest independent broadcaster on the Crimean peninsula, was shut down.

On 6-8 March, signals of the Ukrainian television stations were illegally shut down in Crimea and replaced with broadcasts from Russia. Over these few days, the terrestrial signals of Ukrainian television stations Inter, Briz, 1+1, 5 channel, 1st National, STB and Chernomorskaya TV were replaced with the state Russian channels NTV, 1st channel, Rossiya 24, Rossiya RTR, TNT and Zvezda.

Print media have also not been exempt from attack. –On May 8 and May 6 respectively, the editorial offices of the Provintsia newspaper in Kostyantynivka and the Gornyak newspaper in Torez were ransacked.

At the beginning of March, I met with a number of journalists in Simferopol who have been victims of violence as well as representatives of the Crimean Human Rights Center, National Union of Journalists of Ukraine, Centre of Investigative Journalism and others, and members of the Russian Presidential Council for Civil Society and Human Rights.

During our mission my team and I were delayed by a demonstration and a group of unidentified uniformed people.

During the first days of March, unidentified and often uniformed, armed individuals attacked and harassed local and foreign journalists in Crimea. Journalists from Argumenti nedeli-Krym (Stanislav Yurchenko), Associated Press Television News, BBC, CNN, Inter channel (Olena Mekhanik, Andrii Tsaplienko and two operators), Russkaya Planeta (Pavel Nikulin), STB (Oleksii Simakov, Oleksandr Albinskyi, Vyacheslav Skvorchevskyi, Igor Levenok), 5 channel (Anton Laktionov) and a number of freelancers, including Boryana Katsarova and Dimiter Kenarov were also attacked during this time period. Tatar staff members at the local state broadcaster were threatened by their management.

On 9 March, Oles Kromplyas and Olena Maksimenko, journalists with the Glavkom and Ukrainskiy Tizhden' news portals respectively, and their driver Eugene Rakhno, were stopped by representatives of the Berkut law enforcement squad at the checkpoint near Armyansk, Crimea. They were then kidnapped by unidentified people in military uniform and only released several days later.

I strongly oppose official banning of broadcasts as was done on 11 March by the National Television and Radio Broadcasting Council of Ukraine. During this event, all cable operators were ordered to stop broadcasts of the state Russian television channels Rossiya 24, ORT, RTR Planeta and NTV-Mir. The stations were accused of broadcasting propaganda and currently, these four broadcasters have been suspended by court ruling. On 14 May, the Kyiv Administrative Court of Appeals, having heard the case, upheld the suspension. My Office is closely following developments in the case.

On 17 March, the director of state television in the Chernigov region, Arkadiy Bilibayev, was forced to resign.

On 18 March, a group of individuals reportedly belonging to the Ukrainian political party “Svoboda”, including some members of Verkhovna Rada, stormed the office of the acting President of the National Television Company of Ukraine in Kyiv, Aleksandr Panteleymonov, intimidated him and forced him to sign a resignation letter.

On 4 April, Vasily Sergiyenko, a contributor to Nadrossia newspaper in Cherkasskaya Oblast, Central Ukraine, was kidnapped near his house. The next day his body was found, bearing signs of torture, in a nearby forest.

On 7 April, a group of protesters broke into the offices of the Kharkiv-based ATN television channel, seized and destroyed equipment and harassed ATN journalists. On the same day there were also attempts to storm the offices of the state television station in Donetsk and the Kharkiv Regional Broadcasting Centre. The IRTA channel in Luhansk was also attacked.

On April 15-16, Yevgen Polojii, editor of Panorama, and Mikhail Dugin of Polytavska Dumka-2000 were beaten. In addition, a BBC television crew and Frederick Paxton of Vice News were threatened and had their equipment stolen and destroyed. Graham Phillips, a freelance journalist for RT, Alexander Belinsky, editor of Gorlovka.ua and journalists from Hromadske TV and Lenta.ru were kidnapped and later released. The offices of Gorlovka.ua and newspaper Kriminal Ekspress were vandalized and cars belonging to Alexei Matsuka of Novosti Donbassa and to Odesa First City Channel were set on fire.

On 17 April, a group of unidentified individuals took over the television tower in Sloviansk that provides terrestrial signals to the neighbouring towns of Horlivka, Kramatorsk and Makiyivka. Reportedly, the broadcasting of Ukrainian channels was cut off and replaced with channels originating from the Russian Federation.

On 21 April, Maxim Danilchenko, journalist with Tochka Opori magazine, was attacked by unidentified individuals and sustained several injuries while covering a protest in Luhansk. On the same day, Dmitriy Galko, a journalist with Belarusian Noviy Chas newspaper, and Italian and French journalists Paul Gogo and Kossimo Attanasio were reportedly detained by unidentified individuals in uniform in Sloviansk. They were released shortly thereafter.

On 22 April, Simon Ostrovsky, a journalist with Vice News, was abducted and tortured by people claiming loyalty to the so-called "People's Mayor" of Sloviansk. Less well-known were the two-week detention, also in Sloviansk, of Yuri Leliavski, a reporter for the Ukrainian TV station ZIK, who was released on 9 May and the kidnapping in Artemivsk of Pavel Kanygin of Novaya Gazeta, who was later released in Sloviansk.

From April 22-24, Nikolai Ryabchenko, a journalist contributing to a number of local and international media outlets, was attacked and had his equipment damaged by a group of unidentified people while covering an attack on the city council in Mariupol. On the same day, Stepan Chirich, a journalist with Russian NTV channel and citizen of Belarus, disappeared in Dnepropetrovsk oblast. He is currently standing trial on suspicion of espionage. Evgenii Gapich, a photojournalist with Reporter newspaper from Ivano-Frankivsk, disappeared in Horlivka and was later released after being held in Sloviansk for two days. The editorial office of Provintsia newspaper in Konstantinovka was set on fire after the newspaper staff had been harassed and publicly labelled as supporters of the Praviy Sektor movement.

Seitislam Kishveev and Shevket Ganiyev, Director and Editor of Crimean Tatar programs on Crimean State TV, were forced to take two weeks of leave after reporting on the increasing censorship placed on the channel .

On April 25, Julia Shustraya and Mikhail Pudovkin, a journalist and a cameraman with LifeNews disappeared in Donetsk. It was later determined that Shustraya and Pudovkin had been apprehended by an armed group and subsequently deported from Ukraine.

On April 27, new accreditation procedures were introduced by unofficial local leaders in Sloviansk. According to the new procedures, journalists without accreditation are not allowed into administrative buildings, to attend press briefings and could possibly be barred access to the town.

On April 28, in Donetsk, Richard Gaisford and Simon Llewellyn from ITV (UK), along with Yevgenii Shibalov, a journalist with the Zerkalo Nedeli newspaper, were attacked by protesters during a rally. Shibalov received head injuries and the ITV camera was damaged. In Donetsk, the staff of 62.ua news portal was intimidated by a uniformed and armed group who demanded that the journalists obtain their approval before publishing any reports.

On the same day in Kyiv, protesters demanded that the Inter and ICTV channels stop broadcasting a Russian television series. During the protest, the office's doors and windows were damaged and smoke grenades were thrown inside. The channel continued with regular broadcasting.

On April 29, Yurii Lelyavskii, a freelance journalist with ZIK channel from Lviv and Sergei Shapovalov, a journalist with VolynPost news portal from Lutsk, were detained for 2 weeks in Sloviansk. Ruslan Kukharchuk, a journalist with the Novomedia journalists' association, was also detained by unidentified persons in Sloviansk and released after 13 hours.

On the same day, a group of unidentified uniformed and armed people seized the Donetsk Regional Television and Radio Company and a regional transmission centre and replaced some of the local broadcasts with Rossiya 24. Digital broadcasts of all Ukrainian channels were switched off along with analogue signals of UT1, ICTV, 1+1 and 5 Kanal, many of which were replaced with Russian broadcasts.

On May 1, armed individuals entered a regional television station in Lugansk switched programming from the First Ukrainian National Channel to Russia 24. On the same day, a journalist from Radio Liberty was intimidated and bullied by a crowd in Kharkiv while reporting on a protest and had to seek police protection.

On May 2, journalists from BuzzFeed and the television channels Sky News and CBS were detained by armed individuals for three hours at a road block in Sloviansk. They were blindfolded, interrogated and some of them were reportedly beaten before they were released. On the same day, a lifenews.ru correspondent in Sloviansk, Hermine Kotanjyan, reportedly received death threats through social media platforms.

On May 7-9, Privet/Novosti Kramatorska newspaper and its web portal ceased operation, reportedly because of threats from separatists. Lanet Cable Operator switched off nine Ukrainian channels (Inter, Ukraine, 1+1, ICTV, STB, Noviy Kanal, 5 Kanal, 112 Ukraine and TVi) in Severodonetsk, reportedly because of threats from separatists and demands that the operator broadcast Russia 24 and LifeNews instead. Terrestrial broadcasting of 1+1 channel was switched off in Lisichansk, and an armed, separatist group took control of the Donbass and Union channels in Donetsk. In Luhansk,

1+1 and 5 Kanal cable and terrestrial feeds were switched off. Previously, the First Ukrainian National Channel was switched off. In Donetsk, after seizure of the regional transmission centre, Ukrainian TV channels 1+1, K1, ICTV and 5 Kanal were replaced by Russian channels STS, TVN, ORT and RTR Planeta. Electric cables of the Kyiv TV tower were set on fire, reportedly as a result of arson. Broadcasts of some channels were suspended, but resumed shortly after the reserve cables were made operational. In Kostyantynivka, the editorial office of Provintsia newspaper was seized by armed individuals in uniform and its staff was told to leave town (the newspaper's office had previously been set on fire). Nikolai Ryabchenko, a journalist contributing to many local media outlets, reportedly disappeared near Mariupol (he was also the target of earlier attacks). The editorial office of Gornyak newspaper in Torez was raided by approximately 50 unidentified people. No journalists were injured, however the office was seriously damaged and much of the equipment was destroyed or stolen. Russia Today journalist, Graham Phillips, tweeted that a bounty had been placed on him. Sergei Garmash, editor of the Ostrov news portal, was attacked and shot at near Donetsk. Oleg Konstantinov from Dumskaya, Petr Rakul from Information Centre and Anton Dotsenko from Timer were shot and seriously injured. Natalya Tarasovskaya from 5 Kanal and Anna Levchenko from Timer were attacked and threatened during protests in Odesa. The crew of ICTV was stopped by unidentified people in uniform on the outskirts of Sloviansk, threatened, searched and interrogated. The journalists were set free but their equipment was confiscated.

On 18 May, the Ukrainian military forces detained journalists Marat Saichenko and Oleg Sidyakin from LifeNews and, reportedly, handed them over to law enforcement authorities.

The same day, Osman Pashayev and Cengiz Kizgin, journalists with Otkritiy Krymskiy Kanal, were detained by a group in military uniform in Simferopol. The journalists were interrogated, beaten and had their equipment seized. They were later released.

On 20 May, Graham Phillips, a journalist with RT, was arrested by Ukrainian law enforcement and released after almost 36 hours.

Propaganda

While the role of the OSCE Representative on Freedom of the Media is not to evaluate media content, there have been a number of accusations, in which the media has been used to disseminate propaganda, that require close scrutiny. Propaganda and the deterioration of media freedom combine to fuel and contribute to the escalation of conflict.

I deplore state propaganda and understand the need to regulate hate speech in some particular cases, everyone has the right to receive information from as many sources as he or she wishes. Propaganda is especially dangerous when it dominates the public sphere and limits access to information, thereby preventing individuals from expressing and forming opinions and ideas.

No matter how loud and outrageous certain voices are, they will not prevail in a competitive and vibrant marketplace of ideas. Therefore, any potentially problematic speech should be countered with arguments and more speech, rather than engaging in censorship. Participating States should always strive to protect and promote free and equal access to the marketplace of ideas. In my 15 April [Communique](#) I called on the OSCE participating States to:

- Stop manipulating media; stop information and psychological wars;

- ensure media plurality and free media as an antidote to propaganda;
- refrain from introducing new restrictions; existing laws can deal with extreme propaganda;
- invest in media literacy for citizens to make informed choices; and
- reform state media into genuine public service broadcasting.

Denial of Entry

In the last few months I have also intervened in approximately 30 cases in which journalists were denied entry into Ukraine, as well as in cases of *de facto* authorities in Crimea denying entry to journalists crossing into the peninsula.

I have serious concerns about excessive restrictions on such travel, which ultimately affects the free flow of information and free media. This practice goes against the principles outlined in the Helsinki Final Act. I have raised a number of individual cases of denial of entry in my communications with Ukrainian officials, including with the Acting Foreign Minister and Minister of Interior.

On 10 December 2013, various media outlets reported on the attempted expulsion of the Georgian Tabula TV channel's journalists by law enforcement for allegedly participating in public protests in Kyiv.

On 20 December of this year, David Kakulia, a journalist with Georgian Rustavi-2 TV channel was denied entry to Ukraine. The ban is reportedly in place for one year on the grounds of Kakulia's alleged involvement in suspicious activities.

On 7 March, the journalists and camera crews of NTV, TV Tsentr and Vesti channels were denied entry to Ukraine at the Donetsk airport.

On 9 March, Sergei Fadeichev, a photojournalist with the Itar-Tass news agency, was reportedly denied entry at the Donetsk airport on the bases of insufficient personal funds to finance his stay in Ukraine.

On 13 March, Ilya Barabanov and Alexander Miridonov from Kommersant publishing house were denied entry to Nikolayev.

19 and 21 March reports from the State Border Service of Ukraine indicate that six journalists with NTV and Perviy Kanal were denied entry to the country.

On 2 April, Roman Super from Ren TV channel and his cameraman were denied entry to Odessa.

On 7 April, Pavel Sedakov and Artem Goloshapov with Forbes magazine (Russian edition) were denied entry at Dnepropetrovsk. The same day, journalist Andrey Ivanov with RT RUPTLY agency was denied entry at Donetsk.

On 8 April, Andrey Malyshkin from RIA Novosti was denied entry on his way to Lugansk, while his colleague, Alexei Kudenko, was denied entry at Donetsk. Stanislav Bernwald and Constantine Krylov from 5 Kanal and Maxim Dodonov with Zvezda television channel were also denied entry at Donetsk. Journalist from Zvezda channel, Anatoliy Maiyorov and cameraman Sergei Guryanov, were denied entry at Kharkiv. Andrey Kolesnikov and Dmitry Azarov from Kommersant newspaper were denied entry at the Kharkiv train station on their way to Donetsk.

On 7 May, the crew of Russian TVC channel was denied entry into Kyiv by the Ukrainian Border Guard Service.

On 15-16 May, Russian journalists from various media outlets, including Zvezda, NTV, Perviy Kanal and TVC channels, were denied entry to Ukraine. Reportedly, all journalists were accredited by responsible Ukrainian authorities and had been given permission to cover the presidential election.

On 17 May, representatives of the Federal Security Service detained Waclaw Radziwinowicz, a journalist with Gazeta Wyborcza, in Simferopol. He was reportedly accused of illegally crossing the border and, despite presenting all required entry documents, was released only after six hours of interrogation. Nikolai Semeni, a journalist with the Ukrainian newspaper Den, and photojournalist Len'yara Abibulayeva were also detained with Radziwinowicz and released after interrogation.

On 19 May, the crew of Rossia channel was deported from the Ukrainian town of Ujgorod.

On 20 May, REN TV Reporter and cameraman Viktor Senyok and Alexander Malyshev were denied entry to Ukraine, despite having all required accreditations and journalist IDs.

Russia Today's Arabic news crew, Anna Knishenko, Elderra Khaled and Konstantin Bolshakov who arrived in Kiev to cover the May 25 Ukrainian presidential election were refused entry at immigration.

Two crews from the All-Russia State Television and Radio Broadcasting Company (VGTRK) were not allowed to enter Ukraine. Cameramen Alexander Chukanov and Dmitri Vishkevich as well as two video-engineers had planned to cover the Presidential elections and had all required accreditations.

Reporter from Russian radio channel, Vesti FM Yaroslav Lukashev, was denied entry into Ukraine. He was stopped at the airport and despite having required accreditation was forced to take a return flight out of the country.

On 21 May, a Rossiya-1 TV crew from Zakarpattia were deported from Ukraine. The journalists reportedly claimed to be Finnish.

Legislation

My assessment of the media freedom situation in Ukraine would not be complete without taking into account relevant legislative developments. In January I criticised the amendments to the Criminal Code adopted by the Parliament that recriminalized defamation, gave additional protection for public officials from critical speech and introduced criminal responsibility for distributing extremist materials - very broadly defined through the media and the Internet.

This package of amendments sparked tremendous public outrage. I welcomed the fact that these provisions were later repealed by the Ukrainian Parliament on 28 January 2014.

I am very pleased that the Parliament heeded my advice and put an end to state-controlled broadcasting and adopted new legislation on public service television and radio broadcasts in May. My office conducted a legal review of the legislation and concluded that the new law provides an excellent institutional basis to reinforce media freedom in the country.

I am also pleased to report that in April, the Supreme Rada adopted amendments that, after several years of stalemate, enable full access to governmental information.

Confidence building

In order to contribute to the de-escalation of the conflict in Ukraine, on 19 May, my Office brought together senior representatives of journalist's associations from Ukraine and the Russian Federation to discuss journalist's role in easing tensions, improving communication and preventing propaganda.

It was an extremely constructive meeting that resulted in agreements on many key issues faced by Ukrainian and Russian journalists. The participants signed a [memorandum](#) in which they outlined practical steps to improve the safety of journalists and also called for their respective governments to stop manipulating the media and engaging in propaganda. The next meeting is planned for the end of June 2014.

We are also preparing training seminars for journalists on safety and reporting in conflict. The project "Safety of Journalists and Reporting During Crisis" (ExB 1500089) will not only better equip journalists and media workers with the tools necessary to ensure their physical safety but will also to reinforce high professional standards and objective reporting in times of conflict.

My office will continue to work with the government of Ukraine, civil society, International Organisations and OSCE structures to reduce tensions and create an environment conducive to media freedom.

Conclusion

This report highlights a concerning pattern of grave violations of media freedom commitments. I have and will continue to review and report the details of these developments to the OSCE participating States.

As the Representative on Freedom of the Media of a security-based organization it is my responsibility to warn OSCE participating States of the severity of the situation. Attacks on media freedom and free expression can set in motion the deterioration of the overall human rights situation throughout the OSCE region and beyond.

This conflict, as every other, is fuelled by attacks on journalists and media freedom as well as accusations of propaganda.

ANNEX I - Interventions by the OSCE Representative on Freedom of the Media

Communiqués:

- 1) **Statement by OSCE Representative on Freedom of the Media on blocking television channels**, 27 March 2014 <http://www.osce.org/fom/116888> ;
- 2) **Statement by the OSCE Representative on Freedom of the Media on denial of entry of journalists from one OSCE participating State to another**, 3 April 2014, <http://www.osce.org/node/117092> ;
- 3) **Statement by OSCE Representative on Freedom of the Media on Propaganda in times of Conflict** 15 April 2014, <http://www.osce.org/fom/117701> .

Statements

Year 2013:

- 1) **Journalists' safety in Ukraine must be ensured, says OSCE media freedom representative** , 29 November 2013, <http://www.osce.org/fom/109091> ;
- 2) **OSCE Representative concerned by magnitude of violence against journalists in Ukraine**, 2 December 2013, <http://www.osce.org/fom/109108> ;
- 3) **OSCE media freedom representative condemns brutal attack against Ukrainian journalist, calls for thorough investigation**, 25 December 2013, <http://www.osce.org/fom/110034> .

Year 2014:

- 1) **OSCE representative calls on President Yanukovich to veto legislation criminalizing speech, endangering media freedom in Ukraine**, 16 January 2014, <http://www.osce.org/fom/110347> ;
- 2) **Attacks on journalists in Ukraine must stop, says OSCE media freedom representative**, 22 January 2014, <http://www.osce.org/fom/110460> ;
- 3) **OSCE media freedom representative condemns killing of journalist in Ukraine**, 19 February 2014, <http://www.osce.org/fom/111478> ;
- 4) **Banning TV, radio broadcasts poses threat to media freedom in Ukraine, OSCE representative says**, 26 February 2014, <http://www.osce.org/fom/115832> ,
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NOTE: This report is based on bona fide sources and information gathered through the monitoring and previous reporting activities of the Office of the Representative on Freedom of the Media. It therefore might not cover additional cases eventually collected by NGOs and other relevant actors also present in the field.