



Permanent Mission of Ukraine
to the International
Organizations in Vienna

Statement in response to the Report of Mr. Harlem Désir, the OSCE Representative on Freedom of the Media

As delivered by Ambassador Yevhenii Tsymbaliuk,
Permanent Representative of Ukraine to the International Organizations in Vienna,
to the 1273rd meeting of the Permanent Council,
2 July 2020

Mr. Chairperson,

Ukraine joins others in welcoming the OSCE Representative on Freedom of the Media, Mr. Harlem Désir back to the Permanent Council and thank him for his comprehensive report.

Ukraine closely co-operates with the OSCE RFoM receiving valuable advice and assistance in enhancing freedom of the media and strengthening the safety of journalists in line with the OSCE commitments. We will continue to do so in the efforts to enhance media freedom and protection of journalists in the country.

In this connection we note a fruitful visit of the RFoM to Kyiv in February this year, when a wide range of media issues was discussed. In particular, the Ukrainian side seized that opportunity to update the RFoM on the reform in the Ukraine's media sphere as well as on the legislative measures aimed at deterring aggressive propaganda and disinformation from abroad. In particular, the RFoM's advice regarding the relevant draft legislation was discussed with the competent Ukrainian authorities and MPs.

Responding to the recommendations of the international experts, including those received from the RFoM, and after broad and open public discussions the draft law on media was substantially amended to meet the best European standards and practices as well as concerns of media representatives. In this respect it should be noted that adoption of this law is a part of the Ukraine-EU association agenda requiring the approximation of the Ukraine's national legislation with the provisions of the EU Audiovisual Media Services Directive.

After final legal finetuning the draft law on media will be returned to the Parliament for the first repeated reading by the MPs.

Regarding the draft law on disinformation, following the advice of the RFoM and the critics by the media experts and practitioners in course of public hearings held at the beginning of the year the discussions over the relevant legislative initiative are currently suspended.

Dear colleagues,

The Constitution of Ukraine guarantees the freedom of speech and expression. Libel is decriminalized in Ukraine. Independent media and internet news sites are active and express a wide range of views, featuring considerable pluralism in the country. The open criticism, including investigative journalism, as well as free public debates are the norm for the Ukraine's political life and help to keep the government and officials accountable to general public. Ukrainian citizens enjoy free and full access to various sources of information.

While recognizing that pluralistic media remain an indispensable element of Ukraine's society and its political life, the numerous rankings and reports delivered by different international governmental and non-governmental organizations clearly witness that the vast majority of threats to freedom of expression in Ukraine came from abroad and are directly related to the current aggression by the Russian Federation.

It goes without saying that the Russian armed invasion and consequent illegal occupation of Crimea and some areas of Donetsk and Lugansk regions prevent Ukraine from ensuring the proper protection of freedom of expression on these territories. Moreover, people who live in the grey area have more urgent needs in housing, food, medical care and employment. Under such settings freedom of expression is often left neglected by occupation administrations.

The facts speak for themselves. As for today Russian occupation authorities fully completed the process of cleansing the Crimean information landscape of free expression. Before the occupation of Crimea, there were about 3,000 media outlets. After the forceful re-registration, Roskomnadzor announced that it had registered and allowed the operation of 232 media entities, among which not a single Ukrainian media.

Russia has illegally misappropriated 503 frequency acquisitions used by the Ukrainian TV channels and radio stations for broadcasting in Crimea. Russia has stolen not only these 503 frequencies to broadcast aggressive propaganda against Ukraine, but also over 500 transmitters and hundreds of antenna systems as well as other equipment and assets belonging to the Ukrainian companies – both state and privately owned.

It is no exaggeration to say that occupied Crimea is cut off from the rest of the world without any access to independent media and alternative views. Independent media sources are forbidden and have been blocked and barred on the peninsula. Ukrainian journalists and photographers are not allowed to visit Crimea, freelance and civic journalists residing in Crimea have been charged with involvement in terrorism for simply reporting stories.

We believe that Representative on Freedom of the Media should pay greater attention to these facts in order it would not remain unnoticed or without adequate reaction by the OSCE.

Dear colleagues,

I wish to draw your attention to the open address by the Ukrainian journalists Roman Sushchenko and Stanislav Aseev, who were freed from Russian illegal captivity.

In their open letter issued on the eve of the “World Press Freedom Day” on 3 May they urged that the same efforts once made for their benefit by the international community now need to be focused on rescuing Crimean Tatar civic journalists illegally imprisoned by the Russian occupation authorities.

They noted five political prisoners, namely Nariman Memedeminov, Server Mustafayev, Remzi Bekirov, Osman Arifmemetov and Rustem Scheikhaliev as Crimean Tatar civic journalists imprisoned under the politically motivated charges by Russian authorities. None of them is openly persecuted for their work in journalism, neither were Sushchenko and Aseyev. All Ukrainian journalists of Crimean Tatar origin mentioned above have been recognized by the Memorial Human Rights Centre as political prisoners.

In this regard my delegation wishes to draw attention of the Permanent Council to the calls by the representatives Ukrainian civil society expressed most recently during the Second Human Dimension Implementation Meeting upon the international community to condemn brutal repressions of Ukrainian journalists and media representatives and step up political and diplomatic pressure on the Russian Federation to ensure that all illegally detained citizens of Ukraine are released and guaranteed safe return home.

We urge the Office of the OSCE Representative on Freedom of the Media to use all available instruments to facilitate Ukrainian civic journalist immediate release as well as to remain fully seized of the issues threatening freedom of the media and expression in the occupied by Russia territories of Ukraine.

Thank you, Mr. Chairperson!