

**Statement of the Delegation of Ukraine
at the Working Session 3 “Freedom of the media” of
2018 Human Dimension Implementation Meeting**

**Mr. Moderator,
Distinguished participants,**

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It is very important in the final document of our forum to mention the need to strictly distinguish propagandist pseudo formations and journalism.

Freedom of speech is one of the key values on which modern democracies are based.

In the face of information attacks of the Russian Federation, namely:

- the use of virtually all methods of information warfare, such as: disinformation, propaganda, diversification of public opinion, manipulation, psychological and psychotropic pressure; the spread of rumors etc .;

- numerous calls for a violent change of the constitutional order of Ukraine;

- inciting of war;

- promoting exclusivity, preferential treatment or inferiority of persons on various grounds;

- displays of materials that aim to ruin the territorial integrity of Ukraine,

- calls for violation of civil order and mass riots

since 2014, the Ukrainian state has been forced to take effective measures and seek ways to counter hostile propaganda in the country.

Since 2014 the state bodies in broadcasting have been forced to take urgent measures to stop Russian information aggression.

These measures are supported by foreign and domestic media and are based on strict compliance with the rule of international and domestic law and strict observance of human and civil rights and freedoms.

We have to consider comprehensive and preventive use of legal, political, socio-economic, advocacy and other opportunities for this purpose.

In all such actions Ukraine is dedicated to be and strongly acts in line with all obligations and international standards on freedom of speech.

This is evidenced, in particular, in the positive dynamics of Ukraine in the World Press Freedom Index 2018 of the international organization Reporters Without Borders. This year, Ukraine has risen one position in comparison with the previous year and now takes 101st place.

Ukraine is guided, inter alia:

- by provisions of the international law on the guarantee of fundamental freedoms and security for Ukrainian citizens, in particular: the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms (UN), the International Convention on the Elimination of All Forms of Racial Discrimination (UN), the International Covenant on Civil and Political Rights (UN)

- by provisions of the OSCE Ministerial Declaration on Preventing and Combating Violent Extremism and Radicalization that lead to Terrorism (MC.DOC/4/15, 04.12.2015)

- by provisions of the Articles 19-20 of the International Covenant on Civil and Political Rights.

Moreover, any propaganda of war shall be prohibited by law, any verbal or other forms of support for national, racial or religious hatred, or incitement to discrimination, hostility or violence, shall be prohibited by law.

Since 2016, the European institutions and states have officially recognized the manipulative and propagandist nature of Russian «fog machine» agencies that impersonate news outlets. Since 2016 European strives to fight Russian propaganda has joint the Ukrainian path of the first Ukrainian steps, which become stronger and stronger day by day.

On November 23, 2016 the European Parliament adopted the Resolution (EU Strategic Communication to counteract anti-EU propaganda by third parties, <https://goo.gl/JiU86o>), in which the Russian mass media such as «Sputnik» and «RT» are defined as «pseudo news agencies».

With this let me remind the following:

- On August 28, 2017 the Estonian government referred to this resolution, responding to the request of the Council of Europe Platform (on protection of journalists) on its decision to deny accreditation and access of the journalists of the International news agency «Russia Today» to the meeting of EU foreign ministers;

- At a joint press conference with Vladimir Putin, the French President Emmanuel Macron emphasized that resources such as «RT» and «Sputnik» are agents of influence and their activities are not in any way related to journalism.

The mention applies not only to organizations that are, according to the definition of the European Parliament, «pseudo-media» but also to the employees of these organizations, who follow the instructions to disseminate politically twisted and ethnically coloured information.

International standards, in particular the provisions of the Recommendation CM/ Rec (2016)4 of the Committee of Ministers of the Council of the European Union to Member States on the protection of journalism and the safety of journalists and other media actors states that «The exercise of the right to freedom of expression carries with it duties and responsibilities, as stated in Article 10, paragraph 2 of the European Convention on Human Rights. In the context of journalism, relevant duties and responsibilities are understood as including acting in good faith in order to provide accurate and reliable information, in accordance with the ethics of journalism.»

It must be noted that Russian journalists completely ignore the standards of journalism. It is a systemic and deliberate violation of ethical standards, in particular those approved by the Declaration of Principles on the Conduct of Journalists, adopted at the Second World Congress of the International Federation of Journalists (Bordeaux, 25-28 April, 1954), as amended at the 18th Congress (Helsingor, 2-6 June, 1986).

Taking into account the above-stated rules adopted by the European Community, dissemination of information in violation of generally accepted rules and standards of journalism should not be considered as related to media activities at all.

Russian pseudo-media use EU Member States as centres of dissemination of propaganda and conspiracy theories throughout the European territory.

EU rules allow broadcasters to air their own products on the territory of all member states, even in the case when the TV channels are registered in only one member-state.

Such channels formally legitimize their licenses in the EU member states, but in fact the formation of their content takes place in the territory of the Russian Federation.

Really serious concern have the states that have a common border with the aggressor state.

Representing here of the National Media Regulatory Authority of Ukraine, I would like to inform you that last week, on September 6, 2018, the Regulator took the decision on the temporary ceasing for six months of retransmission in Ukraine of the RTVI channel due to systemic violations of the Ukrainian legislation.

The foreign programme «RTVI» belongs to the jurisdiction of the United Kingdom. De jure European but de facto Russian TV channel «RTVI» has become a platform for disseminating information that deny state sovereignty and territorial integrity of Ukraine, disseminate propaganda from the state-aggressor as well as shows films which are restricted in Ukraine due to threat to national security.

Since January 2017, the National Council has issued warnings to the distributor of the «RTVI» channel in Ukraine «Sonar» LLC and the rights holder company «Brenrose Limited». Both companies have been informed of the numerous violations of the European Convention on Transfrontier Television and of the legislation of Ukraine. However, the situation remained unregulated, and such violations continued.

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As well let me inform you of the recent facts of slide towards propaganda in the Ukrainian TV media. The INDEPENDENT media associations of Ukraine that monitor the observance of journalistic standards in the TV and radio broadcasts have been concerned with the fact that politically neutral content of certain TV media has been recently transformed into clear propaganda, after the change of their beneficial owners.

This applies, in particular, to the «112» channel - the (previous) OSCE Representative on Freedom of the Media was keen on observance of the principle of freedom of expression towards the said channel.

At present, the facts of toxic changes in the content of a number of channels have been confirmed by the results of INDEPENDENT monitoring and conclusions of INDEPENDENT associations of media actors in Ukraine.

Any related changes in the consideration of such activities by state authorities will be carried out exceptionally based on rule of law and in compliance with the requirements of international and domestic legislation.

Furthermore, 503 frequency allotments owned by Ukraine and used by licensees of the National Council are seized by the Russian Federation in the occupied Crimea. Currently, these radio frequency allotments are unlawfully used to broadcast Russian programs, contrary to the the Constitution and Convention of the International Telecommunication Union (ITU), the ITU Radio Regulations, the statement of the Secretary-General of ITU at the ITU 2014 Plenipotentiary Conference. Russia also violates the requirements of the Resolution 68/262 (2014) of the General Assembly of the United Nations.

According to the available data, in general the frequency resource of Ukraine in Crimea is used for broadcasting by 26 licensees of Roskomnadzor in Crimea and 19 in the City of Sevastopol. Television broadcasting in Crimea is carried out by 22 Russian TV and radio companies, in Sevastopol – by 23.

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I thank you.