



HUMAN RIGHTS CENTER

30 May 2022

**Stakeholder Submission
to the UN Human Rights Committee Review of Russia
(135th Session, 27 June 2022 - 29 July 2022)**

Human Rights Center ZMINA (Ukraine) is pleased to offer an update¹ on our joint submission with Justice for Journalists Foundation (JFJ) dated 25 January 2022¹ about Russia's compliance with Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

ZMINA is a Ukrainian non-governmental organisation created in 2012. It works on freedom of speech, freedom of movement, combating discrimination, prevention of torture and ill-treatment, combating impunity, support for human rights defenders and civil society activists on the territory of Ukraine, including in the occupied Crimea, as well as the protection of the rights of the armed conflict victims. The organisation conducts information campaigns, educational programs, monitors and documents the cases of human rights violations, conducts research and analysis, and seeks changes through national and international advocacy. ZMINA has been monitoring the situation of media freedom and attacks on journalists in Crimea since its occupation by Russia in 2014. After the beginning of the large-scale Russian aggression against Ukraine ZMINA together with other 26 NGOs launched a Ukraine 5AM Coalition² dealing with the documentation of war crimes and aiming at protecting victims of armed Russian aggression in Ukraine and bringing to justice top leadership of the Russian Federation and direct perpetrators of war crimes. ZMINA documents cases of enforced disappearances of the active members of the local communities in Ukraine on the territories newly occupied by Russia as well as other attacks on media and civil society in Ukraine and provides emergency aid and relocation support to human rights defenders, civil society activists and journalists in Ukraine.

¹ https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/RUS/INT_CCPR_CSS_RUS_47726_E.pdf

² <https://www.5am.in.ua/en>

This update covers the situation only within the territories of Ukraine being occupied or under the effective control of the Russian Federation. Due to the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (hereinafter "Crimea") by the Russian Federation since 2014, this submission recognises the responsibility of Russia as an occupying power to respect and ensure a wide range of human rights in Crimea in the framework of its international obligations, including the ICCPR. This principle also applies to other territories of Ukraine within the power or effective control of the Russian forces acting outside its territory, including the territories where Russia set up its control after 24 February 2022 regardless of the circumstances in which such power or effective control was obtained.

Ukraine

A) Crimea

In 2022, **at least four physical attacks and threats, ten non-physical attacks and threats online and offline, and 51 instances of judicial and economic attacks were documented** by ZMINA and JFJ in the occupied Crimea. In 14 cases, the pressure on media workers combined several methods. Such instances targeted the same four media workers, which shows that the most critical media workers continued to be particularly targeted.

Since the beginning of the large-scale armed aggression of the Russian Federation in the territory of Ukraine, starting from February 24, 2022, and three months later, as of May 24, 2022, the following **tendencies** of deteriorating freedom of speech have been recorded in the occupied Crimea.

1. **Persecution for anti-war speeches** and systematic efforts of Russian law enforcement agencies to identify negative publications about the war in Ukraine or calls for a peaceful settlement posted on social media sites, with further bringing the authors of these publications to administrative responsibility under Article 20.3.3 of the Code of Administrative Offenses of the Russian Federation for "discrediting the actions of the Russian Armed Forces." At least three cases have already been reported in which local bloggers (Zair Semedliayev, Illia Hantsevskiy, and Oleksiy Yefremov) were prosecuted. At least 10 people were found guilty of making publications on their social media accounts. A court considers the administrative offenses under this article with numerous violations³ of existing fair trial standards.
2. **Continuation of politically motivated criminal prosecution of journalists**, fabrication of criminal cases. As of early 2022, 11 journalists were political prisoners in Russia and Crimea, currently occupied by Russia, 10 of whom were in prison and one person was put under house arrest. Crimean Tatar citizen journalists Server Mustafayev, Timur Ibrahimov, Marlen Asanov, Seyran Saliyev, Remzi Bekirov, Ruslan Suleymanov, Osman Arifmemetov, Rustem Sheikhaliyev,

³ [https://crimean-process.org/analiz-sudebnyh-proцessov-v-otnoshenii-krymchan-vystupayushhih-protiv-voennoj-agressii-rossijskoj-armii](https://crimean-process.org/analiz-sudebnyh-proცessov-v-otnoshenii-krymchan-vystupayushhih-protiv-voennoj-agressii-rossijskoj-armii)

Amet Suleymanov are defendants in the so-called "case of Crimean Muslims", within which the largest number of Ukrainian citizens in the occupied Crimea have been illegally imprisoned. Two more journalists, Oleksiy Besarabov, an analyst and journalist, contributor to the Ukrayinski Novyny media outlet, and Vladyslav Yesypenko, a freelance journalist for RFE/RL's Crimea.Reality project, are also in custody. The Russian Federation continues to try the cases of imprisoned journalists. In particular, before the start of a new wave of Russian armed aggression, on February 16, 2022, the Simferopol District Court read out the sentence to Vladyslav Yesypenko, a freelance journalist for RFE/RL's Crimea.Reality project, charged with possessing and altering a hand grenade. He was sentenced to six years in a penal colony and fined RUB 110,000. On March 10, 2022, the Southern District Military Court in Rostov-on-Don illegally convicted five Crimean Tatar activists of the Crimean Solidarity movement, including citizen journalist Remzi Bekirov, who also contributed to Grani.Ru media outlet. Bekirov was sentenced to 19 years in prison. In addition, on April 29, 2022, citizen journalist Iryna Danylovykh was detained in Koktebel. Four men forced her into a car. Since then, her whereabouts and procedural status were unknown to the relatives and a lawyer for 13 days. Then it became known that the court chose a pre-trial measure of restraint in the form of arrest for two months on charges of crimes related to explosives. That was done in violation of existing rules, in the presence of a lawyer by appointment, at the request of the FSB investigator. Thus, Iryna Danilovich became the 12th Crimean journalist imprisoned for political reasons. In total, according to the Human Rights Center ZMINA, more than 120 Crimean people are political prisoners, with one in ten imprisoned for journalism.

- 3. Decline in number of independent information initiatives operating in Crimea.** After the start of the large-scale war in the territory of Ukraine, Russia also increased pressure and intimidation of journalists in Crimea, and an unprecedented campaign was launched on the peninsula in support of the Russian invasion and the actions of Russian president Vladimir Putin. Threats, searches, new politically motivated criminal cases were aimed at intimidating citizen journalists of existing information initiatives. As of May 2022, at least four information initiatives operating in Crimea ceased operations since the beginning of the war. Reasons include direct persecution, safety considerations, moral standards, and forced evacuation.

B) Other Ukrainian territories

The large-scale invasion of the territory of Ukraine by the Russian army unleashed on February 24, 2022, has led to an unprecedented number of crimes against journalists. According to the Institute of Mass Information (IMI) data, for three months of full-scale war, **Russia committed 280 crimes against journalists and the media in Ukraine**⁴.

⁴ <https://imi.org.ua/en/monitorings/280-crimes-against-journalists-and-the-media-in-ukraine-committed-by-russia-in-three-months-of-war-i45745>

1. For the three months of the war in Ukraine, **seven journalists were killed in the line of duty**. Those were three Ukrainian and four foreign journalists, including:
 - Yevhen Sakun, cameraman of LIVE TV channel. He was killed in Russian rocket attack on a TV tower in Kyiv on March 1.
 - Brent Renaud, documentary filmmaker, former correspondent for The New York Times, the Time reporter. He was shot dead by Russians at a checkpoint in Irpin, Kyiv region, on March 13.
 - Pierre Zakrzewski, Fox News cameraman, an Irish citizen. He was killed in Russian artillery shelling of the village of Horenka, Kyiv region on March 14.
 - Oleksandra Kuvshynova, Ukrainian fixer, journalist. She was killed in Russian artillery shelling of the village of Horenka, Kyiv region on March 14, alongside Pierre Zakrzewski.
 - Oksana Baulina, a journalist for Russia's The Insider, Alexei Navalny's Anti-Corruption Foundation. She was killed in Russian shelling of Kyiv on March 23.
 - Maksym Levin, photojournalist, military correspondent. He contributed to many international news agencies and Ukrainian media outlets, went missing near the village of Moshchun in Kyiv region on March 13, and was found dead on April 1.
 - Mantas Kvedaravičius, Lithuanian director and documentary filmmaker. Killed in Mariupol.
2. The media outlets continue to shut down amid the Russian aggression in the territory of Ukraine. Thus, according to IMI data, **at least 113 regional media outlets had to close due to threats from the Russian occupiers**, seizure of newsrooms, inability to work under temporary occupation and print newspapers, and so on.
3. **The Russian occupiers continue to eliminate Ukrainian broadcasting in the temporarily occupied territories**. In Mariupol, for example, the occupiers disseminate propaganda using the name and logo of the Priazovsky Rabochy newspaper. This newspaper ceased its activities due to the occupation. Shelling of journalists, TV towers, media offices are among the crimes of the Russian army
4. **The occupying forces of the Russian Federation widely use the practice of enforced disappearances and torture of journalists** in the newly occupied territories. In some cases, journalists' relatives are abducted to put pressure on journalists. Thus, **ZMINA documented 17 cases of enforced disappearances of journalists** in Zaporizhzhia, Kherson, Kyiv, and Donetsk regions. Of these, 11 journalists were released, 4 are still missing, and 2 were killed / tortured to death, including:
 - On March 18, 2022, in the village Melekine near Mariupol, the Russian military illegally arrested 78-year-old journalist Yevheniy Bal, a member of

the National Union of Journalists of Ukraine and the National Union of Writers of Ukraine. He was severely beaten and let go three days later. On April 2, 2022, Yevheniy Bal died from injuries inflicted by the occupiers during torture.

- On April 12, 2022, it became known about the death of Zoreslav Zamosky, a freelance journalist for the Information Portal Internet media outlet and the Hromada Pryirpinnia resource. His body was found in Bucha town with signs of violent death.

5. **The number of threats and cyberattacks against journalists and the media is growing.** Thus, for the three months of the full-scale war, IMI recorded 50 cases of threats and harassment of journalists and the media. Journalists are intimidated by threats of imprisonment 'in Siberia', torture, interrogation, and the use of nuclear weapons. Ukrainian media sites are steadily suffering from constant Russian cyberattacks. During this period, IMI recorded 32 such cases. As a result of the attacks, media sites stop working for a while at all or partially. Hackers change information materials, place the Russian flag, their Z and V symbols, and so on.

Recommendations:

We encourage the Human Rights Committee to urge the Russian Federation to:

- To cease armed aggression and hostilities in the territory of Ukraine, withdraw from the occupied Ukrainian territories, and allow the mass media to return freely and continue their work.
- To immediately release journalists, including Crimean Tatar and Ukrainian citizen journalists, imprisoned for political reasons.
- Stop blocking Ukrainian media, including online, leave captured TV and radio frequencies in the occupied territories.
- To investigate all war crimes committed against journalists in Ukraine, including murders, torture, enforced disappearances, attacks on media premises and property, etc., bring perpetrators to justice, cooperate with the Ukrainian law enforcement agencies and the International Criminal Court.
- Pay compensation to all victims of war crimes against the media and violations of journalists' rights.