

Flygtningenævnets baggrundsmateriale

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Freedom of the Press 2017 - Crimea

Press Freedom Status: Not Free

Total Score: 94/100 (0 = Most Free, 100 = Least Free)

Legal Environment: 30/30

Political Environment: 38/40

Economic Environment: 26/30

Quick Facts

Population: 2,300,000

Freedom in the World Status: Not Free

Key Developments in 2016:

- Authorities blocked online access to a number of outlets including *Krym.Realii*, *Sobytiya Kryma*, ATR, and Chernomorskaya TRC, further decreasing the variety of news sources available to residents of Crimea.
- In April, agents with the Russian Federal Security Service (FSB) raided the homes of several journalists accused of advocating for Crimea's independence, confiscating equipment in at least one case.
- In December, FSB officers searched the premises of the occupation government-funded television station Millet as part of an embezzlement investigation, and confiscated some material.
- In November, authorities opened a criminal bribery case against businessman Aleksey Amelin, who had won control of most FM radio frequencies in Crimea in a flawed 2015 frequency tender.

Executive Summary

In early 2014, Russian forces invaded the autonomous Ukrainian region of Crimea, which was then incorporated into the Russian Federation through a referendum widely condemned as having been conducted in violation of international law. Aggressive efforts by Russian and Russian-installed local authorities to establish control over what had been a fairly pluralistic media landscape have left conditions in Crimea worse than in Russia itself.

Violence and extralegal intimidation against journalists decreased in 2016, as almost all independent journalists had either left Crimea and moved to mainland Ukraine, or had left the profession of journalism. The few still working to produce independent journalism increasingly faced pressure in the form of criminal prosecutions. Reporters whose work challenged authorities frequently faced allegations of separatism or extremism, while others found themselves the targets

of trumped-up charges unrelated to their work as journalists. Those affiliated with occupation authorities also faced pressure in 2016, including a businessman who controlled much of the peninsula's radio sector, and a television station established by occupation authorities in 2015, meant to serve the ethnic Tatar minority population.

Legal Environment: 30 / 30

After the March 2014 annexation, which was not recognized internationally, the occupation authorities began enforcing Russia's constitution and federal laws. A local constitution based on the Russian model was imposed the following month. Although the Russian constitution provides for freedom of speech and of the press, a variety of restrictive laws – including Russian laws and local Crimean regulations – and a politicized judiciary curb media independence in practice. Journalists are subject to trumped-up criminal charges for defamation and incitement to separatism, as well as for "extremism," a poorly defined offense that can be invoked to penalize nearly any activity authorities deem disruptive.

In April 2016, agents with the Russian Federal Security Service (FSB) raided the homes of several Crimean journalists accused of advocating for Crimea's independence, confiscating equipment in at least one case. One of the raids' targets, Mykola Semena of the news website *Krym.Realii*, the Crimean service of Radio Free Europe/Radio Liberty (RFE/RL), was charged with undermining Russian territorial integrity using mass media; he faces as long as five years in prison and at year's end was the subject of a travel ban preventing him from leaving Crimea. In July, he was barred from accessing his personal bank account due to his name appearing on a "terrorist list" published by the Federal Financial Monitoring Service of the Russian Federation. Additionally, a number of people were questioned or faced charges during the year in connection with material posted to social networking websites that authorities deemed extremist or to promote separatism.

Journalists are not able to make effective use of a 2009 Russian law on access to public information.

In the months after the 2014 annexation, the occupation authorities harassed pro-Ukraine media outlets, shutting down some and threatening others with closure. All mass media – including online outlets – were given until April 2015 to register with Roskomnadzor, the Russian federal media regulator, and to obtain a license; editors were repeatedly warned by officials that they would not be allowed to register if they disseminated "extremist" materials. After the deadline expired, Roskomnadzor reported that 232 media outlets had successfully registered, down from about 3,000 under Ukrainian rule. Those barred from reregistering included several outlets – television, radio, print, and online – that served the Crimean Tatar minority.

Like other nongovernmental organizations (NGOs), journalists' associations and groups dedicated to press freedom and freedom of expression are now subject to onerous Russian laws, including measures restricting foreign funding. Support from mainland Ukraine is hampered by the lack of banking connections between Ukrainian institutions and the occupied peninsula. Almost all human rights and civic activists have relocated to mainland Ukraine to escape legal restrictions as well as extralegal harassment, detentions, and intimidation in Crimea.

Political Environment: 38 / 40

While Crimea had featured a relatively pluralistic media environment under Ukrainian control, in 2014 the occupation authorities immediately began cutting off access to Ukrainian news outlets and replacing them with Russian alternatives. Television retransmission facilities were seized by armed men, and the signals of Russian broadcasters were substituted for those of the main Ukrainian stations. After the reregistration process was completed in April 2015, virtually all Crimea-based news outlets carried content that was supportive of the Russian or local pro-Russian authorities. After facing official pressure or being denied registration, independent local media organizations and many of their journalists migrated to mainland Ukraine. In December 2016, as Ukrainian authorities were constructing a telecommunications tower near Crimea, occupation authorities announced that Ukrainian broadcasts would be blocked in Crimea for failing to comply with Russian law.

Unofficial censorship and self-censorship are widely practiced in Crimea. In October 2016, the editorial team of the *Novosti Sevastopolia* website received a letter from Roskomnadzor requesting that it remove an article about a group of people who had threatened to set themselves on fire to oppose local authorities' attempts to take over their apartments; the regulator claimed the paper was disseminating propaganda advocating suicide.

Internet access in Crimea is governed by Russia's restrictive telecommunications regulators, and websites hosting material unpalatable to Russian authorities are often deemed "extremist" and blocked. In 2016, authorities took steps to block online access to a number of outlets including *Krym.Realii*, *Sobytiya Kryma*, ATR, and Chernomorskaya TRC, further decreasing the diversity of news sources available to residents of Crimea.

Foreign journalists and outlets require accreditation from Russia's Foreign Ministry to enter and operate in Crimea, and occupation authorities apply this rule to outlets based in mainland Ukraine, limiting their access to the peninsula. Family members of journalists working from exile have faced harassment by the authorities.

Journalists and bloggers in Crimea are subject to obstruction, arbitrary detention, interrogation, and seizure or damage of their equipment as they attempt to perform their jobs, with reporters covering issues that affect Crimean Tatars being particularly affected. However, the rate of extralegal intimidation and violence against journalists decreased in 2016, compared to the previous two years; instead, pressure against journalists was generally applied by police, prosecutors, or the FSB, who employed legal or administrative means.

A number of journalists perceived as critical of authorities faced criminal prosecutions on trumped-up allegations unrelated to their work in 2016. In June, Alexei Salov, the editor in chief of the news website *Argumenty Nedeli-Krym*, was arrested in Simferopol and accused of extortion; the outlet had recently covered among other topics the occupation authorities' banning of the Mejlis, the official but nongovernmental representative body of the Crimean Tatar people, on grounds of extremism. And in October, FSB officers arrested *Tvoya Gazeta* editor in chief Aleksey Nazimov, who is known for his criticism of local authorities, on claims that he had blackmailed a local politician. A court later rejected his lawyer's request that he be confined to house arrest rather than held in custody. Separately, in December, FSB officers searched the offices of the occupation government-funded television station Millet, where they confiscated some material in connection

with an embezzlement investigation. Millet, designed to serve the Tatar population, had been established in 2015, after independent Tatar-language outlets were pushed out of the peninsula.

Economic Environment: 26 / 30

The changes imposed by the occupation authorities since 2014 have left Russian outlets, particularly state-owned television stations, with a dominant position in the Crimean media market. A flawed frequency tender in 2015 further concentrated economic control over the radio sector. This effectively excluded any Ukrainian and local Crimean outlets that did not enjoy official support in Moscow. As a result of the tender, the rights to frequencies belonging to existing Crimean stations were in many cases transferred to major Russian media holdings or well-connected local businessmen. In 2015, businessman Aleksey Amelin gained control over most FM frequencies in Crimea as a result of discriminatory competition of radio-frequency allocation. In November 2016, authorities opened a criminal bribery case against Amelin, which could lead to ownership changes at the outlets he controls.

In addition to the exclusion of most Ukrainian broadcasters, distribution of Ukrainian print outlets has been obstructed by Russian and Russian-backed Crimean officials. In 2014 Ukraine's postal agency announced that it could no longer make deliveries of Ukrainian publications to the peninsula.

The broader economic environment in which the media operate has been affected by a variety of other factors related to the occupation, including expropriations by Russian-backed local authorities, Russian government subsidies, obstacles to trade and communications with mainland Ukraine, and international sanctions.