

Violation of Freedom to Seek, Receive and Impart Information in Occupied Crimea

prepared by a Crimean Human Rights Group

The Crimean Human Rights Group (CHRG) is a non-profit Ukrainian human rights organization of Crimean human rights defenders and journalists, aimed at promoting the observance and protection of human rights in Crimea by attracting wide attention to problems of human rights and international humanitarian law in the territory of the Crimean peninsula. The CHRG focuses on documentation and ongoing monitoring of human rights violations and war crimes in connection with the illegal actions of the Russian Federation in Crimea. The CHRG is guided by principles of objectivity, reliability and timeliness in the preparation and spreading of the information.

01034 Ukraine, Kyiv, Yaroslaviv Val street, 33B Office phone +38 067 224 01 73
website <https://crimeahrg.org/en/> email crimeahrg@gmail.com

Context:

On March 21, 2014, the Russian Federation (hereinafter - the Russian Federation), having started an international armed conflict, incorporated the Autonomous Republic of Crimea and the city of Sevastopol into the territory of the Russian Federation by its Federal Constitutional Law, thus attempting to annex them¹. Ukraine's sovereignty, unity and territorial integrity within its internationally recognized borders were reaffirmed by General Assembly resolution 68/262².

The Grand Chamber of the European Court of Human Rights, in the operative part of the decision on the admissibility of the case "Ukraine v. Russia (re Crimea)" of 16 December 2020, Section 5(d) declared that since 27 February 2014, the Russian Federation has established an effective control over the territory of the Autonomous Republic of Crimea and the city of Sevastopol³.

Thus, since 27 February 2014 the Russian Federation has been extending its laws on the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (hereinafter – Crimea).

Pursuant to Article 19 of the Universal Declaration of Human Rights, ‘everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice’.

Furthermore, pursuant to Article 10 of Convention for the Protection of Human Rights and Fundamental Freedoms, ratified by Law no 54-FZ of 30 May 1998⁴, ‘everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.’

Situation with respecting the freedom to seek, receive and impart information in Crimea:

For the period of 1 July 2020 – 31 May 2021, the Crimean Human Rights Group ran three monitoring campaigns of the situation with the access of the population to the Ukrainian mass media in the northern Crimea.

The first monitoring was carried out in **September 2020**. According to its results, Russian FM stations broadcast their own programs on Ukrainian radio frequencies in 7 settlements. In 11 settlements out of 19

¹ http://www.consultant.ru/document/cons_doc_LAW_160618/

² <https://undocs.org/en/A/RES/68/262>

³ <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-207622%22%7D>

⁴ <http://pravo.gov.ru/proxy/ips/?docbody=&prevDoc=102389877&backlink=1&nd=102052320>

simultaneous broadcasting of two stations - Ukrainian and Russian - was recorded on certain frequencies. A new TV and radio tower was installed in the Russian-controlled territory of Crimea near the Chaplynka Checkpoint on the administrative border between the Russian-occupied Autonomous Republic of Crimea and the Kherson region of Ukraine, indicating that the Ukrainian FM radio broadcasting was deliberately jammed with the Russian stations⁵.

9 internet providers in 8 settlements in the occupied territory of Crimea blocked 25 Ukrainian sites and one social network. The same providers blocked the sites of the Crimean Tatar Mejlis, Hizb ut-Tahrir, Jehovah's Witnesses, and the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine. In addition, at least 3 more Ukrainian sites were only partly accessible via these providers⁶.

The second monitoring of 11 Crimean providers regarding the access to Internet resources, carried out by the CHRG in **December 2020**, showed that at least 25 Ukrainian sites were blocked completely, other 5 - partially⁷.

Monitoring of the FM broadcasting in the north of Crimea demonstrated that the signal of Ukrainian radio stations could be heard only in 7 out of 19 settlements. Signals were jammed by Crimean and Russian radio stations broadcasting on the same frequencies the Ukrainian broadcasters were licensed to under Ukrainian law⁸.

The monitoring of FM broadcasting in the northern Crimea, carried out by the CHRG in **March 2021**, testified jamming of the Ukrainian FM radio stations around the Chaplynka Checkpoint – 5, and around the Chongar Checkpoint – 6⁹.

The monitoring of the Crimean internet providers regarding the access to Ukrainian Internet resources carried out by the CHRG in **March 2021**, showed that at least 12 providers in 12 Crimean settlements completely blocked the sites of 22 Ukrainian media and 5 sites of religious or governmental organizations¹⁰.

In addition, in February 2021, the Crimean Human Rights Group monitored the FM broadcast signal coverage in 19 settlements of the Kherson region (territory controlled by the government of Ukraine). This monitoring showed that the Russian authorities were jamming the frequencies of Ukrainian radio stations in the Ukrainian government-controlled territory from the occupied Crimea territory by broadcasting Russian and Crimean stations on these waves. The power of Russian broadcasting on the frequencies the Ukrainian radio stations broadcast on in the Kherson region has significantly increased since early 2021 when the Russian administration mounted a TV Radio tower at the administrative border with the Autonomous Republic of Crimea, where an industrial equipment for broadcasting radio and TV programs was observed¹¹.

The results of CHRG monitoring prove that in 2020-2021 the Russian Federation, instead of stopping blocking Internet resources and Ukrainian mass media, has intensified this as well as broadcasting of radio stations from the Russian-occupied territory of Crimea. By its actions, the Russian Federation restricts access to information that the people living in the occupied Crimea under the effective control of the Russian Federation has the right to seek, receive, and impart.

⁵ Occupation authorities mounted a new tower in north of Crimea to jam a signal of Ukrainian FM stations:

<https://crimeahrg.org/en/occupation-authorities-mounted-a-new-tower-in-north-of-crimea-to-jam-a-signal-of-ukrainian-fm-stations/>

⁶ 9 providers block completely 30 websites in 8 cities in Crimea <https://crimeahrg.org/en/9-providers-block-completely-30-websites-in-8-cities-in-crimea/>

⁷ At least 11 providers block Ukrainian online media in 9 cities in Crimea <https://crimeahrg.org/en/at-least-11-providers-block-ukrainian-online-media-in-9-cities-in-crimea/>

⁸ A new wave of jamming Ukrainian FM broadcasting in northern Crimea by occupation authorities – monitoring <https://crimeahrg.org/en/a-new-wave-of-jamming-ukrainian-fm-broadcasting-in-northern-crimea-by-occupation-authorities-monitoring/>

⁹ Russia continues to block FM radio broadcasting in northern Crimea <https://crimeahrg.org/en/russia-continues-to-block-fm-radio-broadcasting-in-northern-crimea/>

¹⁰ At least 12 Crimean providers blocking Ukrainian websites in Crimea <https://crimeahrg.org/en/at-least-12-crimean-providers-blocking-ukrainian-websites-in-crimea/>

¹¹ Occupation authorities of Crimea jamming Ukrainian FM stations in the south of Kherson Region

<https://crimeahrg.org/en/occupation-authorities-of-crimea-jamming-ukrainian-fm-stations-in-the-south-of-kherson-region/>