

CHALLENGES TO FREEDOM OF SPEECH AND JOURNALISTS IN WARTIME: SOCIOLOGICAL RESEARCH



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This study analyzes the challenges to journalists and freedom of speech in Ukraine within the context of large-scale armed aggression of the Russian Federation. With the help of focus groups and expert survey of journalists, the challenges to the following components of freedom of speech are described: censorship and self-censorship; impact of legal regulation; threat of punishment; journalists' assessment of the level of their safety, etc.







The research is conducted by Human Rights Centre ZMINA in cooperation with Ilko Kucheriv Democratic Initiatives Foundation with the support of Freedom House Ukraine; it is part of the project "Supporting defenders of freedom of speech and expression in Ukraine during the conflict". ZMINA and its partners – Human Rights Platform and Institute of Mass Information – support everyone's right to freedom of thought and speech and to the free expression of their views.

Photo on the cover and in the text of the research: UNIAN.

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Introduction

The fierce resistance of Ukraine and all Ukrainian defense forces in 2022 made it possible to confront the Russian armed aggression and liberate many territories, in particular parts of Kyiv, Chernihiv, Sumy, Kharkiv, and Kherson regions. At the same time, the war continues, and the situation in the country remains extremely tense.

The circumstances of wartime make special demands on the work of journalists. On the one hand, the interests of state security, the protection of civilians and the military may take precedence over the rights to access information, freedom of speech and expression. On the other hand, free media and freedom of speech in Ukraine are not only a cornerstone of democracy but also an additional factor of Ukrainian resistance – independent media and journalists can clearly outline existing problems and bring their solutions closer. The high-quality work of journalists allows us to convey the true picture of the war in Ukraine to Ukrainians and foreigners and to gain the support of many countries around the world.

At the same time, preserving freedom of speech during such a bloody war is an extremely difficult task.

Where is the line between freedom of speech and national security? What are the biggest threats to freedom of speech and the work of journalists in the conditions of full-scale armed aggression from the Russian Federation against Ukraine? What information can and cannot be published? How widespread is censorship and self-censorship? Do journalists fear for their safety? How often do they receive threats because of their activities? What topics are they afraid to discuss? What factors influence journalists when choosing whether to disseminate certain information? Is it possible to create uniform rules for media during wartime?

To provide answers to these and other questions, ZMINA together with Ilko Kucheriv Democratic Initiatives Foundation with the support of Freedom House conducted sociological research aimed at getting a better understanding of the challenges to the journalists' work and freedom of speech amid the large-scale armed aggression of the Russian Federation against Ukraine.

This war is not only a legitimate struggle of Ukraine against an external aggressor to restore the territorial integrity of the country but also a confrontation between democracy and tyranny. Ukraine stands at the forefront of protecting the democratic world from the authoritarian and aggressive Russian Federation, and therefore the issue of preserving democracy and freedom of speech within Ukraine itself is key to the further development and European future of the country.

We hope that the conducted research will allow for a deeper understanding of how Ukrainian journalists themselves perceive the situation, in particular how they assess the state of freedom of speech during the war, the presence or absence of censorship, access to information, the prevalence of self-censorship and its manifestations during the war, and the necessary actions to protect the freedom of speech at this stage and after the end of the war.

Summary of Research

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The research aimed to analyze the challenges to freedom of speech and journalists in the conditions of large-scale armed aggression of the Russian Federation against Ukraine.

Within the framework of the research, Ilko Kucheriv Democratic Initiatives Foundation conducted three focus group discussions with 33 journalists and persons related to journalistic activities (journalism professors, media managers, media experts, bloggers) on behalf of Human Rights Centre ZMINA with the support of Freedom House. These discussions took place in December 2022 (qualitative research). Moreover, the expert survey of 132 journalists from different regions of Ukraine was conducted on January 18-27, 2023 (quantitative research).

For comparison, the data of a similar survey¹ conducted from May 30 to June 14, 2019, involving 127 journalists, are provided.

Assessment of freedom of speech level

 The majority of surveyed journalists believe that freedom of speech persists in Ukraine even under martial law. It exists with significant limitations regarding the coverage of the circumstances of the war, but it persists.

See: Challenges to freedom of speech and journalists in wartime – 2019: sociological research / T. Pechonchyk, A. Sukharyna, V. Yavorskyi; Human Rights Centre ZMINA. – Kyiv, 2019: https://zmina.ua/publication/vyklyky-dlya-svobody-slova-ta-zhurnalistiv-v-umovah-vijny-2019-socziologichne-doslidzhennya/

- Surveyed journalists rate the **state of freedom of speech in Ukraine at 6.4 points on a scale of 1–10**, 1 being very poor and 10 being very good. At the same time, the number of extremely low points (from 1 to 3 points) accounts for less than 10%, the present work will assess the absence of significant polarization on this issue. For comparison: in 2019, journalists assessed the state of freedom of speech at 7.6 points. As we can see, the assessment naturally decreased after Russia's full-scale attack on Ukraine but still shows that journalists positively perceive the opportunity to do their job in wartime.
- At the same time, after February 24, 2022, a significant part of the interviewed media persons have faced violations of the right to freedom of speech and information in their activities. Most often, journalists stated the refusal of officials to provide socially important information (51% of respondents), censorship of prepared materials or prohibition of publication of certain information (22%), and refusal of accreditation (17%). The first two violations were also in the lead during the 2019 survey, but the order of knowingly false information for defamation was ranked third then.

Censorship and access to information

- The main fears of journalists regarding the threat of government censorship have certain prerequisites. Thus, when talking about whether censorship exists in Ukraine, **26% of respondents point to its systemic nature, 38% say that it exists in some media outlets, and 31% believe that censorship exists only in isolated cases**. At the same time, since 2019, the polarization of journalists on this issue has increased significantly, namely: the share of journalists who say either that censorship is widespread or that this phenomenon is quite rare has soared, and, on the contrary, the number of those convinced that censorship as a phenomenon exists only in certain media outlets almost halved.
- Journalists who acknowledged the presence of censorship, most often stated that it is conducted by various state or local authorities, as well as media owners. Journalists' self-censorship is ranked third.
- 62% of interviewed media professionals consider the united telethon created at the beginning of the full-scale invasion to be a form of censorship. Two-thirds also believe that the united telethon should be stopped and all broadcasters may broadcast independently.
- In the same way, almost all journalists surveyed within focus groups stated that the format of the united telethon should be modified, and a certain part advocated a complete rejection of such a format. The main aspects that need to be improved are the low quality of the content provided by some TV channels in the pool (primarily Rada TV channel), the small number of high-quality emotional stories, and the lack of adequate rotation of invited experts. Many journalists are also dissatisfied with the fact that the united telethon has become a PR platform for pro-government political force.
- Regarding the forms of pressure used in journalistic practice during the justification or conduct of censorship, the most frequently mentioned references were "we are at war" (57%), "it is in the interests of the country" (44%), and "such position is not popular in society" (29%).
- Fourteen percent of the surveyed journalists report that the authorities quite often required prior approval of the information disseminated, 40% say they encountered such practice but infrequently, and 46% state this did not happen to them. There was a similar situation in 2019 when about 60% of the media representatives surveyed said that the authorities required the information to be agreed upon. Most often, after the Russian full-scale invasion of Ukraine, officials of local administrations (55%) and members of local councils (25%) demanded such approval of information. At the same time, a smaller number of journalists report the requirements for information to be agreed upon were put forward by Parliament members, officials of ministries or the President's Office.

- Part of the focus group research participants express the opinion that the existence of military censorship regarding the conduct of military operations and the state of affairs in the army is justified. At the same time, respondents often express dissatisfaction with the fact that the military-political leadership lacks a consistent position on what information they provide to journalists. Respondents are also dissatisfied with the fact that access to certain types of publicly available information has not been restored although it is not related to defense capability.
- Forty percent of surveyed journalists believe in the need for limited censorship, and a third are against it. At the same time, 44% of respondents believe that there are topics in Ukraine that cannot be written or talked about (in 2019, there was about a quarter).
- Covering the war developments and consequences remains a difficult issue for most journalists, even for those who have considerable experience in such work, gained since the beginning of the war in Donbas in 2014 or within the framework of other military conflicts.
- Some topics related to the conduct of war are limited by military censorship, but in certain cases, journalists don't see a reason for a total ban on covering the situation in certain areas, for example, in military hospitals. Some other topics, for example, situations with missing persons, remain taboo due to the difficulty in covering them and the risks of harming relatives and friends.

Prevalence of self-censorship and its manifestations during war

- Self-censorship is a far more significant factor limiting freedom of speech during war than legal restrictions or risks of persecution. The framework of self-censorship is usually narrower than the existing rules and restrictions on the dissemination of information in wartime.
- Large-scale armed aggression of the Russian Federation against Ukraine has increased expectedly the number of cases of self-censorship by journalists; 78% of respondents agreed with this statement.
- Among the factors that force journalists to self-censor, three are key: fear of making a mistake or difficulties in verifying information and personal beliefs (45% each) and fear of losing job (44%). Another part of respondents consider public opinion (38%), pressure from media owner (37%) or government (35%). In 2019, the situation was somewhat different: fear of losing job (74%) and pressure from media ownership (55%) were the main factors of self-censorship.
- Self-censorship affects not only the sphere of war but also all adjacent aspects everything that, according to the respondents, may affect the country's defense capability. A significant part of journalists prefers not to work (or to work extremely carefully) with materials that involve criticism of local or central authorities, with topics of corruption, etc. At the same time, some journalists still try to dispose of the received information privately to stop illegal actions or corruption risks.
- The majority of surveyed journalists (48%) were undecided about whether they would hide true
 information if they believed it would be useful for the state (the same situation was in 2019). At the
 same time, a fourth of the respondents believe that such information should still be made public
 (in 2019, there were a third of such respondents).
- After learning about potential crimes by the Ukrainian military leadership or specific military personnel, almost half of the interviewed journalists will act depending on the situation: sometimes such information should be published, and it is better to refrain in other cases. Every fifth respondent believes that it is necessary to try and solve a problem privately. Another 22% believe that such facts should be made public and supported by evidence. At the same time, none of the journalists who took part in the research believe such information should be totally ignored and no attempts to do anything with it either publicly or privately should be made.
- Interviewed journalists believe that representatives of the Russian occupation administrations must not be given the opportunity to express their position in the Ukrainian mass media (84%).

Impact of legal regulation

- Those surveyed are quite categorical about whether a journalist or a media outlet has the right to publish false information for good purposes, for example, for the dismissal of bad officials. Only 7% of respondents agreed with such actions.
- The majority of respondents believe that a journalist should bear certain liability for the spread of fakes. At the same time, the majority leans towards the necessity of not criminal liability, but administrative or civil liability at the lawsuit of a person about whom such information was disseminated. If fakes concern government agencies, then the latter should be able to file a civil lawsuit at court demanding refutation, prohibition of the dissemination of such information and compensation for the damage caused. However, only a small percentage of respondents agree that criminal liability should be provided for such actions, or the possibility of out-of-court blocking of such information.
- Likewise, the respondents interviewed in focus groups agreed that there should be liability for spreading false information and fakes if it was intentional. However, the main problematic aspect is what this liability should be, and whether such a punishment can become a way of putting pressure on journalists. If this aspect is implemented incorrectly, it can become a way of manipulating and persecuting independent journalists.
- Half of respondents believe that Ukrainian journalists working in the Russian mass media should bear criminal liability. Seventeen percent consider that they should not unless they spread false information (in 2019, the majority believed so).
- When asked whether journalists may conduct professional activities in the combat zone without the permission of the military leadership, more than half of the surveyed journalists said that it is not possible: any such activity must be agreed on with the military leadership. Another 42% tolerate such situations.
- After the beginning of the Russian full-scale invasion of Ukraine, Verkhovna Rada made numerous amendments to the Criminal Code of Ukraine, prohibiting the collection, storage and dissemination of certain types of information. More than half of the surveyed media representatives believe that such novelties are necessary during the war, and only 8% disagree with this. At the same time, more than a third of respondents either did not know anything about it or are undecided.
- The majority of respondents are not afraid of legal prosecution for their activities, while the number of those who are more afraid of criminal prosecution than of administrative penalties is slightly higher: 26% and 14%. These numbers practically do not differ from the data of 2019.
- The vast majority of surveyed journalists have not faced the problem of refusal of accreditation to work in combat zones during the war. However, this situation is explained by the fact that most of them did not apply for such accreditation. Out of 132 people surveyed, three journalists reported that they received such a refusal, but then the accreditation was provided or returned. One person reported that accreditation was denied and subsequently not provided.

Threats to journalistic activities and journalists

- Respondents consider that the greatest threat to freedom of speech and the work of journalists, are physical threats or threats to life related to work in combat zones (67%), decrease in media funding (55%), censorship by authorities (47%), and low qualification of journalists (45%). At the same time, the number of journalists who consider censorship by owners to be one of the biggest threats to journalistic activity halved from 2019 to 2023 – from 70% to 35%.
- Forty percent of surveyed journalists fear for their safety and almost the same number do **not**. Since 2019, the number of those who fear for their safety has slightly increased: then a third of respondents gave such an answer.

- At the same time, a relatively small number of media representatives who received threats due to their journalistic activities was recorded 18% (in 2019, 43% of respondents reported this). The number of journalists threatened may be explained by the fact that earlier threats came most often from representatives of the authorities, businesses, and criminal circles who were dissatisfied with journalistic publications at the local level, but this factor has become less influential due to the full-scale war as the main threat now is the Russian aggression and military operations which attract public attention.
- Among those who received threats due to their journalistic activities, one in ten reported that they came either from representatives of authorities, politicians, or civil society activists; 17% indicated that the threats came from unknown persons. In 2019, such threats most often came from unknown persons (41%), somewhat less often from representatives of business, criminals, or civil society activists.
- When a journalist is threatened, the most important motive for disclosure is the importance of the information for society (82%). However, threats may be effective as 45% of respondents say that the realistic nature of threats and the degree of possible harm, as well as the level of family safety (39%), may influence the decision to publish information. For another 31%, one of the decisive motives for making certain information public is its usefulness for the state.
- Threats of criminal prosecution from law enforcement agencies due to journalistic activity are practically not a problem for the work of journalists in Ukraine. Only two people out of 132 respondents say that they received threats from the police, and one person from prosecutors. This is 2% of the respondents. In 2019, the situation was similar as 4% of journalists stated that they received threats of criminal prosecution over their journalistic activities from law enforcement agencies.

Attitude to mob violence and human rights in war conditions

- An important marker is the attitude of journalists to the values of human rights in general, in particular the non-tolerance for mob violence and torture against enemies. Two-thirds of the surveyed media workers think that mob violence is not justified under any circumstances, although about a third are still inclined to justify it in certain circumstances (in 2019, every fourth journalist was inclined to justify mob justice thus, this share has slightly increased).
- Likewise, the vast majority of surveyed journalists (94%) believe that the use of torture against enemies during military operations cannot be justified. A little less than half of them do not approve of torture because the law does not allow it, and a little more than half – because it contradicts the principles of humanism.

Methodology of Research

The research consisted of two parts: three focus group discussions involving 33 journalists and persons related to journalistic activities conducted by Ilko Kucheriv Democratic Initiatives Foundation on December 23-28, 2022 (*qualitative research*); and the expert survey of 132 journalists from different regions of Ukraine conducted by Ilko Kucheriv Democratic Initiatives Foundation on behalf of Human Rights Centre ZMINA with the support of Freedom House Ukraine on January 18-27, 2023 (*quantitative research*). For comparison, the data of a similar survey conducted on May 30 – June 14, 2019, involving 127 journalists, are provided.

The details of the two parts of the research are given below.

FOCUS GROUPS

Three focus group discussions with journalists and persons related to the journalistic activity (journalism professors, media managers, media experts, bloggers) were conducted in accordance with standard rules and methods of conducting qualitative research formats. The field stage of the research was conducted by analysts of Ilko Kucheriv Democratic Initiatives Foundation on behalf of Human Rights Centre ZMINA.

Focus groups were conducted in accordance with the focus group research guide (Appendix 1). Focus group discussions were planned for 120 minutes of total time (with a discussion of technical points). In fact, focus group discussions in each group lasted 115–120 minutes.

During the focus group researches and interviews, discussions were recorded and transcribed into text format. Participants were guaranteed confidentiality and non-disclosure of their personal data. All given quotes are anonymized to prevent identification of respondents.

Focus group No. 1 took place on December 23, 2022 in Kyiv. The main target audience was journalists from all-Ukrainian media outlets. A total of 11 participants took part in the focus group.

Focus group No. 2 was held on December 26, 2022 in online format (Zoom). The main target audience was journalists from regional and local media outlets. A total of 11 participants took part in the focus group.

Focus group No. 3 was held on December 28, 2022 in online format (Zoom). The main target audience was journalists from regional and local media outlets. A total of 11 participants took part in the focus group.

All recommendations are based on data collected during the research and do not necessarily reflect the views of the researcher.



EXPERT SURVEY

The expert survey of journalists was conducted on January 18-27, 2023 through self-completion questionnaires (*Appendix 2*). A total of 132 people took part in it. Respondents were selected by the methods of voluntary response sampling and snowball sampling until the saturation point is reached.

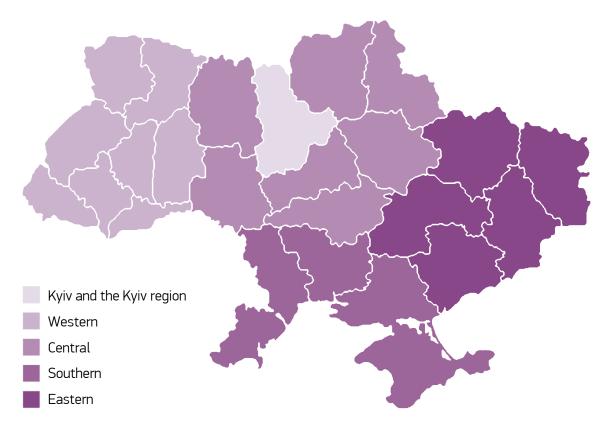
The sample represents only the opinion of the surveyed respondents; however, it also allows us to talk about certain trends and common assessments of certain phenomena and processes in the journalistic environment.

Of the 132 journalists who took part in the survey, 58% were women, 41% were men, and 1% did not specify their gender.

The vast majority of respondents (52%) were middle-aged (35 to 54 years), 26% of surveyed journalists were aged 18 to 34 years, 22% were over 55 years of age.

Thirty-six percent of respondents lived in Kyiv or the Kyiv region at the time of the survey. 30% of respondents lived in the central macro-region, 14% – western, 13% – eastern, and 6% – southern. One respondent refrained from answering.

Macro-regions map



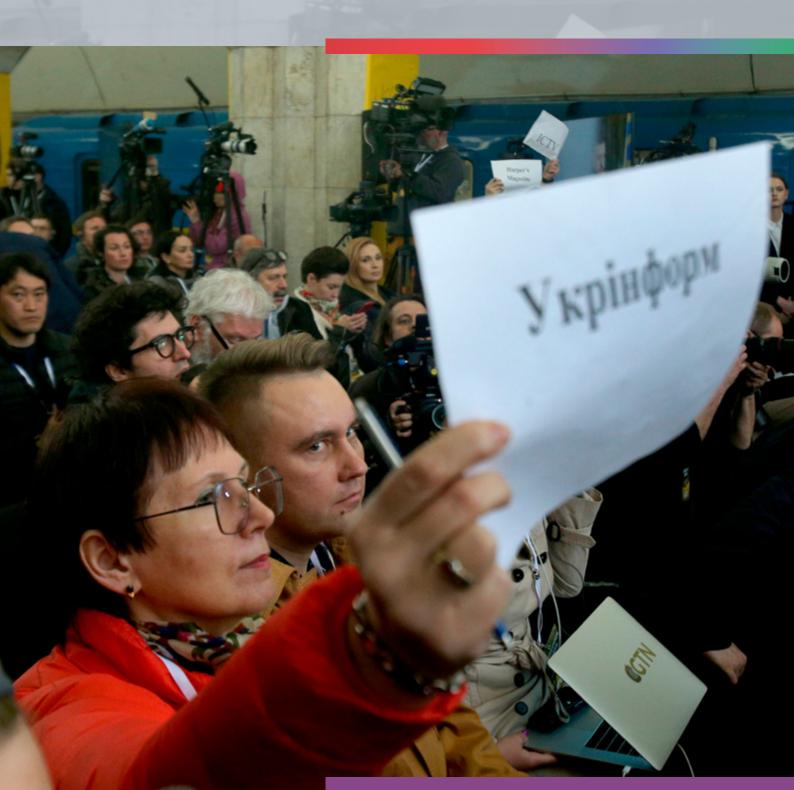
Source: DIF • Created with Datawrapper

Part of the respondents (23%) at the time of the survey worked in several media outlets at the same time. In total, 47% of surveyed journalists worked in online media outlets, 28% - TV, 19% - Print media, 15% - Print media. Another 10% worked in media NGOs. The rest of the survey participants were involved in the activities of other types of media (for example, news agencies, press services, etc.).

IS YOUR JOURNALISTIC ACTIVITY RELATED TO THE WAR?

- 28% Yes, it is one of the main topics of my work
- 56% (Yes, in a certain way, although this topic is not the main one in my work
- 16% No, my activity is not related to the war

Eighty-four percent of the surveyed journalists indicated that their activities are currently related to the war: for 28%, it is one of the main topics of their work, and 56% report that the war is covered in their materials, although it is not the main topic of their work.



Results of Research

ASSESSMENT OF OBSERVANCE OF FREEDOM OF SPEECH DURING WAR

Most of the surveyed respondents agree that there is freedom of speech in Ukraine. It has flaws, significant wartime limitations, and vulnerabilities but it persists even under such conditions either way.

Journalists surveyed as part of quantitative research rate the **state of freedom of speech in Ukraine at 6.4 points on a scale of 1-10**, 1 being very poor and 10 being very good. At the same time, the number of extremely low ratings (from 1 to 3 points) is less than 10%, so we can talk about the absence of significant polarization on this issue. For comparison: in 2019, journalists rated the state of freedom of speech at 7.6 – after Russia's full-scale attack on Ukraine, the rating naturally decreased but it still shows that journalists positively perceive the opportunity to do their job in wartime conditions.



At the same time, surveyed journalists living in the eastern macro-region assess the level of freedom of speech in Ukraine negatively more often than others: 6% believe that freedom of speech is at a very low level, and 24% – simply low. The largest share of those who assessed the level of freedom of speech in the country as extremely high also accounts for the east of Ukraine – the polarized opinions of journalists from this macro-region are striking.

When speaking about the level of freedom of speech in Ukraine during focus group discussions, respondents gave subjective assessments at the level of 5-6 points on a scale of 1-10. At the same time, the respondents are aware that wartime imposes significant restrictions, and the majority of respondents expressed reservations about the fact that some of the ruling elites try to create preconditions for control over media in the future, even after the end of the war.



According to my subjective assessments, it's about "6" on a scale of 1-10. Because it exists, but war imposes restrictions. But the problem is that the government, using war, mops up the information space and limits freedom. The Internet helps, but there are still limitations. Unfortunately, they are caused not only by war. Under the pretext of war, the authorities limit freedom of speech in their interests. This is trouble.

Despite the restrictions caused by the war, respondents claimed during the focus groups that the current freedom of speech situation in Ukraine cannot be compared to the situation in autocratic countries. Even in the conditions of war in the country, there is not too strict control over the media – freedom of speech persists in one form or another despite shortcomings and problems.

At the same time, some respondents noted that there was no full-fledged freedom of speech in Ukraine even before the beginning of the Russian full-scale invasion.



In my opinion, even before the war, we did not have freedom of speech by and large. The presence of oligarchic mass media still makes its adjustments. Let's put it this way, not to offend ICTV, but nothing will be said about [Viktor] Pinchuk [Pinchuk is the owner of ICTV channel]... Similarly, nothing will be said about [Petro] Poroshenko on Priamyi channel [Poroshenko is owner of Priamyi channel]. Although sometimes guests come there and say something against him.

At the same time, a significant number of journalists agree with the thesis that in the conditions of the full-scale war in Ukraine, there cannot be the same level of freedom of speech in its traditional sense which existed before the Russian invasion. Speech restrictions apply to almost the entire sphere of military operations and related aspects.

Some journalists emphasized that the media should work differently during such a war – primarily to promote the fighting spirit and belief in victory.



I believe that in wartime Ukraine, there can be no freedom of speech in the sense in which we knew it before the war. Because we have limitations related to self-defense. That is, we as journalists do not have the right to show the areas of strikes, the movement of equipment, after all, the course of fighting, the combat path of this or that brigade ...In other words, there are a lot of different restrictions that will save our lives and the lives of all Ukrainians.



For example, yesterday I refreshed my memory of how BBC worked during World War II because humanity has not faced such a scale of war since World War II. You can count the wars with the combat operations of such intensity on the fingers of one hand. What about famous BBC standards? They simply did not exist during the war. That is, BBC gave the collection of materials and they directly indicate in the lead that we worked as propaganda. They are proud of it, they are not ashamed, it is their contribution to victory.

A relatively small part of respondents – focus group participants – believe that the situation with freedom of speech in Ukraine is now critical. In their opinion, the reason for this is the united telethon in the existing format (See also below in the section "Censorship and access to information in wartime") and oppression of the opposition media which are not included in this telethon, primarily TV channels affiliated with ex-president Petro Poroshenko. At the local level, the ruling elites, in their opinion, also try to take control of independent mass media.

The main disagreements among journalists lie not in the assessment of the state's attempts to take control of the information space (such efforts are acknowledged by almost all respondents) but in the necessity or destructiveness of this process.



The situation with freedom of speech is simply critical. Previously, there were several channels, several oligarchs who bought up all broadcasts. And now all this has been forced into the united marathon, for which personally I have no respect. Because channels gathered there always belonged either to Medvedchuk [former Ukrainian oligarch, Putin's closest ally in Ukraine], or Murayev [pro-Russian Ukrainian politician and media owner], or some other regional [affiliated with Yanukovych-era Party of Regions pro-Russian political party or parties formed by its former members] shit. Do you understand? That is, people, who were broadcasting earlier, continue broadcasting now. I don't believe this marathon.

However, generally speaking, the situation with freedom of speech and the number of independent media outlets worsened not only because of the war but also because of many circumstances. Thus, the participants in the focus group discussions noted that at first the COVID-19 pandemic had a significant impact on the media market, and the war and the crisis caused by it further affected a whole range of media. Many media outlets, especially in the regions, had to stop working because they could not finance their activities.



To date, the situation in Odesa region is difficult. First, a lot of media outlets closed because of the war. If you know, we had thirty channels before the war. During the pandemic, they began to close because the advertising market shrank greatly and the owners were also unable to finance their teams. But now, during the war, many people also left. Some journalists also live abroad, waiting, brought their families abroad, some are returning.

At the same time, a significant part of the journalists surveyed within the framework of quantitative research encountered violations of the right to freedom of speech and information in their activities after February 24, 2022. Thus, journalists most often stated the refusal of officials to provide journalists or the public with socially important information (51% of respondents), censorship of finished materials or prohibition of publication of certain information (22%), and refusal of accreditation (17%). The first two violations were also in the lead in the 2019 survey, but the request to present knowingly false information to slander someone was ranked third then.

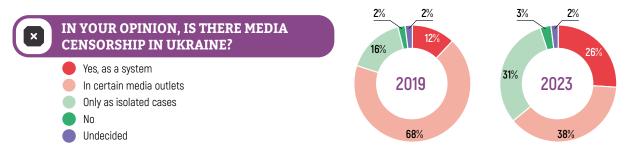
WHAT VIOLATIONS OF FREEDOM OF SPEECH AND INFORMATION HAVE YOU PERSONALLY FACED SINCE THE BEGINNING OF THE FULL-SCALE INVASION? MULTIPLE ANSWERS POSSIBLE

- 51% Officials' refusal to provide journalists or the public with socially important information
- **30%** I have not faced any violations of freedom of speech
- 22% Censorship of finished materials or prohibition of publication
- 17% Refusal of accreditation
- 11% Request to present knowingly false information to slander or discredit a certain person
- **9%** Closure of media outlet
- 8% Persecution of journalists
- 7% Prohibition of the release of a media outlet or other print publication
- 3% Initiation of criminal cases over journalistic activity
- 0% Excessively harsh court decisions against journalists, for example, regarding compensation for moral damage

CENSORSHIP AND ACCESS TO INFORMATION IN WARTIME

Assessment of level and subjects of censorship

Journalists' opinions regarding censorship in Ukraine were divided. Thus, during the expert quantitative survey, when talking about whether censorship exists in Ukraine, **26% of respondents stated its systemic nature, 38% answered that it exists in certain media outlets, and 31% believe that censorship exists only as isolated cases**. At the same time, since 2019, the polarization of journalists on this issue has increased significantly, namely: the share of journalists who testify either to the significant prevalence of censorship or to the fact that this phenomenon is quite rare and exists only as isolated cases increased, and vice versa – the share of those who believe that censorship as a phenomenon exists only in certain media outlets almost halved.



Forty percent of surveyed journalists believe in the need for limited censorship, and a third are against it.

Journalists who acknowledged the presence of **censorship**, most often stated that it is **conducted by various state or local authorities, as well as media owners**. Self-censorship of journalists is ranked third.



4% Undecided

During the focus group discussions, the opinion was noted that **there were few direct cases of** censorship before the full-scale Russian invasion. Mostly there were editorial restrictions on the coverage of certain topics that were related to the personality of the media owner. State interference in the work of the mass media was insignificant, but in those cases where a certain mass media depended on public funds, such situations did occur. The situation was different in mass media financed by the state or local self-government bodies: here the influence on editorial policy was stronger (both before the Russian invasion and after).



This is done by the state through the information society development program. Money is budgeted to support the mass media, to cover activities, as they say. But there is no coverage of the activities of state authorities as such, only PR. For example, there is a topic of vaccination. We understand that it needs to be popularized. But [there are also topics of] Great Construction [president-initiated reconstruction program implemented before the full-scale war], and PR of the personality of governor and deputies. Censorship is conducted constantly through this mechanism. In Kherson region, 15–20% of media outlets had their own opinion and were not afraid to express it. All others were more or less under control.

The majority of respondents do not consider war censorship – the restriction of dissemination of information about the progress of military operations, the situation in the army, etc. - to be critical for freedom of speech. The present war censorship, although it exists, is still directly related to the security of the state and people, so it is obvious that it exists in a country that carries out intensive military operations.

At the same time, the focus groups' participants still saw a problem in situations of inconsistency regarding what can and cannot be covered in the media, as well as in the attempts by individual officials to hide socially significant information, referring to its importance for the country's defense capability (which is not always the case).



It is problematic to reach the sources of information if it is about military enlistment offices or government agencies. There was a situation when it was necessary to take official comments from the authorities. We addressed the administration, the city council, where the event took place, but we were told that the disclosure of such information could harm the general situation. We can get information now only through information inquiries, but the authorities simply block access to such information. They do not invite [journalists] to meetings, they hide information when they can be held.

As for the forms of pressure used in journalistic practice to justify or conduct censorship, the quantitative expert survey participants most often cited the statements "we are at war" (57%), the explanation that "it is in the interests of the country" (44%), as well as the explanation that "such a position is not popular in society" (29%).

WHAT FORMS OF PRESSURE WERE USED IN YOUR JOURNALISTIC PRACTICE WHEN JUSTIFYING OR CONDUCTING CENSORSHIP? MULTIPLE ANSWERS POSSIBLE

- 57% Explanation that we are at war
- 44% Explanation that it is in the interests of the country
- 29% (Explanation that such a position is not popular in society
- 28% This was not the case in my journalistic practice
- 11% Threat of financial problems or dismissal
- 7% Physical threats or threats to life
- 5% Attempted bribery

Public officials, according to some respondents of focus group studies, sometimes take advantage of wartime circumstances and refuse to provide information without a real reason for doing so. The scale of such abuses is unknown, but similar opinions were quite often expressed by regional journalists.

They say the reason is martial law, but sometimes the explanations are very strange. For example, closing a lot of open data, which in principle were either cached or do not pose any military threat, is overreach. Failure to respond to information inquiries is a big overreach. Accusing journalists, who ask a question that the authorities don't like, of working for the enemy, is a very big overreach. Reduction and removal of cases from the court register – it seems to me that it is an unambiquous issue. In my work, it is a little stressful. I don't like the fact that local authorities very often monopolize information when they think they don't really need journalists because they have Telegram channels or their websites. And that is enough to convey one's opinion to the population. Many investigative journalists put up with these restrictions at the beginning of the war, and those who work with open data also put up with many things but when it was motivated. Now, for example, it is ridiculous to close the public cadastral map, but at the same time to distribute some plots. Why? Because the cached cadastral map is available. ...It is, frankly, very disturbing. If it is temporary, then you can somehow put up with it, although there are also different situations, but if it continues like this and remains later, it is not okay.

As part of the quantitative expert survey, **14% of journalists reported that the authorities quite often required prior approval of the information disseminated, 40% encountered this but infrequently, and 46% said that did not happen to them**. There was a similar situation in 2019, when about 60% of the media representatives interviewed encountered during their journalistic activities a requirement to agree on information from authorities.

Most often, after the Russian full-scale invasion of Ukraine, **officials of local administrations (55%) and members of local councils (25%) demanded such approval**. At the same time, a smaller number of journalists reported the requirements to agree on information put forward by members of the Verkhovna Rada, officials from ministries or the President's Office.

Some respondents noted that *in some cases, Ukrainian officials or the military are more open to communicating with foreign journalists than Ukrainian ones*.

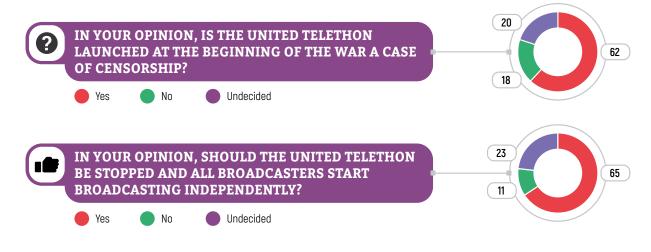


I won't say it's censorship, it's more access to information. My colleagues also face this. For example, when journalists ask spokesman for "South" [Operational Command "South"] [Yuriy] Ihnat for an operational comment, the first thing they hear is: "We work with foreign journalists" and Ukrainian journalists are in the background regarding access to information.



Attitude to United News telethon

As the expert quantitative survey of journalists showed, **62% of the interviewed media workers consider the united telethon** created at the beginning of the full-scale invasion **to be a form of censorship**, 18% had the opposite opinion, and another 20% of journalists were undecided. **Two-thirds also believe that the united telethon should be stopped** and all broadcasters may broadcast independently, 11% are against this option, and 23% are undecided about their position on the issue.



The participants in focus group discussions had extremely different opinions about the **United News telethon**. Thus, most focus group participants agreed that it was needed at the beginning of the Russian invasion and played an important role in the formation of a united information space. At the same time, as of the beginning of 2023, the respondents' opinions were divided. Two main positions were the most common.

- 1. The telethon should be preserved in the future, but it is necessary to improve the quality of the information content that is provided, and also, possibly, involve other information subjects.
- 2. The telethon should be canceled or radically changed: it has no right to exist in its current form.

Some respondents believe that the united telethon should be preserved at least until the end of the active phase of the war. At the same time, almost everyone considers that it should be modified and the quality of the content should be improved. The content of the Rada TV channel and the presence of former employees of TV channels owned by pro-Russian politicians Viktor Medvedchuk and Yevheniy Murayev among the hosts raise the most concerns.

Some respondents also note that the united telethon is needed to form a common information landscape in the country at war, while alternative sources of information are freely available on the Internet.



In my opinion, the united telethon is needed. Still, a warring country should have a more or less unified information policy to avoid rumors and everything else. But, of course, it needs to be transformed, especially the blocs run by Rada and Dom channels. My mother is 78 years old. At the beginning, she demanded this telethon to be switched on from morning to evening. And already in April [2022], she said: turn it off, nothing is shown there anyway. If we take the age segment, it turns out that people 60+ are not interested in chatter in the studio, they are interested in stories.



They exist, and let them exist. There are alternatives to the telethon, for example, Radio NV. This is relevant when people have no electricity, they do not listen to the united telethon. Personally, I don't see any conflict.

The main arguments against preserving the united telethon format are, in particular, that the information presented in it is too one-sided, or the work of its parts is of low quality. The appearance of the same speakers, the lack of variety in the presentation of content lead to the fact that the information telethon has either become uninteresting or does not meet social demands.



I don't believe this telethon. Because people from a team, which is unpleasant for the active part of society, participate in it. Many people from my circle do not accept this. You see, [journalists] from Inter [TV channel] or "pluses" [1+1 TV channel] are possible, let them be. However, we see "muravtsi" [journalists of channel owned by pro-Russian politician Yevheniy Murayev] all those devils from Dom [Russian-language state TV channel created for residents of the temporarily occupied territories of Ukraine] coming out. All those who were very active, broadcast concerts about Russia. [Journalists] on Inter supported Russia: it was terrible, they pinned St. George ribbons on their clothes, they held concerts to mark Victory Day. If I didn't believe them before, why should I believe them now?

Another, no less important, argument against the preservation of the united telethon is that, according to some respondents, it has turned into a PR format for a pro-government political force, while keeping alternative politicians or experts out of this platform. At the same time, **some respondents worry that alternative information resources may be wiped out due to the format of the united telethon**.



Those who do not want to watch the telethon should go to the Internet and look for some alternative media. But aren't we following the Russians' scenario when "United Russia" [Russia's pro-Putin largest political party] will be on our television, and if you want to read something really analytical, journalistic, then go read Novoe Vremia? Then we have exactly the same scenario... We are talking about the united telethon, but there is another big challenge – Rada TV channel which has turned into an absolute PR tool, already in the pre-election conditions. Actually, this is such a bell that can harm us very much when joining the European Union as the EU said that we should have a limited concept of state TV channels. Today, Rada TV channel, which covers events in an unbalanced way, violating all standards of journalism, is an obstacle to the institution of freedom of speech in Ukraine which will have very destructive consequences.



Look, what is the essence of telethon. First, it's not interesting, but it could be my personal opinion. But, in fact, our media segment was mopped up, in this case the television space, which the authorities simply took under their control. But, by and large, it hurts such simple things as freedom of speech. Because the speakers are sleek and polished, the messages voiced during the telethon are sleek and polished, and most importantly: it is already clear that we will gain victory. Let's see what happens after our victory? There will be elections! And someone's cold and cynical mind has already calculated all these things. ...Let's proceed from the fact that we are missionaries of what is called freedom of speech. And the united telethon assaults freedom of speech.



Telethon should definitely be cancelled. It's unwatchable gum but people consume it because there's no other choice. People are used to watching TV. But it turned into just a mouthpiece of the government and nothing more.

The proposals for changing the format and content of the telethon included those aimed mainly at improving the quality of the content and increasing the number of emotional materials that evoke sympathy. Among other things, focus group respondents also recommend reviewing the pool of TV channels that produce the united telethon and selecting invited experts more carefully. In their opinion, it is not normal when a small pool of invited experts and officials gives comments very often, sometimes several times a week as part of the telethon.



I have mixed feelings. Because, on the one hand, it's cool that everyone got united. It was a good starting point at the beginning of the war to unite the spirit, the Ukrainians, and all the channels. But we united the channels that are absolutely and totally different. It is not possible to invite experts who are invited, for example, by Inter, Ukraina TV channels. Experts who cooperate with the authorities. ... Here the problem lies in our society which is not ready to look for something better. And the telethon is convenient. It is always switched on, you will always be able to hear the latest news. But a question arises about the quality of news and information.





Previously, an expert commented once a week or twice a week. And here, five times a day, one and the same, like a jack-in-the-box. Not to mention the military...

However, **journalists currently have no uniform solution on what needs to be changed in the united telethon format**. General suggestions for improving the quality of content and more frequent rotation of experts are rather wishes than clear recommendations.



It definitely needs to be changed. I'm against canceling it, but it's clear that this gum has dragged on. On the one hand, I understand that people in the front-line territories have an information vacuum if it is not filled in with something. On the other hand, personally I can't watch it. I understand that this is done for people aged 50 and over, roughly speaking. But I would definitely change it to make it more interesting. Perhaps, more entertainment content is needed as well. This is necessary so that people do not go mad. The situation is already difficult enough. How it should be done? I have no answer.

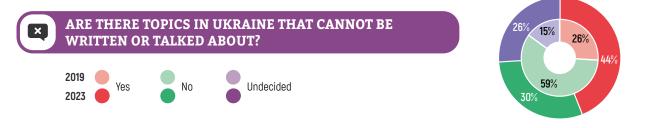
PREVALENCE OF SELF-CENSORSHIP AND ITS MANIFESTATIONS DURING THE WAR

Self-censorship became the main restricting factor for the dissemination of information for the majority of respondents. In response to a direct question – what affects their work in war conditions more – the adopted legal acts that limit the dissemination of certain information or self-censorship – almost all respondents surveyed in the focus groups noted that self-censorship occurs more often.

At the same time, **the large-scale armed aggression of the Russian Federation against Ukraine has expectedly increased the number of cases of self-censorship among journalists**. Seventy-eight percent of respondents surveyed within the quantitative research agreed with this statement.



At the same time, **44% of respondents believe that there are topics in Ukraine that cannot be written or talked about** (in 2019, a quarter of respondents had such an opinion).



Predictably, the **self-censorship of journalists is most evident on topics that directly or indirectly relate to the course of the war**. When working with such topics, a large number of journalists prefer to check several times whether the material contains information that will negatively affect the country's defense capabilities or may even lead to human casualties.



When we went to Sumy region, we filmed their damaged thermal power station. At first, the representatives of the local authorities told us that they were against us filming there. Then they changed their mind and said: "Film as much as you want", but when you come to the object, you still keep in mind what can't be filmed, where you can't film, in which direction you can't film, what exactly you can't show. You wouldn't have done that before. That is, you immediately ask about restrictions, although you as a journalist have the right [to film], but you understand that later [a missile] may hit. And then, before the release of this material, I still called the correspondents because I understood that the authorities were manipulating it very much. Some said "We are actually repairing but don't show it, because..." And they never explained their "because".

Now the rule "Measure seven times – cut once" works more often. That is, we try to first ask ourselves whether it is worth publishing. Even if you received some exclusive information, should it be published, if so, in what volume, or maybe it is better to call someone back, consult, so that there are no troubles for you personally, including as a journalist.



The authorities should set an example where it is possible and where it is not possible [to film]. Because, unfortunately, there was a situation [strike] at the Yavoriv training ground [in Lviv region], when some people took a selfie, and then the Kyiv armored vehicle [plant] was hit. Then, you remember a woman from the Emergency Service saying that Anton Herashchenko, adviser to the Ministry of Internal Affairs, should not show the areas of hits, it was at the beginning [of the Russian full-scale invasion of]. And recently, I don't know if it is true, when [former deputy head of the Office of the President of Ukraine Kyrylo] Tymoshenko took and published the photos, they [Russians] made adjustments – and Odesa city was left without electricity [as a result of the Russian attack]. I think that the authorities should start with themselves and set an example. But, unfortunately, this is not the case.

Most of the journalists interviewed as part of the expert survey are also sure that some topics in Ukraine now require self-censorship for one reason or another. Out of 58 respondents who were willing to name such topics, 44 indicated topics that relate to war and the army in one way or another. The second most popular were topics related to the discrediting of the authorities, mentioned by nine respondents.

Everything that is directly related to the military plans of the General Staff and concerns soldiers and may endanger them if certain information is disseminated"



Topics that discredit army and give the Russians the opportunity to use material for selfish purposes, to promote and spread their manipulative narratives"



Everything related to property and financial affairs of officials and those in power. Procurement for bugget funds in all government agencies"

Among the factors that force journalists to self-censor, three are key: fear of making a mistake or difficulties in verifying information and personal beliefs (45% each) and fear of losing their job (44%). Another part of respondents reckon with public opinion (38%), pressure from media owner (37%) or authorities (35%). In 2019, the situation was somewhat different: fear of losing their job (74%) and pressure from media owners (55%) were the most popular reasons for self-censorship.

IN YOUR OPINION, WHAT MAKES JOURNALISTS CENSOR THEMSELVES? MULTIPLE ANSWERS POSSIBLE

- 45% Fear of making a mistake or difficulties in verifying information
- 45% Personal beliefs
- 44% Fear of losing job
- 38% (Public opinion, for example, not to share information that may cause a negative reaction from certain people even if it is true
- **37**% Pressure from media owner
- **35**% Pressure from authorities
- **28**% Personal safety concerns
- 20% Possible lawsuit

Covering the war developments and its consequences remains a difficult issue for most journalists even for those who have considerable experience in such work gained since the beginning of the war in Donbas in 2014 or during other military conflicts.

It is difficult for journalists to cover the deaths of service members and statistics on losses. On the one hand, there is a generally accepted practice of a moratorium on the announcement of the number of casualties in the conditions of intense war and, on the other hand, journalists still have to tell difficult things about the war, including about losses.

Journalists who work with military topics in detail try to cover the ceremonies of farewell to service members as much as possible, to remind the audience about losses and tragedies caused by the war, but they try to do it in such a way as not to demoralize the population or affect the readiness for resistance.



This is a double-edged sword. It is clear that our losses are very large. It's been a year into the war, and it's getting harder and harder to keep silent about them. But, on the other hand, you understand that your country is still at war, and it is not known when it will end, and we do not know what other resources will be used in this war. And if we are talking about some catastrophic losses, what then? The army command will have to forcibly take people to the army because people will fear, they will think that we will all be killed there. And here it is actually very difficult to balance. Before the full-scale invasion, we covered all the military farewells. There were not so many of them and we tried to send a crew to every farewell ceremony, even if it was somewhere in the regions. But back at the beginning of the full-scale invasion, the military said: "Maybe, let's not cover the farewell to the military?" Now, on the contrary, on my channel, if I know that there is a farewell ceremony somewhere and we have our office there, I send journalists to do these materials again. It is clear that we cannot show all the fallen. But at least we remind people that military personnel are killed and we have losses.



I have been working for a military media outlet for a year. If civilian journalists still have some rights, the ability to pull someone's sleeve, to take a comment, then we don't have it in principle. Because if a journalist even shows some initiative, interviews a military person through personal contacts, an editor will not allow to publish it, guided by the relevant internal orders and directives and other documentation. As for general things, no country in its history has made its losses public until the end of the war. This is absolutely unacceptable. First of all, we have to nurture fighting spirit in soldiers. If we talk about losses, our army is screwed. Terrible, sometimes horrific things that happen are documented, appropriate press officers are working on the ground, analytical services that systematize this information. So don't worry, after the end of the war, the "Book of Remembrance" will be published, everyone will be commemorated by name. But now it is simply impossible.

On the other hand, the topic of the deaths of service members remains partly taboo due to the difficulty in covering and the risks of harm to relatives and friends. A certain part of respondents had the unfortunate experience of publishing information related to the war, in particular materials (even in posts on personal social media accounts) about the death of a serviceman whom they knew personally. In view of such situations, focus group participants preferred to cover such topics as carefully as possible in order to reduce the risks of trauma to the relatives and friends of the deceased and avoid difficult situations.

It is no less difficult to work with topics related to missing persons or captives. At the same time, these topics are important for many people who have relatives gone missing, and this is a large segment of society. Such topics are currently taboo as it is not known how traumatic they can be for society in general and for the relatives of such missing service members in particular.



It is difficult to raise the topic, for example, of the missing, the killed when a family cannot return a body. In general, my work in journalism began at the front, I made my first story from there, but I am still constantly learning how to do this, and I still cannot understand how to cover these topics and whether it is even possible to raise this issue. Because there is a very large percentage of people, families who did not receive the body of their relative. We don't talk about it, and these families are left alone with this problem because everyone wants to get the body of their fallen relative.

Respondents noted during the focus group discussions that since the beginning of the Russian invasion **self-censorship sometimes began to concern not only professional life** but also personal life as many people think about what information, photos and videos can be posted on social media.



Self-censorship, of course, is more prevalent now and affects mostly everything related to the environment, movement, even sounds. When the war started, I didn't go outside the city, and in February-March [2022] when public transport did not work, I walked almost every day from the left bank in Kyiv to the right (I live in Darnytsia). So I was walking, taking a picture of some beautiful landscape, but I did that quietly so that, God forbid, the military won't see me. And I didn't post that. Some day I saw a strike from the seventh floor, I took a picture, and didn't post it again. I still haven't posted a single photo over past nine months.

The state of war also affected people's personal beliefs about freedom of speech, as well as considerations about who can be allowed to speak up and who cannot. Journalists interviewed as part of the quantitative expert research believe that **representatives of the Russian occupation administrations must not be given the opportunity to express their position in the Ukrainian mass media (84%)**. During the focus groups, respondents defined this audience more broadly and included Russians with a conditional liberal position into it.



As for the general political situation, I, as an editor, will paint the following theoretical picture. For example, you called me in a newspaper with a request to publish some material expressing the opinion of a "good Russian" [Russians who pretended to have liberal views] or with some interpretation of the position of that side. As an editor, I would refuse, I say right away that I would not even consider such material as a publication. How to consider it – is it self-censorship or is it an editorial policy, is it censorship, a ban on freedom of speech or something else? I don't know how to interpret it. This is my personal position as the editor of this media outlet.

The state of war triggered greater self-censorship not only in relation to military operations and their coverage. **Some journalists also began to be more cautious about covering topics not related to the war**, but topics that could theoretically be ambiguously perceived by society. Some ordinary people, who used to happily communicate with journalists, also prefer not to do so.



Just even hyping on the topic of history or culture, but everything still holds you back. Something prevents you from doing it freely like before – you post a publication on Facebook and discussion starts. Still, somehow you restrain yourself.



You are faced with the fact that people on the ground themselves begin to limit access to the mass media. In the spring and summer, I went to a school, we were making camouflage nets. At the very beginning, when it was very difficult, they organized a full cycle – they dyed fabrics in the kitchen because there was no green fabric, they wove the nets themselves, and the rest of the people tied fabric to nets. That is, a full cycle. I suggested: let's make a story about you. They refused. They were afraid. So there are such moments, although before there was no such thing as a school principal who refuses PR.



Now we have another hot topic. I wrote an article about a small community, where people gathered at a session [of local council] and called on the Verkhovna Rada to ban the church of the Moscow Patriarchate – this is now such a massive, general topic for the entire country. ...All the more so pro-Russian literature, portraits of [head of the Russian Orthodox Church, Patriarch] Kirill, and so on, were found in our monasteries. And what do you think? After this material was published, my acquaintances who are very religious parishioners, probably of the Moscow Patriarchate church, were very angry with me. They told me that I work for the devil's church, for Poroshenko's tomos [Ecumenical Patriarch Bartholomew signed the Tomos of Autocephaly of the united Orthodox Church of Ukraine during the presidency of Petro Poroshenko]. Do you imagine? Our society is very ambiguous. I explained to them that I did not do anything criminal. I gave official information from the local authorities. But they kept saying that I was wrong and that I must not cover that issue, must not deal with it. Therefore, it is not easy to work as a journalist, especially nowadays.

In many other matters, there are also restrictive factors for journalists who do not want to inadvertently play into the hands of the enemy. Mostly, it concerns a whole range of topics related to the **activities of central and local authorities**, as well as possible corruption in their activities. In such cases, journalists try to consider whether the publication of this or that information will not cause an extremely stormy public outcry, which in theory can undermine the country's defense capability.

Some journalists prefer not to work, or to work extremely carefully with materials that involve criticism of local or central authorities, or with topics of corruption, etc. At the same time, some journalists still try to use the received information privately to stop illegal actions or corruption risks.



Self-censorship now dominates among journalists. They are quite careful with any information. This is a small example. In one of the districts of Vinnytsia region, an airfield was sold for two million hryvnias a few months ago. Local activists turned to the media, asked us to join in order to understand how the airfield could be sold for two million during the war... Journalists refused. They said that they would deal with this after the war, now we will not raise this topic because it would benefit the enemy.



The authorities use certain mechanisms of anti-crisis communications as they see it, which are called "treason" in the communities. [The mechanisms provide that] it is not the right time to disclose some information and one should not participate in the enemy's informational and psychological operations.



Sometimes censorship pushes the topic of peace journalism a little because it's probably better to cover local political conflicts more neutrally in wartime. Otherwise, this may lead to the fact that the distribution of power within either the city or the country will begin precisely during the war, it will not be very convenient even for the country itself. We need to focus our resources on more important matters.



Self-censorship is a deeply subjective concept, it is impossible to give a definition. One thing is acceptable for me, another thing is acceptable for someone else. But there must be self-censorship, this limit, this balance must be sought within oneself. This is exactly the example of our Chernihiv Regional Military Administration and Chernihiv mayor [Vladyslav] Atroshenko. Atroshenko received an absolutely unjust and wild court decision prohibiting him from holding office. This completely undermines the entire Constitution, all self-government foundations. What shall I do? Is it not the proper time [to cover the problem]? But why is it not proper? This is a precedent-setting decision that will lead to the cleansing of other unwanted mayors. We are not saying whether he [Atroshenko] is good or bad, but this [decision] undermines the foundations of the Constitution. Should I talk about it or not? How to find the limit? Zaporizhzhia has already survived the scandal with volunteers, Chernihiv had a scandal with humanitarian aid and so-called volunteers, in which the Chernihiv Regional Military Administration headed by [Vyacheslav] Chaus is most actively involved. Should I talk about it? But they organized the escape of conscripts abroad under the guise of volunteers. It turns out that we are undermining trust in volunteer organizations. But it was held under the auspices of the authorities. Not proper time? What to do with it? It is necessary to talk about it, but everyone defines the limit themselves.

Some of respondents, mostly from regional media outlets, believe that the **main restriction on information coverage is not self-censorship but the lack of resources in the media for full and comprehensive coverage of the topic and its monitoring**. The lack of staff potential and the ability to pay for long and complicated work often forces editors to choose simpler topics.



Many scandalous and high-profile cases are not followed up. It's true. We feel it's our serious sin, this shortcoming is very big. But why? We have no people. We have a catastrophic lack of people. With the budgets we have, we simply can't afford to hire a lot of people to cover one topic or another.

As part of the discussions, opinions were also expressed that **self-censorship is a bad phenomenon for journalism in any case and cannot be tolerated in any way.** Indeed, there are specific restrictions on the publication of this or that information and issues of national security and defense in the conditions of war. However, according to some respondents, everything that does not relate to these issues should not be subject to any type of self-censorship, otherwise a journalist compromises with their conscience and journalistic standards. In their opinion, if selfcensorship directs journalists, sooner or later it will turn into real censorship for everyone.



We have to proceed from the fact that censorship is clearly bad and it harms journalism. Accordingly, self-censorship is the same if we are talking about the activities of journalists in wartime. Indeed, we should not publish or disseminate information related to military affairs. But this is not self-censorship. This is part of our conscious information policy. Ideas, words tend to become material. Therefore, when we use the term "self-censorship" for ourselves, it means that we are ready to make some concessions, some compromises that are unacceptable in our activities.



"Self-censorship" as a term is not entirely appropriate because it is really the internal limitations of journalists who use their moral compass, their moral code. I believe that every journalist should have this moral code. Because if a journalist does not have moral guidelines, he or she is not a good journalist. Maybe they will be good professionals, make excellent publications, investigations, receive awards and prizes, but I believe that journalists should primarily use moral guidelines in their work.

Despite this, the **presence of internal restrictions (or self-censorship) regarding the coverage of certain topics does not mean that most journalists will completely ignore the information and not use it**. Mostly, they will try to convey such facts to the responsible persons in private and put pressure on them to change their behavior.

For example, after **learning about potential crimes by the Ukrainian military leadership or specific military personnel, almost half of the interviewed journalists will act depending on the situation**: sometimes such information should be published, and in other cases it is better to refrain from making it public. **Every fifth respondent believes that it is necessary to try to solve a certain problem privately**. Similarly, **22% believe that such facts should be made public and supported with evidence**. At the same time, none of the journalists who took part in the research believes that it is worth ignoring this information in general and not trying to do anything with it publicly or privately.

IF YOU BECOME AWARE OF POTENTIAL CRIMES BY THE MILITARY LEADERSHIP OR CERTAIN SERVICE MEMBERS, HOW DO YOU THINK YOU SHOULD ACT?

- 47% It all depends on a specific situation. Sometimes such information should be made public, and sometimes not
- 22% Try to solve a problem without making it public
- 22% Such facts should be made public and supported with evidence
- 7% Undecided
- **2**% Other

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 $\mathbf{0}\%$ $% (\mathbf{0},\mathbf{0},\mathbf{0})$ (It is better to ignore this information and not make it public

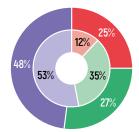


When it comes to troubles in our army, I will turn on self-censorship and think ten times whether to talk about it. Maybe I'll have a guilty conscience for the rest of my life, but it's something we all have to go through together. We do not yet have any universal recipes here, how and what to do in any situation. Yes, there are journalistic standards, but in the conditions of war, when it comes to the army and its image, about fighting spirit, which weighs a lot, then, perhaps, journalistic standards should also be violated here. This is a question that still has no answer.

The majority of journalists interviewed as part of the quantitative research (48%) were undecided about whether they would hide true information if they believed it would be useful for the state (a similar situation was in 2019). At the same time, a fourth of the respondents believe that such information should still be made public (in 2019, there were a third of such respondents).

WILL YOU WITHHOLD TRUE INFORMATION ABOUT IMPORTANT ISSUES OR SERIOUS OFFENSES IF YOU BELIEVE IT WILL BE BENEFICIAL TO THE STATE?





When working with a specific problematic topic related to war, journalists emphasize that each situation should be considered separately and analyze the pros and cons of its publication. In certain cases, it is unacceptable for a journalist to keep silent about specific situations, so the media workers publish information but try to present it carefully and prudently.



There are no identical examples, identical situations. You have to look, choose your actions according to a specific case. ...There are many different situations, and very often they may seem unambiguous, although they are far from being so.

In individual, most revealing cases, journalists believe that no self-censorship can be justified when it comes to flagrant circumstances of abuse, corruption or incompetence. Journalists also try to cover information about alleged public traitors or collaborators as much as possible.



It all depends on how serious the corruption was. The case of [Valentyn] Reznichenko, the head of the Dnipropetrovsk Regional Military Administration, must be covered definitely.

Currently, we do not have the opportunity to make large stories about some hot topics, but for officials not to relax too much, it is necessary to ask them uncomfortable questions. Another thing is that you cannot publish it later. Because a deputy defence minister makes a report and tells that our army is provided with clothes, helmets, and bulletproof vests, and then the guys [soldiers] say that they lack something. Then you put the screws on her again and she admits: "Logistical problems are possible." But when they see that it is all under control and that they can be asked for it, then they start to move.



A few words about the situation in the north of the region. If the authorities in the south fled in the first days of the war, then in the north, on the contrary, they remained here. But what kind of local government is this? You have all heard about Andriy Derkach [former Ukrainian pro-Russian politician, MP from the Party of Regions, deprived of Ukrainian citizenship in January 2023]. All heads of communities are from his Nash Kray party. But since the Russians did not come to us – they simply went to Kyiv, took control of the highway and cut off our part of the region – we did not have an occupation. And these people did not show themselves. But we know for sure that they collaborated with Andriy Derkach. And how should we behave now? On the one hand, they should be criticized because there is a very high probability that they are involved in a network that was preparing the invasion, preparing to meet the Russians. On the other hand, the Security Service of Ukraine did not prove that. We have only one mayor of the northernmost Seredyna-Buda in custody. The rest continues to work. To raise these questions now means to shatter the situation in our region, where everything hangs in the balance. That is why we have a very high level of self-censorship.



Regulation of journalists' work in combat zone

One of the difficult aspects of the work of journalists dealing with the topic of war is to obtain appropriate permits to work in the combat zone and prepare stories and materials that will be informative but at the same time will not harm the state's defense capabilities.

Covering problematic issues in the armed forces or in the conduct of military operations in wartime is extremely difficult. First, a significant part of the information is secret and cannot be disclosed. Second, public coverage of problematic aspects (such as alleged corruption in the army) can significantly affect morale. In such cases, self-censorship influences the actions of journalists even more than in civil matters.



Look, if we are talking about military logistics and supply, not even of ammunition, but of food or some material things, then we know nothing about it. Moreover, we don't need to know anything about it. This is a purely military matter and a military secret. Yes, there are abuses most likely. But this information simply passes us by. If some military person appears who is ready to give information, it does not mean that I, for example, will release him on the air. This means that I will, first of all, conduct an investigation, but most likely this investigation will stumble on a military secret, and I will not achieve anything to draw any conclusions. Therefore, what concerns army supplies is a closed topic for us.

At the same time, respondents lack more adequate communication with the military and civil administration bodies. Different state institutions have different attitudes towards journalistic work and often contradict each other. Regarding permission to work in certain places or to cover certain aspects of the war, representatives of different government bodies may have radically different positions.



For example, we were in Sumy region, the regional military administration allowed us to go and film a bombed-out bridge. We went there. At all checkpoints we were asked: where are you going? We said that we were going to film a bombed-out bridge. We reach that bridge, drive 300 km, film the bridge. The military is escorting us. The village council head speaks to us on the phone. We go even further. And then border guards catch up with us and say: "Do you understand that you don't have permission to film?"

Another problem arises from the situation above. Journalists, who deal with the topic of war in one way or another, want to harm neither the military or civilians while doing their job, nor the country's defense capabilities even more so. However, they often do not have the opportunity to consult with relevant specialists or authorized government agencies regarding the publication of certain information or materials.



What we lack now is professional military censorship. Because I work a lot both as a photojournalist and as a person who works with the materials of other photographers, I really need a specialist whom I can call, send a photo and ask: "Can this be printed and sent, or is it better not to show it to anyone for a week or two?" Although this is my fifth war, I do not consider myself an expert in the preservation of military secrets, and I would need someone with whom I could consult 24/7. They [photographers] send me a package of photos, which I send further to media outlets. And this, I believe, is a big problem, as well as the problem that since 2014 we have not trained people to professionally select materials and close access to materials that may contain information of a military nature that can be used by the enemy. I was interested in this question, but I did not find professional courses in journalism universities that would teach how to analyze whether this photo or text can reveal a military secret or not. And this is very important, in my opinion.

Journalists also drew attention to the fact that there are no uniform standards for the amount of information provided by state authorities in Ukraine. As an example, different military administrations and local authorities publish varying amounts of information about shelling, its effects, and geographic references. Standardizing the publication of this type of information would simplify the activities of journalists and reduce the risks of dissemination of sensitive national security data.



I would like all regions of Ukraine to have the same amount of information provided by regional or city authorities. If something happens in the city of Zaporizhzhia, there are strikes somewhere, the local authorities will most likely tell us an attack was launched on a critical infrastructure object. Sorry, the city of Zaporizhzhia is huge. It can be both the right bank and the left bank, and it doesn't give any information, but every statement [by authorities] is like that. I understand when they try to conceal a real military object that was attacked, saying so. However, it would be convenient to at least do as in Kyiv, where districts are mentioned, and this will help people, ordinary users and consumers of information, to understand how close they are to the place of attack.

Virtually all journalists interviewed during the quantitative survey did not face the problem of refusal of accreditation for work in a combat zone during the war, however, many of them did not try to get it. Out of 132 people interviewed, three journalists reported that they received such a refusal, but then the accreditation was provided or returned. One person reported that the accreditation was never provided later.

And yet, **sometimes there are problems with media accreditation in combat zones**. The reason is both the lack of coordination between various bodies of the military and political leadership and the alleged abuses by individual journalists.



Regarding work permits, I had a very unpleasant story in Kharkiv, in Kharkiv region. We were all accredited, and we decided to go to Nova Rohan from Kharkiv. We went there, took videos, talked with people, and then in the evening I called the press secretary to find out where else we could go with them. They say: "We are going to Nova Rohan tomorrow, come with us." I said: "Thank you, but we've already been there." She asked: "How did you get there?" I said: "We just went, we were allowed to go at all checkpoints, we have accreditation." The next day we go without them, all checkpoints are already closed, and it is because of this call, because we asked them for permission. But the problem is that this does not stop some journalists and they start driving through forests and fields, and this is already a problem. This should be resolved somehow faster.



In fact, I want to defend them a little here. They told us about cases when specific media outlets received accreditation and then quietly moved to the occupied territory, I understand that it's according to the canons of journalism and so on... But Al Jazeera, for example, went to film and take comments from "vatniks" [Ukrainians having pro-Russian views] and what is the guarantee, how will Ukraine be shown later? Therefore, of course, they play it safe. Plus, I am not talking about the responsibility of a press officer who is attached to you: if, God forbid, someone steps somewhere left or right and gets a leg torn off or something else, then he or she actually bears responsibility for the lives of the journalists to whom they are attached.

During the focus group discussions, some respondents, in particular, noted that it is somewhat easier for foreign mass media to obtain requested information from representatives of the military-political leadership or accreditation to work near a combat zone.



Most journalists complain about access to information, to the press services of military departments. After all, there is only one priority – foreign journalists. First, we work with foreign mass media, and only then with Ukrainian journalists, who are cast aside in terms of access to information. And this is a problem.

Despite the fact that this area is much regulated and a significant part of the military does not want to allow journalists to work (including due to the impossibility of guaranteeing their safety), even in such circumstances, the Ukrainian military still allows coverage of certain aspects related to war. In this way, Ukrainian realities, according to some participants of focus group studies, differ from the standards of the North Atlantic Alliance, in which it is often forbidden to provide almost any information about the situation in the army and in the combat zone.



It is forbidden to film absolutely everything there. [It's allowed] only by specific permission, specific request. We would not work there at all, we would all sit at home.

Despite the obviousness of certain restrictions regarding the coverage of combat operations and the situation in the army, **certain restrictions are still unclear to journalists**. This concerns, in particular, military hospitals and other healthcare institutions. Respondents note that they do not understand the impossibility of obtaining permission to prepare material from these regime objects.



Even before the full-scale invasion, I worked exclusively on the eastern front, I communicated with the General Staff, the press services of the Joint Forces, the headquarters, instructions and some advice on communication between journalists and military personnel were drafted. But still, now I feel that there is an overreach. For example, why can't we film hospitals and healthcare institutions? Why is this a problem? For some reason, we cannot enter the hospital. You will learn about some shortcomings in our healthcare system from the wounded, military personnel you know. But I can't tell about them because I can't enter a hospital with a camera.



In fact, I am also engaged in communication with the military, the National Security and Defense Council, the General Staff, the Ministry of Defense, the command, and it is extremely difficult to work, because, in addition to the closedness of these structures, when you cannot take a comment or an interview (not to mention exclusive material), the military is also prohibited from doing this... Even where it is possible, where it is not about any military secrets, communication between the military and journalists has now been restricted as much as possible.



When asked whether journalists can conduct professional activities in the combat zone without permission from the military leadership, more than half of the interviewed journalists said that it is not possible: any such activity must be agreed upon with the military leadership. Another 42% tolerate such situations.

Accountability for spreading fakes

The majority of respondents (82%) surveyed during the quantitative research believe that **a journalist should bear certain liability for the spread of fakes**. At the same time, the **main part leans toward the need not for criminal liability, but administrative or civil liability** at the request of a person about whom such information was disseminated. If the fakes concern state authorities, then the latter should be able to file a civil lawsuit with the court demanding refutation, prohibition of the dissemination of such information and compensation for the damage caused. However, only a small percentage of respondents agree that criminal liability should be established for such actions, or the possibility of out-of-court blocking of such information.

Likewise, the respondents interviewed in the focus groups agreed that there should be liability for spreading false information and fakes if it was intentional. However, there is a major problem here: what type of liability it should be, and whether such a punishment could become a way of putting pressure on journalists. If this aspect is implemented incorrectly, it can become a way to manipulate and harass independent journalists.



There must be accountability, this is clear. But it's a delicate thing. I don't remember now with these changes what is being done there in the Criminal Code, because sometimes it [accountability] was not there, then they tried to introduce it. But in the 1990s, there was such a thing, and it was abused a lot. Therefore, I believe that there should be no criminal liability, since we live in such a country where the law serves a narrow circle of persons. But there should be civil liability, i.e. fines, some reputational damage. But, again, there should be a clear mechanism on how to do it.



As far as I know, there is a very good practice in the United States with regard to false information, where a person who believes that false information has been spread about them, files a civil lawsuit against a journalist and proves that the information was spread with the intent to cause harm. And only then does responsibility begin. Because liability for false information can and will be used as a tool to fight against journalists, the right of journalists to spread information that is not always to the liking of representatives of authorities.

The conditions of the war also brought to the fore the question of how journalists should work with those official speakers who often and systematically report inaccurate information. The report found a significant number of people who hold official government positions provided inaccurate information on the situation in the regions undergoing military operations; furthermore, some of the information spread was found to be outright fakes.



On the one hand, when you talk about Luhansk region, you have to quote someone who is a representative [of the state]. On the other hand, if you know that this person is producing fakes all the time, it is better to communicate with him as little as possible. Just minimize his presence altogether.

Although information from such state representatives is known to be dubious, they still remain state representatives. When such lies become obvious, it negatively affects both the image of the media itself and the perception of the state.



Do you remember the case with [ex-Ombudsman Liudmyla] Denisova, that she made up stories during the war. A journalist did their job. And on the other hand, that was a negative case for the state.

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About four months ago, one of the mayors in Sumy region released information that five children stepped on landmines and were killed. This information was picked up by all national channels, it was shown in the telethon. The mayor actually became famous throughout Ukraine, but in reality, no child was killed, and it turned out to be a fake. When we requested information from the prosecutor's office, we were given information on how many people were killed, including one child. And we reported that the mayor gave false information. Then the head of the Sumy regional civil administration confirmed that it was fake. Therefore, I think that if a journalist catches an official lying, then it is necessary to openly talk about it and expose this lie.

A large number of journalists draw attention to the fact that their colleagues in the Ukrainian media need to take the process of inviting experts for comments more seriously. **Situations** often occur when people, who are obviously not experts on the issue and who spread misinformation knowingly or unknowingly, are invited for comments.



In general, there is a question that can be outlined overall as the competence of experts invited by journalists. Starting with [former adviser to the Office of the President of Ukraine Oleksiy] Arestovych who gives comments and is a top speaker in the presentday official information space... He is quoted, he is invited. Of course, this is, among other things, the scope of responsibility of the journalistic circle which invites such a so-called professional expert. Angela Pearl, an astrologer living in Australia, was even invited as a professional expert. She was invited to speak about the strategy of military prospects at the telethon.

At the same time, those surveyed are quite categorical about whether a journalist or media outlet has the right to publish false information for good purposes, for example, to make bad officials resign. Only 7% of respondents agreed with such actions.

Issue of criminal liability for journalistic activity

Since the beginning of the Russian full-scale invasion of Ukraine, the Verkhovna Rada made numerous changes to the Criminal Code of Ukraine, prohibiting the collection, storage, and dissemination of certain types of information². In particular, for the period from February 24, 2022 to September 30, 2022, four laws, containing amendments to the Criminal Code of Ukraine (CCU) that relate to the dissemination of information, came into force:

- 1. The definition of "high treason" was expanded (Art. 111 of CCU)
- 2. The liability for violation of the equality of citizens was expanded (Art. 161 of CCU)
- 3. A new crime "Justification, recognition as legitimate, denial of the armed aggression of the Russian Federation against Ukraine, glorification of its participants" was added under Art. 436-2 of the CCU
- 4. A new crime "Unauthorized dissemination of information about transfer, redeployment of weapons, armaments and military supplies to Ukraine, movement, redeployment or location of the Armed Forces of Ukraine or other military formations established in accordance with the laws of Ukraine, committed in conditions of war or a state of emergency" was added under Art. 114-2 of the CCU

More than half of surveyed media representatives believe that such novelties are necessary during the war, and only 8% disagree with this. At the same time, more than a third of respondents either did not know anything about it or were undecided.

Half of the respondents believe that **Ukrainian journalists working in the Russian mass media should bear criminal responsibility**; 17% believe that they should not if they do not spread false information (in 2019, the majority of respondents believed so).

The majority of surveyed journalists are not afraid of legal prosecution for their activities, while the number of those who are rather afraid of criminal prosecution than of administrative penalties is slightly higher: 26% and 14%. These numbers practically do not differ from the data of 2019.

² See more: Criminal liability for dissemination of information on the Internet before and after February 24, 2022/ 0. Vdovenko, Ye. Vorobyov, M. Hrynyshak – Kyiv: NGO «Human Rights Platform», 2022. – 88 p. https://www.ppl.org.ua/wp-content/uploads/2023/01/%D0%90%D 0%9D%D0%90%D0%9B%D0%86%D0%A2%D0%98%D0%A7%D0%9D%D0%98%D0%99-%D0%97%D0%92%D0%86%D0%A2 -A4-30-12-22.pdf

THREATS TO JOURNALISTIC ACTIVITIES AND JOURNALISTS

According to the surveyed media professionals, **the biggest threats to freedom of speech and journalistic activities are physical threats or threats to life related to work in combat zones (67%), decrease in media funding (55%), censorship by authorities (47%), and the low qualification of journalists (45%)**. At the same time, the number of journalists who consider censorship by owners to be one of the biggest threats to journalistic activity has halved from 2019 to 2023 – from 70% to 35%.

WHAT, IN YOUR OPINION, ARE THE BIGGEST THREATS TO FREEDOM OF SPEECH AND JOURNALISTIC ACTIVITY IN UKRAINE NOW? THREE MOST IMPORTANT ANSWERS POSSIBLE

- 67% (Physical threats or threats to life related to journalistic activity in combat zone
- **55**% Decrease in media funding
- 47% Censorship by authorities
- 45% Low qualification of journalists
- 35% Censorship by media owners
- 31% Self-censorship
- 17% Pressure from the public in case of coverage of unpopular topics
- 13% Physical threats or threats to life related to journalistic activity in the territory where combat operations are not taking place
- **10%** Influence of commercial entities
- 8% Problems in journalistic environment
- **3**% **No** significant threats

Forty percent of journalists surveyed fear for their safety, and almost the same number do not. Since 2019, the number of those who fear for their safety has slightly increased: then a third of respondents believed so.

24

33

21

40

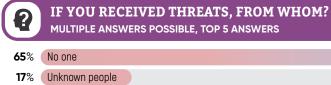


At the same time, a relatively small number of media representatives who received threats due to their journalistic activities was recorded – 18% (in 2019, 43% of respondents reported this). More than half the number of journalists who received threats can be explained by the fact that previously such threats came most often from representatives of the authorities, businesses, and criminal circles who were dissatisfied with journalistic publications at the local level, but this factor has become less influential due to the full-scale war because the main threat now is Russian aggression and military operations on which the public's attention is focused (similarly, according

to the Institute of Mass Information, the number of attacks and obstruction of journalistic activities by domestic Ukrainian entities has decreased – the vast majority of all cases concern the actions of Russian agents in Ukraine)³. Concurrently, even with a large number of threats from Russian or pro-Russian forces on the Internet, Ukrainian journalists do not perceive it as a serious threat and are not inclined to mention or report such cases.



Among those who received threats due to their journalistic activities, **one in ten reported that they came either from representatives of the authorities, politicians, or civil society activists. Seventeen percent indicated that the threats came from unknown persons.** In 2019, such threats most often came from unknown persons (41%), somewhat less often from representatives of business, criminals, or civil society activists.



- 12% Representatives of authorities
- 10% Politicians
- **10%** Civil society activists

The focus group participants confirmed this: in some cases, there were even direct threats of intervention by law enforcement or security agencies. At the same time, judging by the results of focus group surveys, those were rather single cases.



There was an official from the regional state administration, our humanitarian headquarters chief, who began to threaten me, claiming I was disclosing a secret. I say: there is no secret, especially since 12 hours have already passed, we know, we follow the rules, when we can publish. And the State Emergency Service already posted a photo. In short, this official began to threaten me and said he would file a report about me at the Security Service of Ukraine.

When a journalist is threatened, **the most important motive for disclosure is the importance of the information for society (82%).** However, threats can work, as 45% of respondents say that the realistic nature of threats and the degree of potential harm may influence the decision to release information, as well as the level of family safety (39%). For another 31%, one of the decisive motives for making certain information public is its usefulness for the state.

³ One year and two months into the Russian invasion, 509 crimes against journalists and media in Ukraine committed / Institute of Mass Information, 24 April 2023: https://imi.org.ua/monitorings/za-rik-ta-dva-misyatsi-z-pochatku-vtorgnennya-rf-skoyila-509-zlochynivproty-zhurnalistiv-ta-media-i52295



Two-thirds of media workers surveyed as part of the quantitative part of the research are not afraid of civil lawsuits over their journalistic activity: the situation has not changed since 2019. At the same time, as for criminal prosecution, every fourth respondent is afraid of it, while it is not a threat for 57%. Here, the sentiments of journalists are almost identical to those in 2019.



Threats of criminal prosecution from law enforcement agencies over journalistic activity are practically not a problem for the work of journalists in Ukraine. Only two people out of 132 respondents said that they received threats from the police, and one person from prosecutors. This is 2% of respondents. In 2019, the situation was similar as 4% of journalists stated that they received threats of criminal prosecution over their journalistic activities from law enforcement agencies.

MAIN EFFORTS FOR FREEDOM OF SPEECH AFTER WAR ENDS

Some of the participants in the focus group research believe that the restrictions on freedom of speech imposed by the wartime requirements will be stopped soon enough after the war ends, in particular due to the pressure of the Western countries. There is also hope that the lack of alternatives to European and Euro-Atlantic integration after the war will have specific demands regarding media freedom and media reforms.



Of course, I understand that clampdown bears the risks of sliding to authoritarianism after victory. But with those levels of funds, let's be frank, that the West is investing in Ukraine in this war, the clampdown after victory simply won't be allowed... Look, we are at such a stage now – we are an EU candidate country, an application has been submitted for joining NATO – there are certain requirements. NATO has less requirements, but still some. Freedom of speech somehow sounds there. And the EU has more requirements. Moreover, the media law was recently voted on. But we will see whether the Venice Commission will accept it or not. Therefore, the information society will somehow change.

However, not all respondents share this opinion, and some of them believe that it is necessary to act in advance and prevent targeted censorship and restrictions on freedom of speech which may remain after the war.



It's very good that there is hope that our Western colleagues will not allow freedom of speech to be curtailed in Ukraine. But we ourselves should not give the authorities the opportunity to curtail it. Every time we see that our professional right to speak about the events that we see around us is encroached upon, we must speak about it, support colleagues who see it and speak about it. Because it is very easy to get used to restrictions. Now the restrictions are related to war. After the victory, there will be restrictions related to the restoration of the state. Then those in power will come up with something else.



We have to make sure that these wartime laws that regulate our information space do not continue to operate in the post-war period... ...so that the authorities do not take advantage of the moment when they tell us all that it is not allowed to write about something because it plays into the hands of the enemy, so it cannot be published.

If we are talking about specific actions, **the main thing that the state can do to support** freedom of speech in the country after the war is not to interfere and not to try to control freedom of speech in the media.



As business people say, don't interfere. If you do not help, then at least do not interfere. That's in short.

For local media, the situation remains quite difficult, so the main task for the state would be to guarantee their existence and the opportunity to work without significant pressure from local authorities and without attempts to interfere in their work.



Being the head of a local media outlet, I see it as my task to save it and save its face. Although many people think that municipal media outlets are praising a mayor necessarily, but this is not the case. Our mission now is to educate local authorities.

At the same time, a significant part of respondents admitted that **the only real way to guarantee the independence of the media is to have stable sources of funding or self-repayment**. Some of respondents hope for funding programs provided by the European Union or donors to Ukrainian mass media as the Ukrainian media landscape has changed a lot. For the successful transformation of such Ukrainian mass media, a certain transition period will be required, which will be difficult to pass without external funding.



The oligarchs cornered us. The only option to be saved is the arrival of European and American investors. They dictate their terms. We are learning. And then they let us go.



And what will be the mechanisms? Finances give independence. There is no other way yet.

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Conclusions and Recommendations

Sociological research has shown positive and negative trends in Ukrainian society regarding freedom of speech in the conditions of Russian large-scale armed aggression. It is important to emphasize that this research shows the opinions of Ukrainian journalists. To assess the situation with freedom of speech in its entirety, it is also advisable to use other data, for example, expert surveys of other groups, statistical information, monitoring data, etc. However, after all, journalists are central subjects in the implementation of freedom of speech and expression of views, so quite often their opinion shows certain positive moments or problems.

The following *positive trends* can be singled out:

- Overall high assessment of the situation with freedom of speech (in 2023 6.4 points on a scale of 1-10, in 2019 7.6 points) which shows the optimism of Ukrainian journalists despite the numerous restrictions on freedom of speech imposed since the beginning of the Russian full-scale invasion of Ukraine.
- Thirty percent of surveyed journalists indicated that they had not encountered violations of freedom
 of speech in their practice since the beginning of the full-scale invasion.
- Journalists mostly understand the need to impose most restrictions on information collection and dissemination but hope that they will be lifted after the war ends.
- Journalists are aware of the risks of their work in combat zones because they identify the activities
 of the occupying forces of the Russian Federation as the dominant threat to their safety. Despite
 this, they are unhappy with the restrictions on their activities as they are ready to cover the war
 despite the risks involved.
- When journalists are threatened or pressured, the most important motive to publish information for them is the importance of information for society (82%) which is a very positive perception of the role of mass media and the work of journalists.

The following *negative trends* can be outlined:

- The main violation of freedom of speech that the journalists themselves encountered was the refusal of government officials to provide socially important information (51%). Before the full-scale invasion, this was not a serious threat. This is a clear **trend towards the closedness of the authorities** which has extremely negative consequences in the form of possible growth of corruption, deterioration of the quality of the decisions made by the authorities, deprivation of the public's right to discuss socially important issues and participate in their resolution.
- Twenty-two percent of surveyed journalists indicated that they faced censorship of already finished materials which is an extremely alarming indicator for a democratic society. In addition, 26% of respondents believe that censorship exists as a system in Ukraine (only 12% said so in 2019).
- In the conditions of martial law, government censorship overtook the censorship by mass media owners. If earlier, before the full-scale Russian invasion, Ukrainian journalists talked about censorship in some media outlets (68%) and cited pressure conducted by media owners as the reason, then in 2023, 69% of surveyed journalists pointed to government censorship, and the share of those who blamed media owners decreased to 67% (94% in 2019). At the same time, 47% of the surveyed journalists consider government censorship to be one of the biggest threats to freedom of speech and journalists' activity. This is an extremely disturbing trend that could lead to the curtailment of freedom of speech if all the restrictions imposed during martial law persist.

- More than 50% of journalists indicate the presence of self-censorship, 78% of journalists say that the number of self-censorship cases has increased since the full-scale Russian invasion of Ukraine. At the same time, the share of journalists who indicated that there are topics in Ukraine that cannot be written about increased significantly (from 26% in 2019 to 44% in 2023). The main motives for self-censorship are the fear of making a mistake or difficulties in verifying information, personal beliefs, fear of losing employment, or public opinion.
- When justifying censorship, surveyed journalists most often cited that "we are at war" (57%), that it is "in the interests of the country" (44%) and that "such a position is not popular in society" (29%). Twenty-five percent of surveyed journalists (in 2019 – 12%) said that they would hide true information about important problems or serious offenses if they believed that it would be useful for the state. The number of those who still would share this information decreased from 35% to 27%. At the same time, almost half hesitated. This data is threatening because it shows a certain level of perception of censorship and misunderstanding of the role of mass media in a democratic society. Refusal to spread information about certain phenomena does not eliminate these phenomena, on the contrary, it allows the problem to increase. Earlier in Ukraine there were censorship attempts, in particular, through gag orders and administrative power pressure on the media, later through economic motivation or pressure in the media outlets owned by oligarchs. Current arguments are more dangerous because they work on a hierarchy of values, speculating on heightened feelings of patriotism during wartime and artificially pitting the dissemination of socially important information against the interests of the country. In fact, the free flow of information in most cases gives Ukraine extraordinary advantages over Russia. The quality of the decisions made increases significantly because different views are taken into account. When the situation worsens, society mobilizes more to help. The corruption and abuse risks, which may further have more threatening consequences for the country, diminish. Therefore, the limitation of socially important information in the long run is against the interests of the country, but it may be in the interests of individual representatives of the authorities. With this in mind, we believe that this trend is extremely negative and threatening for future democracy as such restrictions can be built on the internal support and perception of journalists themselves.

Evaluating these trends, it should be noted that some of them may be temporary and the situation may improve after the war in Ukraine ends. However, the longer the war lasts, the more certain trends can take root in general practice and then they will become a serious challenge to democracy and freedom of speech in Ukraine. At the same time, we understand that the collection and dissemination of certain information related to the Armed Forces of Ukraine and their activity (movement, location, etc.) or national security and defense in general may be subject to restrictions for a long time even after the end of martial law. With this in mind, we see the following *useful actions that can curb the deterioration of negative trends and improve the situation regarding freedom of speech in Ukraine:*

- Cancel the United News telethon, return the pre-war broadcast format, taking into account the restrictions on the dissemination of information established by the law "On Media" and the Criminal Code of Ukraine, as well as return opposition TV channels to digital broadcasting. Marathon accomplished its mission in the first year of the war but it has been criticized for its unbalanced reporting and the opposition's lack of access to it. More than 60% of journalists consider it a form of censorship and advocate canceling it.
- **Restore the full effect of the law "On access to public information".** Although it is formally valid, in practice the authorities have often arbitrarily limited access to information about themselves and their activities.
- Abolish restrictions on media activities that do not concern the combat zone, including restrictions on accreditation and journalists' access to government agencies and their meetings.

- Review the amendments to the criminal law adopted in the first months of the full-scale Russian invasion to bring them in line with European standards for the protection of freedom of expression.
- Enhance the training of journalists. On the one hand, the problem of information verification
 is one of the main reasons for self-censorship, on the other hand, journalists themselves note
 that the low level of qualification of journalists is one of the four main threats to freedom of
 speech.
- Provide measures for economic support for mass media which influences the level of independence of mass media and journalists. The decrease in media funding ranks second (55%) among the biggest threats to journalists' activity in Ukraine.

APPENDIX 1

Guide of focus group research with journalists "CHALLENGES TO FREEDOM OF SPEECH AND JOURNALISTS DURING RUSSIAN INVASION" (2 hours)

| RESEARCH TOPIC: | "CHALLENGES TO FREEDOM OF SPEECH AND JOURNALISTS IN WARTIME" |
|-----------------|---|
| | Criteria for selecting respondents |
| | Part-time and full-time journalists of national and regional media outlets |
| | Gender representation in a proportion of at least 3/7 |
| | Representation of traditional and new media |
| | Some respondents should have experience working in areas where military operations take place |

| SECTION 0: | INTRODUCTION (15 min) |
|------------|--|
| | Presentation of moderatorExplaining the discussion topic |
| | Explaining reasons for audio recording (with focuses groups online – video recording), guaranteeing confidentiality |
| | • Outlining general rules: sincerity, openness, expressing one's own opinion, there are no right or wrong answers. The inadmissibility of "capturing" discussion space, tolerance to the points of view of other discussion participants |
| | Presentation of participants: professional experience, media outlet or organization a respondent works for (affiliated with), other important aspects for the conversation |

| SECTION 1: | OVERALL ASSESSMENT OF FREEDOM OF EXPRESSION AND FREEDOM OF SPEECH; CENSORSHIP AND SELF-CENSORSHIP (50 min) | | | |
|------------|---|--|--|--|
| | In your opinion, is there freedom of expression and freedom of speech in Ukraine now? On a scale of 1-10, 1 being no freedom at all and 10 being full freedom, how would you rate the current level? Why do you think so? | | | |
| | 2) Have you encountered cases of censorship in your professional activity? When was it? During the full-scale invasion or before? Who conducted it? What forms of pressure were used? | | | |
| | 3) In your opinion, how widespread is self-censorship in the Ukrainian mass media? How strongly does war influence this process? What areas does self-censorship primarily concern? Is it possible to draw a line between necessary self-censorship and harmful? Has the war boosted self-censorship, has it increased the number of censorship cases? | | | |
| | 4) In your opinion, is it necessary to preserve the format of the United News telethon at the current stage of the war? Why? If the format should be changed, then how? | | | |
| | 5) After the end of the war, what should the government focus on to improve the situation with freedom of speech? What actions are required? Who should do them? | | | |

| SECTION 2: | THREAT OF PUNISHMENT (55 min) 6) Are there legal norms that limit the freedom of speech of journalists in the conditions of war? How common are threats to freedom of speech and mass media at the legislative level? |
|------------|--|
| | 7) Ukraine adopted many amendments to the Criminal Code, limiting the freedom of dissemination of information in the conditions of war: did you know about it? How do you assess it? Has it influenced your work somehow? Have you become more wary of criminal liability for your materials? |
| | 8) Should a journalist be held to account for intentionally spreading false information (fakes)? What kind of? Should the authorities deal with such cases and what should be their role? |
| | 9) Have you or your colleagues faced threats over professional activities? Who did they come from? |
| | |
| SECTION 3: | ASSESSMENT OF LEVEL OF PERSONAL SAFETY BY JOURNALISTS; |

| SECTION 3: | IMPACT OF ARMED CONFLICT AND RUSSIAN AGGRESSION (55 min) |
|------------|---|
| | 10) Do you fear for your safety over your journalistic activity? If such concerns arise, how often? What are they related to? |
| | 11) What is the role of journalists in covering military operations and war? Are there separate rules for such situations? Which? How to cover miscalculations during military operations, military logistics, etc.? Is it possible to cover potential abuses by the military? Are you aware of any accreditation problems in combat zones? Do you know about unmotivated refusals, deprivation of accreditations, what are the main reasons? |

APPENDIX 2

ASSESSMENT OF THE LEVEL OF FREEDOM OF SPEECH IN UKRAINE

Results of expert survey of journalists

1. How do you assess the freedom of speech in Ukraine?

On a scale of 1-10, 1 being very poor and 10 being very good

| | Number of answers | Number of answers, % |
|----------------|----------------------|-------------------------|
| 1 – very poor | 1 | 0,8 |
| 2 | 2 | 1,5 |
| 3 | 7 | 5,3 |
| 4 | 8 | 6,0 |
| 5 | 23 | 17,3 |
| 6 | 16 | 12,0 |
| 7 | 38 | 28,6 |
| 8 | 26 | 19,5 |
| 9 | 8 | 6,0 |
| 10 – very good | 4 | 3,0 |

2. What violations of freedom of speech and information have you personally faced since the beginning of the full-scale invasion (since February 2022)? (Multiple answers possible)

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| Censorship of finished materials or prohibition of publication | 29 | 21,8 |
| Excessively harsh court decisions against journalists, for example, regarding compensation for moral damage | 0 | 0 |
| Initiation of criminal cases over journalistic activity | 4 | 3,0 |
| Request to present knowingly false information to slander or discredit a certain person | 15 | 11,3 |
| Officials' refusal to provide journalists or the public with socially important information | 68 | 51,1 |
| Prohibition of the release of a media outlet or other print publication | 9 | 6,8 |
| Closure of media outlet | 12 | 9,0 |
| Persecution of journalists | 9 | 6,8 |
| Refusal of accreditation | 22 | 16,5 |
| Other (indicate) | 1 | 0,8 |
| I have not faced any violations of freedom of speech | 40 | 30,1 |

3. What, in your opinion, are the biggest threats to freedom of speech and journalistic activity in Ukraine now?

(Three most important answers possible)

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| Physical threats or threats to life related to journalistic activity in combat zone | 89 | 66,9 |
| Physical threats or threats to life related to journalistic activity in the territory where combat operations are not taking place | 17 | 12,8 |
| Censorship by authorities | 63 | 47,4 |
| Self-censorship | 41 | 30,8 |
| Censorship by media owners | 46 | 34,6 |
| Influence of commercial entities | 13 | 9,8 |
| Decrease in media funding | 73 | 54,9 |
| Pressure from the public in case of coverage of unpopular topics | 23 | 17,3 |
| Problems in journalistic environment | 11 | 8,3 |
| Low qualification of journalists | 60 | 45,1 |
| No significant threats | 4 | 3,0 |
| Undecided | 0 | 0 |

4. In your opinion, is there media censorship in Ukraine?

| | Number of answers | Number of answers, % |
|--------------------------|----------------------|----------------------|
| Yes, as a system | 35 | 26,3 |
| In certain media outlets | 50 | 37,6 |
| Only as isolated cases | 41 | 30,8 |
| No (go to question 6) | 4 | 3,0 |
| Undecided | 3 | 2,3 |

5. If you think there is censorship in Ukraine, then who conducts it mostly? (Multiple answers possible)

| | Number of answers | Number of answers, % |
|--|----------------------|-------------------------|
| State (various state or local government bodies) | 89 | 69,0 |
| Media owners | 86 | 66,7 |
| Politicians, political parties | 38 | 29,5 |
| Oligarchs who are not media owners | 8 | 6,2 |
| NGOs, activists | 5 | 3,9 |
| Self-censorship of journalists | 68 | 52,7 |
| Other (which?) | 0 | 0 |
| Undecided | 5 | 3,9 |

6. What forms of pressure have been used in your journalistic practice when justifying or conducting censorship?

(Multiple answers possible)

| | Number of answers | Number of answers, % |
|--|----------------------|-------------------------|
| Attempted bribery | 7 | 5,3 |
| Threat of financial problems or dismissal | 15 | 11,3 |
| Physical threats or threats to life | 9 | 6,8 |
| Explanation that "such a position is not popular in society" | 39 | 29,3 |
| Explanation that "it is in the interests of the country" | 58 | 43,6 |
| Explanation that "we are at war" | 76 | 57,1 |
| Other (which?) | 1 | 0,8 |
| This was not the case in my journalistic practice | 37 | 27,8 |

7. Did the authorities require you to agree on the information published in advance?

| | Number of answers | Number of answers, % |
|------------------------------|----------------------|-------------------------|
| Yes, quite often | 19 | 14,4 |
| Yes, several times | 53 | 40,2 |
| No, never (go to question 9) | 30 | 45,5 |

8. Which authorities required prior agreement on the dissemination of information?

(Multiple answers possible)

| | Number of answers | Number of answers, % |
|-----------------------------------|----------------------|----------------------|
| Members of Parliament | 13 | 17,3 |
| Officials from ministries | 15 | 20,0 |
| Officials from President's Office | 8 | 10,7 |
| Members of local council | 19 | 25,3 |
| Officials of local administration | 41 | 54,7 |
| Officials of police | 2 | 2,7 |
| Military | 27 | 36,0 |
| Security Service of Ukraine | 6 | 8,0 |
| Other (who?) | 1 | 1,3 |

9. In your opinion, what makes journalists censor themselves?

(Multiple answers possible)

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| Pressure put by authorities | 47 | 35,3 |
| Pressure put by media owner | 49 | 36,8 |
| Fear of losing job | 59 | 44,4 |
| Personal safety concerns | 37 | 27,8 |
| Possible lawsuit | 26 | 19,5 |
| Public opinion, for example, not to share information that may cause a negative reaction from certain people even if it is true | 51 | 38,3 |
| Fear of making a mistake or difficulties in verifying information | 60 | 45,1 |
| Personal beliefs | 60 | 45,1 |
| Other (what?) | 1 | 0,8 |

10. In your opinion, has the Russian invasion increased the number of self-censorship cases among journalists?

| | Number of answers | Number of answers, % |
|-----------------------|----------------------|----------------------|
| Yes | 103 | 78,0 |
| No | 8 | 5,1 |
| Undecided / No answer | 21 | 15,9 |

11. Will you withhold true information about important issues or serious offenses if you believe it will be beneficial to the state?

| | Number of answers | Number of answers, % |
|-----------|-------------------|----------------------|
| Yes | 33 | 24,8 |
| No | 36 | 27,1 |
| Undecided | 64 | 48,1 |

12. Can a journalist or media outlet spread knowingly false information if they think it will be useful, for example, a bad official will be dismissed?

| | Number of answers | Number of answers, % |
|-----------------------|----------------------|----------------------|
| Yes | 9 | 6,8 |
| No | 123 | 92,5 |
| Undecided / No answer | 9 | 6,8 |

13. Do you believe in the need for limited censorship?

| | Number of answers | Number of answers, % |
|-----------|----------------------|-------------------------|
| Yes | 52 | 39,1 |
| No | 44 | 33,1 |
| Undecided | 37 | 27,8 |

14. Are there topics in Ukraine that cannot be written or talked about?

| | Number of answers | Number of answers, % |
|-----------|-------------------|----------------------|
| Yes | 59 | 44,4 |
| No | 39 | 29,3 |
| Undecided | 35 | 26,3 |

15. If you think there are such forbidden topics, what exactly?

Specify (n=58)

Respondents' answers are summarized by topic

| | Number of mentions by respondents |
|------------------------------------|--------------------------------------|
| Topics related to army and war | 44 |
| Criticism of incumbent authorities | 9 |
| Other | 5 |

16. In your opinion, is the united telethon launched at the beginning of the war a case of censorship?

| | Number of answers | Number of answers, % |
|-----------|----------------------|-------------------------|
| Yes | 82 | 61,7 |
| No | 24 | 18,0 |
| Undecided | 27 | 20,3 |

17. In your opinion, should the united telethon be stopped and all broadcasters start broadcasting independently?

| | Number of answers | Number of answers, % |
|-----------|----------------------|----------------------|
| Yes | 87 | 65,4 |
| No | 15 | 11,3 |
| Undecided | 31 | 23,3 |

18. Should a journalist bear liability for intentional spread of false information (fakes)?

| | Number of answers | Number of answers, % |
|--|----------------------|----------------------|
| Yes, civil liability at the claim of a person about whom such information was spread | 50 | 37,6 |
| Yes, administrative liability | 45 | 33,8 |
| Yes, criminal liability | 14 | 10,5 |
| No, it is a problem of compliance with journalistic standards, and it should be solved by media and journalists themselves | 17 | 12,8 |
| Undecided | 7 | 5,3 |

19. How should state authorities act if false information about the state or the activities of state authorities is spread?

(Multiple answers possible)

| | Number of answers | Number of answers, % |
|--|----------------------|----------------------|
| State authorities should have the administrative capabilities (powers) to prohibit the spread of such information without a court decision, in particular to prohibit the release of such publications, block access to relevant resources on the Internet, etc. | 10 | 7,5 |
| Criminal liability should be established for such actions | 13 | 9,8 |
| Administrative liability should be established for such actions | 31 | 23,3 |
| State authorities should be able to file a civil lawsuit at court demanding refutation, prohibition of the dissemination of such information, and compensation for the damage caused | 71 | 53,4 |
| The state should not interfere, its function is to spread refutation and increase the amount of true information about its activities | 30 | 22,6 |
| Undecided | 9 | 6,8 |

20. Should representatives of the Russian occupation administrations be allowed to express their position in the Ukrainian mass media?

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| No, under no circumstances | 111 | 83,5 |
| Yes, but depending on what they will say | 11 | 8,3 |
| Always yes, as this is socially important information | 2 | 1,5 |
| Undecided | 9 | 6,8 |

21. Should a Ukrainian citizen who works as a journalist for a Russian media outlet bear certain liability?

| | Number of answers | Number of answers, % |
|--|----------------------|----------------------|
| Yes, criminal liability | 63 | 47,7 |
| Yes, administrative liability | 8 | 6,1 |
| No, it is a problem of compliance with journalistic standards, and it should be solved by media and journalists themselves | 23 | 17,4 |
| No, unless it involves spreading false information | 22 | 16,7 |
| Undecided | 16 | 12,1 |

22. In your opinion, should journalists be able to conduct professional activities in combat zone without the permission of military leadership?

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| They shouldn't in any case. Any such activity must be coordinated with military leadership | 73 | 55,3 |
| It all depends on the situation | 55 | 41,7 |
| A journalist has the right to conduct activities in combat zone at his/ her own peril and risk and without the approval of such activities | 2 | 1,5 |
| Undecided | 2 | 1,5 |

23. Have you been denied (or revoked) accreditation to work in combat zone during the war?

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| Yes, and it was not provided (not returned) | 1 | 0,8 |
| Yes, but then it was provided (returned) | 3 | 2,3 |
| No, this did not happen | 128 | 97 |

24. During the war, numerous amendments were made to the Criminal Code of Ukraine, prohibiting collection, storage and dissemination of certain types of information. Do you think that all the amendments adopted are really needed during a war?

| | Number of answers | Number of answers, % |
|---------------------------------|----------------------|-------------------------|
| Yes, they were rather needed | 74 | 55,6 |
| No, they were rather not needed | 11 | 8,3 |
| l don't know about it | 23 | 17,3 |
| Undecided | 25 | 18,8 |

25. Do you fear for your safety?

| | Number of answers | Number of answers, % |
|-----------|-------------------|-------------------------|
| Yes | 53 | 39,8 |
| No | 52 | 39,1 |
| Undecided | 28 | 21,1 |

26. Have you received threats because of your journalistic activities?

| | Number of answers | Number of answers, % |
|---------------------------|----------------------|-------------------------|
| 1.Yes | 24 | 18,2 |
| 2. No (go to question 27) | 108 | 81,1 |

27. If you received threats, from whom?

(Multiple answers possible if needed)

| | Number of answers | Number of answers, % |
|-------------------------------------|----------------------|----------------------|
| Representatives of authorities | 9 | 11,5 |
| Politicians | 8 | 10,3 |
| Representatives of business | 7 | 9,0 |
| Representatives of criminal circles | 6 | 7,7 |
| Civil society activists | 8 | 10,3 |
| Unknown persons | 13 | 16,7 |
| Military | 2 | 2,6 |
| Other (specify) | 1 | 1,3 |
| I didn't receive threats | 51 | 65,4 |

28. Hypothetically, what is decisive for you when evaluating whether to publish information if you are threatened?

(Multiple answers possible if needed)

| | Number of answers | Number of answers, % |
|--|----------------------|-------------------------|
| Importance of information for society | 106 | 81,5 |
| Sensational information, the prospect of being the center of attention | 8 | 6,2 |
| Level of personal physical safety | 37 | 28,5 |
| Level of family safety | 51 | 39,2 |
| Realistic threats and degree of possible harm | 59 | 45,4 |
| Usefulness for state | 40 | 30,8 |
| Other | 1 | 0,8 |
| Undecided | 4 | 3,1 |

29. Are you afraid of civil lawsuits over your journalistic activities?

| | Number of answers | Number of answers, % |
|-----------|----------------------|----------------------|
| Yes | 18 | 13,5 |
| No | 89 | 66,9 |
| Undecided | 26 | 19,5 |

30. Are you afraid of criminal prosecution over your journalistic activities?

| | Number of answers | Number of answers, % |
|-----------|----------------------|----------------------|
| Yes | 34 | 25,6 |
| No | 76 | 57,1 |
| Undecided | 23 | 17,3 |

31. Have you received threats of criminal prosecution over journalistic activities from law enforcement agencies?

(Multiple answers possible if needed)

| | Number of answers | Number of answers, % |
|--|----------------------|----------------------|
| No (go to question 32) | 130 | 98,5 |
| Yes, from police | 2 | 1,5 |
| Yes, from prosecutors | 1 | 0,8 |
| Yes, from military | 0 | 0 |
| Yes, from Security Service of Ukraine | 0 | 0 |
| Yes, from State Bureau of Investigation | 0 | 0 |
| Yes, from National Anti-Corruption Bureau of Ukraine | 0 | 0 |
| Yes, from other law enforcement agencies | 0 | 0 |

32. Under which crimes/articles of the Criminal Code have you been threatened with criminal investigation? *Specify (n=3)*

| They just tried to «press on» journalists |
|---|
| Countering police actions |
| Fraud, forgery of documents |

33. Nowadays, we can hear calls that people should take justice into their own hands so that criminals do not go unpunished. How do you feel about it?

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| I consider mob justice to be inadmissible in any case | 88 | 66,7 |
| In general, mob justice is inadmissible but may be justified in some cases | 43 | 32,6 |
| I believe that in our conditions, mob justice is the only way to punish criminals | 1 | 0,8 |

34. If you become aware of potential crimes by military leadership or specific military personnel, how do you think you should act?

| | Number of answers | Number of answers, % |
|--|----------------------|----------------------|
| It is better to ignore such information and not make it public | 0 | 0 |
| One needs to try to solve a certain problem in private | 29 | 21,8 |
| Such facts should be made public and supported by evidence | 29 | 21,8 |
| It all depends on a specific situation. Sometimes such information should be made public, and in other cases it is better to refrain | 62 | 46,6 |
| Other | 3 | 2,3 |
| Undecided | 9 | 6,8 |

35. In your opinion, can the use of torture against enemies be justified during military operations?

| | Number of answers | Number of answers, % |
|--|----------------------|----------------------|
| No, the law does not allow this | 57 | 42,9 |
| No, it goes against the principles of humanism | 55 | 51,4 |
| Yes, the end justifies the means – if you need to get needed information | 5 | 3,8 |
| Yes, because it is an adequate response to similar actions of enemy | 5 | 3,8 |
| Undecided | 11 | 8,3 |

36. Is your journalistic activity related to the war?

| | Number of answers | Number of answers, % |
|---|----------------------|----------------------|
| Yes, it is one of the main topics of my work | 37 | 27,8 |
| Yes, in a certain way, although these topics are not the main ones in my work | 75 | 56,4 |
| No, my activity is not related to the war | 21 | 15,8 |

Socio-demographic characteristics

37. Gender

| | Number of answers | Number of answers, % |
|--------|----------------------|----------------------|
| Male | 55 | 41,2 |
| Female | 77 | 58,8 |

38. Age

| | Number of answers | Number of answers, % |
|-------|----------------------|----------------------|
| 18-34 | 35 | 26,3 |
| 35–54 | 69 | 51,9 |
| 55+ | 29 | 21,8 |

39. What media outlet do you work for?

(If you work for several outlets, multiple answers possible)

| | Number of answers | Number of answers, % |
|---------------------|----------------------|-------------------------|
| News agency | 9 | 6,8 |
| Newspaper | 22 | 16,5 |
| Magazine | 3 | 2,3 |
| Radio | 20 | 15,0 |
| TV | 37 | 27,8 |
| Online media outlet | 62 | 46,6 |
| Media NGO | 13 | 9,8 |
| Other | 3 | 2,3 |

40. Type of settlement

| | Number of answers | Number of answers, % |
|---|----------------------|-------------------------|
| Kyiv | 48 | 36,4 |
| City with population of more than 500,000 residents | 27 | 20,5 |
| City with population of 100,000–499,000 residents | 39 | 29,3 |
| Town with population of 50,000–99,000 residents | 10 | 7,6 |
| Urban-type settlement | 8 | 6,1 |
| Village | 0 | 0 |

41. Please indicate the region of your permanent residence until February 24, 2022 (the beginning of the Russian invasion)

| | Number of answers | Number of answers, % |
|--|----------------------|-------------------------|
| Kyiv city and region | 48 | 36,4 |
| West (Lviv, Ternopil, Ivano-Frankivsk, Rivne, Volyn, Zakarpattia, Chernivtsi, Khmelnytskyi regions) | 20 | 15,2 |
| Center (Zhytomyr, Sumy, Chernihiv, Kirovohrad, Vinnytsia, Poltava, Cherkasy regions) | 39 | 29,5 |
| South (Odesa, Mykolaiv, Kherson regions, temporarily occupied Crimea) | 8 | 6,1 |
| East (Dnipropetrovsk, Kharkiv, Zaporizhzhia, Donetsk, Luhansk regions) | 17 | 12,9 |



CHALLENGES TO FREEDOM OF SPEECH AND JOURNALISTS IN WARTIME: SOCIOLOGICAL RESEARCH

