



Journalists' and Media  
Workers' Union



Профсоюз журналистов  
и работников СМИ

## **Report on the Primary Threats to the Freedom of the Press in Russia in 2017 for the Presidential Council on Human Rights**

This document is an abridged version of the report submitted by the Journalists' and Media Workers' Union to the Presidential Council on Civil Society and Human Rights. It covers the primary threats to the freedom of the press in Russia and some specific examples of pressure and intimidation of media and individual journalists by public authorities, as well as of their failure to respond to violation of journalists' rights.

## Introduction

The Journalists' and Media Professionals' Union sees its goal not only as defending the rights of our colleagues, but also, in view of the special social significance of our profession, as protecting them from abuse of authority on the part of law enforcement officers and other government institutions. We want to affirm the status of journalists as particularly important for the cause of furthering democracy and promoting the supremacy of human rights and freedoms.

We declare our intention to achieve adequate cooperation with the public authorities for the sake of guaranteeing the respect for the rights of all Russian and foreign journalists working on the Russian territory. Fully realising the current political and economic realities, we intend to cooperate with public authorities strictly within the confines of the law, precluding introduction of any unlawful, discriminatory regulatory practices, internal regulations, procedures and orders. The Journalists' Union would like to emphasise that it will not compromise its stance outside of the law or interests of our professional union.

## Detention of journalists working at protest rallies

### Repeated unlawful detention of David Frenkel, member of the Journalists' Union

DAVID FRENKEL is a Russian photo reporter who regularly shoots opposition rallies (whether authorised or not). This report lists occasions on which he was detained throughout 2017 alone.

On *March 26, 2017*, during a protest rally by supporters of Alexey Navalny, David Frenkel was standing with his back to the police officers and filming the protesters being carried into a the police vans. The police officers approached him from the back, took him under his arms and dragged him inside the cordon, while he was holding a Mediazona press pass in his hands. He was then carried into the police van, while he was screaming that he is a journalist and showing them his press pass. In response, officers of the police dealt him several blows on and between his legs. He was only released after other journalists intervened.

On *May 12* another meeting was held with the head

of the press office of the St Petersburg Main Directory of the Police Ministry and the head of the community policing department as the speakers on the subject of the rising number of arrests of journalists. During the meeting the senior police officers accused the journalists of provocations and demanded that all journalists working at public events wear easy-to-see insignia. They also declared that press passes are not sufficiently prominent and suggested introducing identification sleeves. Journalists were also told that they must not offer any resistance when being detained, but that subsequently representatives of the police press office will check the police vans with the detained and release journalists. The Journalists' Union believes that this tactic of the police is a major violation of journalists' rights and restricts their ability to perform their professional duties. This unofficial practice may potentially result in arbitrary detentions of undesirable journalists. However, even these agreements on how the status of journalists can be confirmed were sabotaged by the police.

On *June 12* Frenkel was again detained during a protest rally on the Field of Mars, even though his press pass was hanging on his neck and was plainly visible. He did not offer any resistance, yet was not still kept in the police van. In violation of what had been agreed, head of the Main Directory of the Police Ministry press office MR. STEPCHENKO and his deputy basically sanctioned taking Mr. Frenkel to a police station. Following vehement objections on Frenkel's part, rank-and-file police officers let him out of the police van at some distance from the Field of Mars.

On *October 7* special sleeves bearing a number and an inscription "PRESS" suggested during the meeting with representatives of the police were introduced. Still, during the detentions on Liteyny Prospekt a police officer was actively hindering Mr. Frenkel's attempt to film a brutal detention of a protester and then dragged him into a police van. The presentation of a press pass and a PRESS identification sleeve produced no effect.

On *October 27*, in response to a complaint from the Journalists' Union about the unlawful detention by the police of media representatives David Frenkel and DENIS TARASOV during a June 12 mass protest on the Field of Mars, Deputy Chief of the St Petersburg Public Order Enforcement Police VIKTOR PODKOLZIN declared that the actions of the police had been legitimate, because these "people" had allegedly used their press passes "to escape responsibility for violation of the law". In the official response of the Police Min-

istry David Frenkel and Denis Tarasov are not referred to as journalists.

This position taken by the Police Ministry in an official response not only calls into question the integrity of officers of the police, but also opens wide possibilities for future violations of the Media Act.

The Journalists Union also finds that the requirements by the police to wear special insignia (the PRESS identification sleeves, vests, etc) when working at mass events are absolutely unacceptable and unlawful. Under the provisions of the Media Act, to prove their professional status, a journalist must “produce their editorial pass or any other identifying document certifying their status as journalists”. In the Russian media environment the mentioned “any other document” has traditionally been a special press pass which Russian journalists customarily show to prove their identity and status. This document is supposed to suffice for confirmation of the status of journalist working at mass events.

### **Summary list of incidents of detention of journalists working at protest rallies in 2017 of which we have knowledge**

The cases of detention of a member of the Journalists' Union David Frenkel are described separately in this report as an extremely illustrative example. Below are brief accounts of incidents of law enforcement representatives obstructing the work of journalists.

During the civil protest in Moscow on *March 26* several journalists: ALEXANDER PLYUSCHEV (Ekho Moskv), PETR VERZILOV (Mediazona), PETR PARKHOMENKO (Kommersant-FM), TIMOFEY DZIADKO (RBK), SOFIKO ARIFDZHANOVA (Open Russia) and a US national ALEC LUHN (The Guardian), were arrested and spent several hours in police detention. The latter two were later charged with participation in an unauthorised rally.

On the same day, *March 26*, several other journalists: SERGEY SATANOVSKY (Novaya Gazeta), ROMAN PIMENOV (Interpress), NADEZHDA ZAYTSEVA (Vedomosti) and an independent journalist ARTEM ALEXANDROV, were detained in St Petersburg. Simultaneously, three more — SERGEY RASULOV (Kommersant), FAINA KACHABEKOVA (Kavkazskaya Politika) and VLADIMIR SEVRINOVSKY (Eto Kavkaz), were detained in Makhachkala, Dagestan.

Two other journalists who were detained in Makhachkala — both correspondents for Chernovik, SAIDA VAGAPOVA and BARIAT IDRISOVA, — are currently in litigation with the police authorities claiming their detention was unlawful.

ALEXANDER NIKISHIN, a correspondent for Otkrytiy Kanal, was detained in Saratov and on the following day sentenced to a 4-day administrative arrest for alleged “failure to obey a lawful order of a police officer”.

During the civil protest in Petrozavodsk a correspondent for the local media Chernika ALEXEY VLADIMIROV was attacked and beaten as he was filming the detentions of protesters.

On *June 12, 2017*, YAN KATELEVSKY (Positsia), NIKITA SAFRONOV (Otkrytie Media) and YEVGENY FELDMAN (Meduza) were detained during a civil protest in Moscow.

On the same day correspondent with Obschestvennyi Control media DENIS TARASOV, who had his editorial pass with him while filming a mass protest in St Petersburg, was taken into a police van and to the corner of Millionnaya street where he was released 10-15 minutes later.

On *November 5, 2017*, an Ekho Moskv correspondent ANDREY YEZHOV was detained while covering an unauthorised protest rally on Pushkin Square. After being taken to a police station he was released without the police drawing up a protocol of detention.

On that same day IRINA YATSENKO, a correspondent with Sota.vision, was detained, despite producing her press pass, and taken to a police station where she was spent nearly 12 hours. She too was released without a protocol of detention.

On the same day correspondent for the Rabochaya Demokratia and Novaya Alternativa newspapers OLGA SAPRONOVA was also taken to a police station and charged with violating Article 19.3 of the Russian Code of Administrative Offences (failure to obey a lawful order of a police officer).

On *October 7, 2017*, more journalists were detained in similar situations: ANDREY LOSHAK in Krasnodar, ANDREY KISELEV and BEATA BUBENETS (Radio Liberty, Moscow), SONYA GROYSMAN (Dozhd, Moscow), ROSTISLAV BOGUSHEVSKY and ILYA GORSHKOV (Daily Storm, Moscow), DAVID FRENKEL (Mediazona, St Petersburg), GEORGY MALETS (Rusky Blogger, Moscow), and others.

# Freedom of Speech in the Crimea

## General Situation

Restrictions on the freedom of speech in the Crimea continue to be on the rise. The crackdown on the media landscape on the annexed peninsula is completed, the remaining media are the ones providing exclusively positive coverage of events and are subject to routine censorship. As for independent journalists, freelancers and bloggers, they are now faced with an extremely aggressive environment preventing them from performing their professional duties.

The past 3 years have seen major changes across the Crimea as far as the freedom of speech in the public domain is concerned, evolving from the hot phase of repressions (*February 2014 - August 2014*), when forcible takeover of facilities, broadcasting shutdowns, and assaults on journalists were all the order of the day; then followed by the phase of “consistent work” (*September 2014 - December 2015*), with routine search, criminal prosecution, unlawful tenders for frequencies and refusal of the authorities to register and re-register media; to the current, third, phase which can be described as the stage of ‘correction and control’ and involves website blocking, introduction of rules setting guidelines on what can be covered and how it should be covered in the media, interfering with the editorial line and policies, external and self-censorship, as well as unfounded detention of independent journalists and streamers with the purposes of intimidation and harassment.

Some freedom of speech statistic from the Crimean peninsula (over the period of *March 2016 – October 2017*):

Below are the statistics for the indicated period based on a fraction of facts available to us:

3 criminal cases against editors-in-chief and journalists working for Crimean media sources

5 criminal cases against bloggers and social media users

19 administrative arrests for social media publications and live streaming mass events

13 incidents of search of dwelling of journalists and bloggers

21 incidents of obstructing the work of journalists

12 incidents of unlawful detention of journalists

12 incidents of explicit threats and other forms of intimidation

3 incidents of damage to equipment and information

5 incidents of censorship, administrative pressure and dismissals of journalists

2 regulatory enactments containing unreasonable legal restrictions regarding collection of information

28 websites of Ukrainian news media and TV channels were blocked in Crimea

## Main Trends:

1. Criminal prosecution of professional journalists, whether representing Ukrainian media (like in the case of NIKOLAY SEMENA<sup>1</sup>), or those openly advocating an independent position (like in the case of editor-in-chief of an Alushta newspaper ALEXEY NAZIMOV<sup>2</sup>).
2. Criminal prosecution of people voicing dissenting opinions on the social networks (the MOVENKO case<sup>3</sup>, the case of SULEYMAN KADYROV<sup>4</sup>)
3. Imposition of administrative sanctions on streamers live streaming actions of the police for alleged violation of the established procedure for conducting a public event, as well as charging them with publishing extremist materials<sup>5</sup>.
4. Pressure and threats against Ukrainian journalists travelling to the Crimea or working for Ukrainian media on the territory (the BURDYGA case<sup>6</sup>, the publication for the correspondents of Krym.Realii<sup>7</sup>).

<sup>1</sup> — Digest of the OVD-Info website publications “The case of Crimean journalist Nikolay Semena” <https://ovdinfo.org/story/delo-krymskogo-zhurnalista-nikolaya-semeny>

<sup>2</sup> — The website covering the story of a Crimean activist, member of the Alushta municipal government Pavel Stepanchenko and the editor-in-chief of the local newspaper Tvoya Gazeta Alexey Nazimov <http://nazimov-stepanchenko.ru/novosti.html>

<sup>3</sup> — Crimean activist Igor Movenko was charged with “public appeals for extremism”. Radio Liberty, 7 April 2017 <https://www.svoboda.org/a/28416153.html>

<sup>4</sup> — The criminal case of Crimean activist Suleyman Kadyrov referred to court. Radio Liberty, 25 Oct 2017 <https://www.svoboda.org/a/28814960.html>

<sup>5</sup> — Here is one example: Crimean streamer Bekirov was released after 3 days in custody. 112.ua <https://112.ua/obshchestvo/krymskogo-strimera-bekirova-osvobodili-posle-3-dney-aresta-381790.html>

<sup>6</sup> — Spending half of the day with the FSB: just another story of getting accredited. RBK Daily - Ukraine <https://daily.rbc.ua/rus/show/poldnya-fsb-eshche-odna-istoriya-akkreditatsiyu-1463131347.html>

<sup>7</sup> — Unfree realities of our life. Just for how much can you sell your Fatherland. Krym Inform news agency <http://www.c-inform.info/comments/id/251>

5. Holding a number of in camera trials, where journalists were denied access even to the court premises<sup>8</sup>, and unqualified refusal to allow courtroom photography and broadcasting.
6. Blocking of Ukrainian media resources and TV channels across the Crimean territory. Many of those are, however, not blocked in the Russian Federation<sup>9</sup>.

#### **And these were the consequences of the above:**

The majority of pro-Ukrainian journalists were forced to leave the Crimea.

Those who stayed and continue to work for Ukrainian, foreign or independent Russian media are compelled to refrain from giving independent coverage of sensitive issues for fear of persecution for professional activities.

The bulk of freedom of speech violations in the Crimea are difficult to document and to complaint about due to the reluctance of the aggrieved parties to enter into litigation with the authorities.

Considering very limited public activity as far as human rights advocacy goes, media representatives long played a deterrent role, limiting the number and the severity of various human rights violations. Currently, the level of media influence on these processes is practically nil.

The brunt of covering the current crackdown on the civil protest in the Crimea is now borne by the local civil activists who are still lacking necessary experience and skills, as well as external contacts and relations with media editors to achieve effective dissemination and broadcasting of information that they collect.

Due to a significant reduction in the number of independent journalists and the increasingly limited opportunities to engage in independent journalism, a number of high-profile incidents taking place in the region have received minimum coverage from Ukrainian, independent Russian and foreign media alike.

## **Persecutions and Targeting of Investigative Journalists**

### **Igor Rudnikov, “Noviye Kolesa” (Kaliningrad)**

Editor-in-Chief of a local independent newspaper “Noviye Kolesa”, who is also a member of the regional parliament, IGOR RUDNIKOV was detained on *November 1, 2017*, and placed in custody on *November 3*. Mr. Rudnikov had previously survived two attempts on his life and was once charged with extortion.

According to his attorney, the case materials contained so many errors of both fact and procedure that had the whole case not been politically motivated, the investigators would not have stood a chance of seeing the court admitting it for examination. The charges basically rested solely upon the claims of an officer of the Investigative Committee, General VIKTOR LEDENEV, that he had been blackmailed by Mr. Rudnikov. For all that, General Ledenev never even sought to disprove the information about him published by Mr. Rudnikov, nor is currently making any attempts to this effect.

Currently, Igor Rudnikov is facing a 10-year prison sentence.

### **Alexander Sokolov, RBK**

On *August 10, 2017* the Tverskoy district court in Moscow sentenced a colleague of ours Alexander Sokolov, who worked as a correspondent for the RBK media, to 3.5 years in a general regime penal colony. The court of appeal upheld the sentence.

Mr. Sokolov was arrested on charges of participation in a banned organisation that was calling for a referendum. Mr. Sokolov and his associates – former editor-in-chief of the Duel newspaper YURI MUKHIN, VALERY PARFENOV and KIRILL BARABASH, – were charged under Article 282.2 of the Russian Criminal Code (organising the activities of an extremist organization).

The prosecution alleged that they continued the activities of the “Army of the Will of the People”, an organisation banned by the court back in *2010*, by promoting the idea of a referendum “For a

<sup>8</sup> — In the Crimea the court rules for a defendant in so-called Hizb-ut-Tahrir case Timur Abdullaev to remain in custody. Krym.Realii, 25 Oct 2017 <https://ru.krymr.com/a/news/28814656.html>

<sup>9</sup> — At least 22 Ukrainian online media are inaccessible or partially inaccessible in the Crimea, reports the Crimean Human Rights Group. <http://crimeahrg.org/minimum-22-ukrainskih-internet-smi-polnostyu-ili-chastichno-nedostupnyi-v-kryimu-monitoring/>



responsible government”. During the trial Mr. Sokolov’s role in this criminal case went practically unmentioned. He was only charged with being the admin of the website of the organisation by means of which extremist materials were disseminated. Despite this, the court refused to examine the arguments provided by the defence to the effect that the website was not even listed as hosting extremist content and was never blocked, while Mr. Sokolov’s role consisted in merely registering it, and he was not even involved in its maintenance (the website continued to be updated while Mr. Sokolov was in custody and continues to be updated today).

Mr. Sokolov is convinced that the real reason for his prosecution is his work in investigative journalism and the research he had been carrying on. During a questioning he revealed that the officers of the police conducting the first search of his home “made it quite clear to him that the reason for all this was his inquiry into the losses suffered by the state as a result of corruption permeating the implementation of the projects of the state corporations Rosnano, Rostech, Olimpstroy, and Rosatom. Several weeks before he was arrested Mr. Sokolov published an inquiry into the fraud and embezzlement from the state budget in connection with the construction of the Vostochny Cosmodrome.

### **Valeria Altaryova: harassment and intimidation, researching non-mainstream groups and subcultures**

The police and a group of Special Deployment Rapid Force officers broke into the flat of photo reporter VALERIA ALTARYOVA (her real name is VALERIA YELTARENKO) in the middle of the night. The police almost immediately seized her telephone, and later all equipment that she needed for her work.

The reason for searching her flat was the fact that the reporter was acquainted with a suspect in one of the criminal cases being currently investigated in Irkutsk. Irkutsk police and Department of the Investigative Committee maintained during several hours that the journalist had not been detained and was not kept at any of the police

stations or on the Investigative Committee premises. However, according to Ms. Altaryova’s own account, a talk at the Investigative Committee had indeed taken place and it touched not only on her acquaintance with the suspect, but also on her beliefs and opinions, nationality, the significance of her tattoos, her attitudes to the LGBT community. The investigators demanded that she undergoes a forensic examination.

Ms. Altaryova is a photo reporter. Since 2010 she has been filming the non-mainstream groups and protest rallies. Since 2013 her photo reports are regularly published by regional and federal media.

The seizure of expensive professional equipment jeopardises a photo reporter’s ability to earn their living and can be seen as an indirect restriction of the journalist’s rights. For all that, our colleague Ms. Altaryova was never charged with anything. Still, the law enforcement officers involved were never brought to account.

### **Ali Feruz: danger to the life of a Russian journalist and political exile**

KHUDOBERDI NURMATOV (writing and well-known under a pen name of ALI FERUZ), a Russian journalist working for such media as Novaya Gazeta and Takie Dela since 2014, has been a member of our Union since 2017. All throughout the year 2017 the Russian Police Ministry has been trying to deport Mr. Feruz back to Uzbekistan.

On August 1, 2017 Ali Feruz was stopped by officers of the police on his way to a school of music and asked to produce his ID. An employee of the school reported that one of the officers inquired about the time when Mr. Feruz was due to arrive, which indicates that the police had been deliberately waiting for him. On the evening of the same day the Basmany court of Moscow ruled for him to be expelled from the country for violating the migration regulations (pursuant to Part 3.1 of Article 18.8 of the Russian Code of Administrative Offences), the interim measure ordered by the court was to have him placed in the Moscow police Centre for Temporary Detention of Foreign Nationals located in Sakharovo. On August 3 a public campaign was launched in support of Ali

Feruz: a series of single-person pickets<sup>10</sup> were held in succession for a total of 6 hours in front of the Presidential Administration premises in Moscow, on the same day protests were held in St Petersburg, Berlin, and Washington. Over the ensuing week protests demanding a release of Mr. Feruz were held in 11 cities the world over, his story was covered in more than 50 Russian and foreign media sources. The publicity and the well-coordinated work of a team of attorneys together resulted in the ECHR deciding, on August 8, on interim measures under Rule 39 of its regulations and prohibiting any forced displacement of Mr. Feruz until it reviewed his case. The Russian court interpreted this stay order of the ECHR quite literally, ordering in turn that Mr. Feruz be further kept at the Centre for Temporary Detention of Foreign Nationals and prohibiting both his expulsion and his voluntary departure for a third country (which would settle the problem of his “illegal stay” in Russia).

From that time on, the attorneys for Ali Feruz concentrated their efforts on obtaining a comment and explanation of the court ruling, in the absence of which bailiffs refused to allow Mr. Feruz to leave the country for Germany. Despite the availability of all necessary documents, an open visa and a letter of guarantee confirming availability of required funds, the issuing of an explanation was repeatedly postponed, and the appeal at the Moscow City Court merely resulted in the August 1 ruling being upheld. Late in the evening of November 21, 2018 Mr. Ali Feruz was taken, on short notice, from the Centre for Temporary Detention of Foreign Nationals to the Basmany court where he was once again sentenced to be expelled to Uzbekistan, allegedly for undeclared work (Part 2 of Article 18.10 of the Russian Code of Administrative Offences) - the Court found that Mr. Feruz was actually working for Novaya Gazeta. The Journalists' Union regards the second verdict as no other than an attempt to drag out the trial and deliberate obstruction, since the second criminal case (we will hereinafter refer to the proceedings pursuant to Part 2 of Article 18.10 of the Russian Code of Administrative Offences as “the second criminal case”) was clearly meaningless, seeing that Mr. Feruz had already been given a similar sentence.

On January 22, 2018 the Supreme Court overturned the ruling on expulsion in connection with the vi-

olation of the migration regulations (the first case) and remanded the case for further examination by the Moscow City Court. Nevertheless, after reviewing Feruz's case on February 2, the Moscow City Court refused to rule on his release from the Centre for Temporary Detention of Foreign Nationals. According to an attorney with HRC Memorial Tatyana Glushkova, even though Ali would have had to be returned to the Centre for Temporary Detention of Foreign Nationals anyway, because of the pending second case proceedings, the Moscow City Court could have well ruled on his release at least under the first criminal case.

Meanwhile, the Moscow City Court has authorised Mr. Feruz to leave Russia for any third country.

The Journalists' Union believes that the Migration Directorate of the Russian Police Ministry, the Basmany Court and the Moscow City Court, as well as the FSB and the National Security Service of Uzbekistan, who had in all probability been involved in this case, have blatantly violated the rights of the Russian journalist Khudoberdi Nurmatov, their actions amounting to an attempt on his life with the intention to put an end to his investigative work as a journalist, which was most embarrassing for both the Russian and the Uzbek law enforcement and other authorities.

### **Attack on a group of journalists travelling in a bus near the Ingush-Chechen border: 1.5 years of no progress in investigation**

On March 9, 2016 a minibus in which a group of Russian and foreign journalists and human rights defenders were travelling was attacked near the Ingush-Chechen border; the passenger were severely beaten and threatened with murder if they refused to leave the region immediately, following which the minibus was set on fire.

Immediately following the attack, the victims were over several days questioned in great detail by the local police who were given an audio tape with the voices of attackers recorded. After the Kremlin spokesman declared that the government was scandalised by the incident<sup>11</sup>, both the

<sup>10</sup> — Single-person pickets — the only form of protest allowed without a special permission from local authorities in Russia. Request for such a permission (e.g. for rally) must be submitted 10 days before the planned date of protest event and it is difficult to obtain it, so it is impossible to held a mass protest immediately.

<sup>11</sup> — Putin ordered Police Ministry to clear up circumstances of attack on journalists in Ingushetia. Vesti.Ru, 10 March 2016 <https://www.vesti.ru/doc.html?id=2729372>

## Journalists being denied access to hearings in public court and a Statutory ban on courtroom photography, broadcasting, and live streaming without specific authorisation from the court

Head of the Investigative Committee of Russia ALEXANDER BASTRYKIN and the Prosecutor General YURY CHAIKA promised to personally supervise the investigation. Nevertheless, for more than one and a half years we have not seen any progress being made in that respect — and we are convinced that in reality the inquiry has been ‘frozen’. This winter there was even an attempt to officially suspend the investigation (it was only resumed after the media learnt about the suspension), and the investigators continue to demonstrate an apparent reluctance to grant the attorneys for the aggrieved any access to case materials. The attorney was only able to see some of the materials upon repeated request (and those were official orders, from which we were able to infer that there is no real work being done as far as inquiry is concerned, and was moreover forced to sign a pledge of secrecy — experience has shown that with this type of cases this usually means only one thing: that there is no investigation underway, and the investigators merely seek to conceal this fact.

Anonymous sources told ALEXANDRINA YELAGINA, one of the journalists attacked, that the assault had been ordered and sponsored by member of the State Duma from Chechnya ADAM DELIMKHANOV who had hired residents of Ingushetia from the BELKHAROYEV clan to carry out the planned attack. Ms Yelagina published this information on the Russiangate resource. The officers investigating the case refused, however, to even talk to Ms. Yelagina about this or, for that matter, to check this information and add it to the case materials.

This attack, which was explicitly related to the journalists’ work, was a highly publicised one, yet sadly by no means an isolated incident. To date, there is still no progress in the inquiry into the death of NIKOLAY ANDRUSCHENKO, who was battered to death by unidentified individuals in April 2017, and into the assassination of the editor-in-chief of Minusinsk (Krasnoyarsky Krai) current affairs newspaper Ton-M DMITRY POPKOV in May 2017. There have also been other similar cases.

The Journalists’ Union considers Law No 46-FZ, adopted on *March 03, 2017*, introducing restrictions on courtroom photography and broadcasting, as well as live streaming open court hearings, absolutely unsound and illegitimate. Under the provisions of this law, the listed recording options are prohibited by default and can only be authorised by a special order from the presiding judge. We see this as an explicit infringement upon freedom of press and information which makes it possible for judges to arbitrarily, i.e. at their absolute discretion, restrict journalists’ access to open court hearings, and may, moreover, come as just the first in a series of subsequent restrictive measures.

In addition to this systemic problem, journalists are often faced with unlawful attempts to restrict their rights while working in courts. One example of this would be the *January 27, 2018* non-admission of members of our union SASHA BOGINO (ALEXANDRA LUKYANENKO) and DAVID FRENKEL to attend a hearing of the Dzerzhinsky court of St Petersburg deciding on the pre-trial restraining order for an antifa activist IGOR SHISHKIN<sup>12</sup>. Judge VLADIMIR VASYUKOV refused the entry of the two Mediazona journalists, citing the fact that Saturday was a day-off as the reason. When the two correspondents passed through the security post, where an officer of the security guard failed to check their passports, they were approached by the police officers explaining that the court premises are a guarded facility with no unauthorised entry allowed.

Following which both were fined 500 Rbs each for alleged cursing<sup>13</sup>. According to the police officers, the journalists had seriously violated public order, “pushing Ms. L.V. Lisina and using obscene language”. Both journalists have exactly identical charges in the infringement notices handed to each of them.

What is important here is that the actual hearing from which Ms. Bogino and Mr. Frenkel were ex-

<sup>12</sup> — In St Petersburg Mediazona correspondents detained while trying to attend a court hearing in the trial of antifa activist Shishin - MediaZona, 27 Jan 2018 - <https://zona.media/news/2018/01/27/zapopytku>

<sup>13</sup> — MediaZona journalists detained in St Petersburg fined for obscene language in court - MediaZona, 27 Jan 2018 - <https://zona.media/news/2018/01/27/grubo>



pelled was one in a series in the high-profile case of antifa activists from Penza and St Petersburg charged with membership in a terrorist organisation. According to many reports, Igor Shishkin, the one on whose case the *January 27* hearing was held, had been tortured by FSB officers. People who saw him claimed there were marks and traces on his face and body. Therefore, the court, (which had accepted, as we now know, the arguments for the prosecution and sanctioned Mr. Shishkin's arrest) may have deliberately sought to keep the defendant where the press and the photo cameras would not reach him.

## Credits

**We appreciate the efforts made by group of Journalists' and Media Workers' Union members to collect data for this report:**

Aleksandr Borodikhin

David Frenkel

Dmitry Grishchenko

Elina Ibragimova

Andrey Jvirblis

Diana Karliner

Pavel Nikulin

Anna Romanenko

Dmitry Sidorov

Egor Skovoroda

Igor Yasin

### **Editor:**

Dmitry (a.k.a. Mitya) Porotikov

### **Translation:**

Margret Satterwaite

## Contact info

info@profjur.org

Full version of report in Russian will be published on JMWU [website](#) shortly.