

GUIDEBOOK

ON THE INTERACTION

OF THE MEDIA AND CIVIL SOCIETY WITH THE

ARMED FORCES OF UKRAINE DURING THE

LEGAL REGIME OF MARTIAL LAW



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INTRODUCTION

Since 2014, the bloodiest international armed conflict since the end of the Second World War has been ongoing in Europe, in particular, on the territory of Ukraine. The catalyst for its outbreak was the Russian armed occupation of the Autonomous Republic of Crimea and certain areas of the Luhansk and the Donetsk Regions, which created a local theatre of hostilities in the East of Ukraine. In 2016, such actions in Ukraine, despite the Russian Federation's efforts to hybridize the conflict, led to the latter's recognition by the International Criminal Court in the Hague as a party to the armed conflict.

Starting 24 February 2022, the Russian aggression developed into a large-scale military invasion deep into Ukraine's territory, which caused a real threat to Ukrainian state independence. In this situation, according to the national legislation, a legal regime of martial law was imposed in the entire territory of Ukraine, which provides for certain temporary restrictions of citizens' rights and freedoms.

At the same time, Ukraine, which has been aspiring for Euro-Atlantic integration, even in such a challenging situation, is interested in preserving the effective functioning of democratic civil control over the subjects of the Defence Forces of Ukraine. For this purpose, appropriate measures are taken at the level of the state and military administration with due account for national and international experience, which make it possible to preserve the effectiveness of the key subjects of democratic control in martial law conditions. First and foremost, it is about the interaction of civil society and the media with the Armed Forces of Ukraine.

Meanwhile, such interaction has undergone a certain transformation with due regard for the rules related to compliance with the national security requirements. This stemmed from the current realities. Information in the conditions of an armed conflict of this level is a weapon. After all, incorrect use of information leads to real human casualties, distortion of events at the front, the spread of panic, disbelief among the population in the victory of the Ukrainian state and other negative consequences.

Despite this, the Defence Forces of Ukraine, even under martial law, are trying to comprehensively support journalists and active representatives of civil society in the performance of their professional and civil duties. To achieve this goal, the Armed Forces and other military formations of Ukraine

have accumulated a certain experience that needs to be generalized and disseminated among stakeholder state and civic institutions, as well as the international journalist community.

At the same time, it should be noted that this experience is based not only on domestic and international legislation but also on the real and unique experience gained by Ukraine over nine years of international armed conflict. All this brings to the agenda the issue of systematizing such experience, which will provide an opportunity to improve the interaction of civil society and media representatives with state and military administration agencies under the legal regime of martial law.

It was for this purpose that this guide was developed, the provisions of which contain a number of answers to the most pressing questions regarding the establishment of interaction between civil society and the media with the Armed Forces of Ukraine, particularly the procedure for working in areas close to the theatre of hostilities.

The guide was developed using the recommendations of the official state authorities of Ukraine, as well as the provisions of international legislation adapted to the specifics of the Russian-Ukrainian armed conflict.

I. LEGAL ASPECTS OF INTERACTION

CONTENTS OF THE LEGAL REGIME OF MARTIAL LAW IN UKRAINE

Due to the military aggression of the Russian Federation against Ukraine, the Decree of the President of Ukraine dated 24 February 2022, No. 64/2022, “On Introduction of Martial Law in Ukraine”, approved by the Law of Ukraine dated 24 February 2022, No. 2102-IX, introduced martial law in Ukraine.

The content of the legal regime of martial law; the procedure for its introduction and termination; the legal basis of the activities of state authorities, military command, military administrations, local self-governance bodies, enterprises, institutions and organizations in conditions of martial law; guarantees of human and citizen rights and freedoms; and the rights and legitimate interests of legal entities are determined by the norms of the Law of Ukraine “On the Legal Regime of Martial Law”.

According to Article 8 of the Law, in Ukraine, the military command together with military administrations (if they are established) can implement the following measures of the legal regime of martial law:

- introduce work obligations for certain categories of able-bodied persons;
- introduce a curfew;
- establish a special regime of entry and exit and limit the freedom of citizens’ movement;
- check personal documents and, if necessary, inspect belongings, vehicles, luggage and cargo, office premises and citizens’ homes;
- establish a ban or restrictions on the choice of the place of stay or the place of residence of persons in the territory where martial law is in force;
- prohibit trade in alcoholic beverages and substances produced on an alcohol basis, as well as weapons, potent chemical and poisonous substances;
- introduce, if necessary, a rationed supply of basic food and non-food items to the population;
- establish for individuals and legal entities a military housing obligation to accommodate military service members, rank and file members of law enforcement agencies, personnel of the Civil Defence service, evacuated population and provide accommodation for military units, divisions and institutions;

- evacuate the population if there is a threat to their life or health, as well as material and cultural valuables, if there is a threat of their being damaged or destroyed;
- use the capacities and labour resources of enterprises, institutions and organizations of all forms of ownership for Defence needs;
- issue orders (ordinances) on suspension of managers of enterprises, institutions and organizations for improper performance of their duties;
- where requirements are violated or measures of the legal regime of martial law are not followed, seize electronic communication equipment, television, video and audio equipment, and computers from individual citizens, enterprises, institutions and organizations of all forms of ownership;
- forcibly alienate property;
- prohibit peaceful meetings, rallies, marches and demonstrations, and other mass events.

RESTRICTIONS EFFECTIVE IN THE FIELD OF RIGHTS AND FREEDOMS OF CITIZENS DURING THE LEGAL REGIME OF MARTIAL LAW

Restrictions of a person's basic rights and freedoms by content:

- are a legitimate, purposeful quantitative and (or) qualitative reduction in the process of the legal exercise of possible behaviour (powers) models which constitute the basic rights (freedom) of a person by other persons;
- are of an exclusively legal, temporary, targeted, non-discriminatory, socially useful nature. At the same time, the list of rights that the Ukrainian state undertakes to guarantee during the legal regime of martial law (state of emergency) should not contradict the minimum requirements established by the European community;
- narrows the scope and content of a person's fundamental potential possibilities.

In Ukraine, the thesis concerning the restriction of basic human rights and freedoms is set forth at the level of the Constitution in Article 64.

Article 3 of the Presidential Decree dated 24 February 2022, No. 64/2022, "On Introduction of Martial Law in Ukraine", approved by the Law of Ukraine dated 24 February 2022, No. 2102-IX, introduced martial law in Ukraine, the effect of which was duly repeatedly continued, and provided a list of articles of the Constitution (30 – 34, 38, 39, 41 – 44, 53) in relation to which rights

and freedoms may be temporarily restricted. Temporary restrictions of the rights and legitimate interests of legal entities are also envisaged within the limits and in the scope necessary to ensure the possibility of introducing and implementing measures of the legal regime of martial law as provided for in Part One. Article 8 of the Law of Ukraine “On the Legal Regime of Martial Law”.

The Ministry of Foreign Affairs of Ukraine sent an explanation of the scope of derogation to the UN Secretary-General. It states a specific scope of limitations of the articles of the Constitution of Ukraine, the granting of which Ukraine waives during the martial law regime:

Article 30 of the Constitution: Everyone is guaranteed the inviolability of their home. It is not allowed to enter a house or other property of a person, conduct an inspection or search in them other than by a reasoned court decision – Waiver of obligations under Article 17 of the International Covenant on Civil and Political Rights (hereinafter - Covenant) and Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter - Convention).

Article 31: Everyone is guaranteed the secrecy of correspondence, telephone conversations, telegraph, and other correspondence – Waiver under Article 19-20 of the Covenant and Article 10 of the Convention.

Article 32: No one may be interfered with in his personal and family life, except as provided by the Constitution of Ukraine. The collection, storage, use, and dissemination of confidential information about a person without his or her consent is not permitted, except in cases specified by law and only in the interests of national security, economic well-being, and human rights – Waiver under Article 17 of the Covenant, Article 8 of the Convention.

Article 33: Everyone who stays lawfully on the territory of Ukraine is guaranteed freedom of movement, free choice of residence, the right to leave the territory of Ukraine freely, except for restrictions established by law. A citizen of Ukraine may not be deprived of the right to return to Ukraine at any time – Waiver under Article 12 - 13 of the Covenant, Article 2 of Protocol 4 to the Convention.

Article 34: Everyone is guaranteed the right to freedom of thought and speech, to freely express their views and beliefs. Everyone has the right to freely collect, store, use and disseminate information orally, in writing, or otherwise - at their discretion – Waiver under Article 19 of the Covenant, Article 9 - 10 of the Convention.

Article 38: Citizens have the right to participate in the management of state affairs, in all-Ukrainian and local referendums, to freely elect and be elected to state authorities and local self-government bodies. Citizens enjoy equal access to public service, as well as to service in local self-government bodies – Waiver under Article 25 of the Covenant and Article 3 of the Additional Protocol to the Convention.

Article 39: Citizens have the right to assemble peacefully, without weapons, and to hold rallies, meetings, marches, and demonstrations, which are notified in advance to the executive or local government – Waiver under Article 21 of the Covenant, Article 1 of the Convention.

Article 41: Everyone has the right to own, use and dispose of their property, the results of their intellectual and creative activities. No one may be unlawfully deprived of his property. The right of private property is inviolable – Waiver under Article 25 of the Covenant and Article 1 of the Additional Protocol to the Convention.

Article 42: Everyone has the right to engage in entrepreneurial activity, which is not prohibited by law – Waiver under Article 17 of the Covenant and Article 1 of the Additional Protocol to the Convention.

Article 43: Everyone has the right to work, which includes the opportunity to earn a living by work which he freely chooses or agrees to freely – Waiver under Article 22, 25 of the Covenant and Article 14 of the Convention.

Article 44: Those who work have the right to strike to protect their economic and social interests – Waiver under Article 21, 22 of the Covenant and Article 11 of the Convention.

Article 53: Everyone has the right to education – Waiver under Article 24, 25 of the Covenant and Article 2 of the Additional Protocol to the Convention.

INTERNATIONAL EXPERIENCE ON RESTRICTIONS OF HUMAN RIGHTS AND FREEDOM OF SPEECH IN EMERGENCY SITUATIONS

The state's ability to limit basic human rights and freedoms is provided for in virtually all international legal acts that regulate human rights and fundamental freedoms. Each agreement defines the limits of possible restrictions and an exhaustive list of grounds for them, as well as establishes a number of rights that cannot be restricted under any circumstances.

It should be noted that in the modern world, the application of restrictions on human rights and freedoms is one of the fundamental elements of the relationship between a person and the state. This is done with the aim of finding a compromise between society and the state, which is manifested in the protection of the person and the rights and freedoms of other persons from arbitrariness.

The "International Covenant on Civil and Political Rights" states that "in time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin" (Article 4 of the "International Covenant on Civil and Political Rights").

Article 5 of the "European Convention on Human Rights and Fundamental Freedoms" contains a statement that a derogation from obligations is possible during an emergency, namely: "In time of war or other public emergency threatening the life of the nation any High Contracting Party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law".

The first attempts to legislate in current constitutions the possibility of state authorities taking exceptional measures in the event of an emergency can be found in the Constitution of the United States of America. Paragraph 2 in Article 9 contains a statement that the rights of the people, secured by the Privilege of the Writ of Habeas Corpus shall not be suspended, "unless

when in Cases of Rebellion or Invasion the public Safety may require it". In this country, during martial law, a number of rights of the civilian population may be restricted. In addition to the above case, the following may also be subject to restrictions: 1) the right to inviolability of housing, the right to ownership of vehicles, food items, etc. (Executive Orders 10997, 10998, 10999); 2) freedom of movement and choice of place of residence (e.g., establishment of a curfew was recognized as legitimate in the case of *Hirabayashi v. United States*, and the forced internment of Japanese people was called justified by the Supreme Court in the case of *Korematsu v. United States*); 3) freedom of unions and association (e.g., the Enforcement Act of 1871 was directly aimed at fighting the Ku Klux Klan); 4) freedom of the press (Executive Order 11000 stipulates that the press, radio, and television should come under government control); 5) prohibition of forced labour, etc. (Executive Order 11000 gives the right to involve citizens in socially useful work).

In the current German Constitution, the reference to martial law (*Verteidigungsfall*) appeared in 1968. The Constitution of the Federal Republic of Germany contains instructions that the rights and freedoms of a person and a citizen, which are subject to restrictions under martial law, may include: prohibition of forced labour, freedom of unions and associations, secrecy of correspondence, telephone conversations and other correspondence, freedom of movement.

The Law of the Republic of Moldova "On the State of Emergency, Martial Law or State of Siege" provides for a potential restriction by the state of the following rights and freedoms: freedom of movement, property rights, prohibition of forced labour, other labour rights, freedom of creativity, scientific research, academic freedom, right to secrecy of correspondence.

As to specific examples, during the First and Second World Wars, US censorship completely controlled the activities of war correspondents, and during the Korean and Vietnam campaigns (US), the military censorship controlled civilian communications in places under military rule, all media materials related to the armed forces, correspondence of prisoners of war, mail from the army and military facilities. Subsequently, in connection with terrorist acts, information attacks and issues in the field of security, the US media space, in general, also underwent regulation. The US special services got the right to block the pages of organizations and individuals suspected of terrorism, including the Taliban. The USA Patriot Act, 2001, adopted after the terrorist attacks on September 11, gave more rights to law enforcement

agencies in wiretapping and reviewing electronic messages, private medical, financial and other documents.

In 1982, the UK also resorted to serious restrictions on the coverage of news from the theatre of hostilities near the Falkland Islands. This made it possible to successfully complete the planned operations by stopping the leakage of information into the public space that could be of interest to the Argentine Armed Forces.

Another such example is the State of Israel. For instance, freedom of speech in Israel is not absolute and is not directly guaranteed by legislation. Therefore, it can be restricted if necessary for the safety of citizens in the context of ongoing conflict with neighbouring Arab countries. To respond to challenges during the military conflict in Israel, a special information policy called “hasbara” was introduced. All data disseminated by the private media have been filtered by military censors since April 2003. The censorship rules are very strict: no displays of equipment, a categorical ban on reporting the number of casualties among the military and the number and composition of units. There is criminal responsibility for publishing photos or videos from sites of combat.

Ukraine, therefore, is not a pioneer among democratic countries in terms of introducing temporary restrictions on the activities of civil society and media representatives during wars or armed conflicts.

CIVIL SOCIETY AND THE MEDIA AS IMPORTANT ACTORS OF DEMOCRATIC CIVILIAN CONTROL OVER THE ARMED FORCES

The Armed Forces of Ukraine are not a structure of a completely closed nature – in accordance with the law, they must adhere to the principles of openness, transparency and democratic control.

Democratic civilian control is one of the most important principles of a democratic state and one of the main state policy areas in ensuring the national security of Ukraine. It guarantees that the armed forces shall not pose a threat to the security of the state and shall not be used to violate human rights.

Civilian control follows the principles of the rule of law, legality, accountability, transparency, efficiency and effectiveness.

Democratic civilian control in Ukraine is effected through a number of relevant control processes, including the civilian one, on the part of non-governmental organizations and independent media, which ensure, first and foremost, the implementation of the transparency principle.

Civilian supervision, in accordance with the Law of Ukraine “On National Security of Ukraine”, is included in the civilian control system. In accordance with Article 10 of the above law, citizens of Ukraine participate in the implementation of civilian control, including through civic associations of which they are members, as prescribed by the Constitution of Ukraine, the Law of Ukraine “On Civic Associations” and other laws of Ukraine. The sphere of civilian supervision can be restricted exclusively by the Law of Ukraine “On State Secrets”.

Civic associations, duly registered under the law, are guaranteed in accordance with the Constitution and laws of Ukraine, as well as by statutory provisions, the following possibilities:

- to duly receive from state bodies, in particular from heads of the security and defence sector components, information on the activities of the security and defence sector components, except for limited-access information;
- perform research on issues of national security and defence, publicly present their results, and establish civic funds, centres, teams of experts, etc. for this purpose;
- conduct a public examination of draft laws, decisions, and programs, and present their findings and proposals for consideration by the relevant state bodies;
- participate in public discussions and open parliamentary hearings on issues of operation and development of the security and defence sector, issues of legal and social protection of service members and personnel of intelligence and law enforcement agencies, in particular those in the reserves or retired, combatants and their family members.

The media, in its turn, when covering issues of national security and defence, should inform society about the state of protection of Ukraine’s national interests.

COMPONENTS OF CIVIL SOCIETY

Civil society is a society based on an extensive network of institutions, associations and organizations independent of the state, established by citizens to identify and implement various public initiatives, satisfy their civic needs and defend collective interests.

Civil society:

- promotes self-organization and pursuing of our own interests;
- acts as a guarantor of the inviolability of our personal rights;
- serves as a support in a possible confrontation between citizens and the state;
- limits state power and exercises control over it at all levels;
- undertakes part of the problems that are difficult for or beyond the power of the state to solve;
- protects the interests of different groups of people.

The Constitution of Ukraine enshrines the fundamental principle of civil society, according to which civic life in Ukraine is based on the principles of political, economic and ideological diversity (Part One, Article 15).

In accordance with Paragraph 2, Clause 2 of the “Procedure for Facilitating Public Examination of the Activities of Executive Bodies”, approved by Resolution of the Cabinet of Ministers of Ukraine dated 5 November 2008, No. 976, civil society institutions include:

- non-governmental organizations;
- professional and creative unions;
- employers’ organizations;
- charitable and religious organizations;
- population self-organization agencies;
- non-state media;
- social businesses and institutions legalized in accordance with legislation.

INTERACTION OF CIVIL SOCIETY WITH THE ARMED FORCES OF UKRAINE DURING THE LEGAL REGIME OF MARTIAL LAW

The interaction of the Armed Forces of Ukraine with civil society is an important component of their activities. Ukraine's legislation in the field of interaction of the Armed Forces of Ukraine with civil society is based on the Constitution of Ukraine, as well as on the laws of Ukraine "On the Armed Forces of Ukraine", "On the Defence of Ukraine" and other regulatory and legal acts.

The main tasks of the interaction of the Armed Forces of Ukraine with civil society include:

- support in strengthening Ukraine's defence capabilities;
- increasing the level of society's defence readiness;
- shaping a positive attitude towards the Armed Forces of Ukraine in society;
- popularization of military service;
- support in the social adaptation of military service members who have left military service.

The interaction of the Armed Forces of Ukraine with civil society is effected in various forms, including but not limited to:

- holding meetings, conferences, round tables, and seminars with civil society representatives;
- organization of volunteer activities;
- conducting events on military and patriotic education;
- promoting the dissemination of information about the Armed Forces of Ukraine in the media.

At the same time, during the legal regime of martial law, the main efforts of the state authorities and military administration are aimed at minimizing the factors that may threaten national security, particularly in the areas that shape the socio-political process in Ukraine. In such a situation, the activity of civic associations during the legal regime of martial law is significantly restricted.

At the same time, during the legal regime of martial law, Ukraine's civil society has the opportunity to participate in state security measures.

The main areas of interaction with the Armed Forces of Ukraine during the legal regime of martial law include:

- participation in the development, discussion and implementation of regulatory and legal acts related to the activities of the national security sector, specifically of the Armed Forces of Ukraine;
- preservation of the possibility to duly receive from state bodies information on the activities of Ukraine's security and defence sector components;
- covering the activities of the Armed Forces of Ukraine, which are of public interest, in line with the restrictions defined by the Law of Ukraine "On State Secrets";
- joint formation of territorial defence units (a volunteer movement) at the beginning of the armed aggression of the Russian Federation on the sovereign territory of Ukraine;
- participation in informational resistance: deploying mass media centres to counter disinformation from the aggressor, exposing distorted and false information, organizing and ensuring the functioning of communication channels in various regions of Ukraine;
- direct assistance to the Ukrainian military (volunteering): logistics and supplies, food supply to units of the Armed Forces of Ukraine, establishment of the necessary logistics for the supply of necessary assistance to military service members, organization of channels for the exchange of prisoners of war that complement state mechanisms or act independently with only the participation of representatives of Ukrainian civil society;
- provision of medical and psychological assistance to Ukrainian military personnel: volunteer medical assistance directly in the combatzone, supply of medicines, evacuation of wounded military service members, purchase of ambulances, mobile intensive care units, etc.;
- participation in the rehabilitation of military service members after injuries, joint opening of centres for medical, psychological and social rehabilitation of combatants;
- cooperation with the Armed Forces of Ukraine and international organizations to collect and document the facts of war crimes and crimes against humanity committed by the Russian army in Ukraine, searching for people who have gone missing, helping families who have lost loved ones – both military service members and civilians;
- joint activity in the field of social assistance to the population affected by the warfare in the areas of hostilities and in the de-occupied territories: provision of social services for evacuation, mutual assistance and self-organization in maintaining public order, provision of people's basic needs, assistance to the wounded and sick, provision of information

about war-related threats and dangers, evacuation, provision of services for the legal protection and legal representation of citizens who found themselves in crisis situations;

- assistance to defenders – volunteer and veteran initiatives.

FEATURES AND PECULIARITIES OF MEDIA WORK WHEN COVERING ARMED CONFLICTS

The role of the media in shaping public opinion about an armed conflict can hardly be underestimated. Therefore, when covering it, a journalist is obliged to distribute only reliable information, while it is inadmissible to publish materials taken from unconfirmed or dubious sources.

Thus, when covering armed conflicts:

- the use should be made of comments by experts and eyewitnesses;
- a journalistic product must not contain calls for violence or incite enmity;
- any reporting of a conflict should be as balanced, impartial and fact-based as possible;
- lobbying of someone's point of view is not allowed;
- a journalist must follow certain ethical rules regarding what cannot be covered in materials from the conflictzone.

Furthermore, in Ukraine, when covering the developments in repelling armed Russian aggression, it is prohibited to use the media for the following:

- popularization or propaganda of the terrorist state (aggressor state) and its agencies, symbols of the Russian military invasion of Ukraine, representatives of the terrorist state's (aggressor state's) authorities and their actions which create a positive image of the terrorist state (aggressor state), and justify or recognize as legitimate the armed aggression of the Russian Federation against Ukraine and its occupation of the territory of Ukraine;
- justifying, recognizing as legitimate, or denying the armed aggression of the Russian Federation against Ukraine, including by presenting the armed aggression of the Russian Federation against Ukraine as an internal conflict, civil conflict, or civil war, and denying the temporary occupation of part of Ukraine's territory;
- glorification of persons who carried out the armed aggression of the Russian Federation against Ukraine, representatives of the armed formations of the Russian Federation, irregular illegal armed formations, armed gangs and groups of mercenaries created by, subordinated to, managed and financed by the Russian Federation, as well as representatives of the

occupation administration of the Russian Federation, which consists of its state bodies and other structures functionally responsible for the management of the temporarily occupied territories of Ukraine, and representatives of self-proclaimed bodies under the control of the Russian Federation which usurped the performance of authority functions in the temporarily occupied territories of Ukraine, including by referring to them as “insurgents”, “militia”, or “polite military men”.

A characteristic feature of covering armed conflicts in the media is observance of state secrets, since not all information can be freely requested and used. After all, there is also limited-access information – secret, confidential, and official. During martial law, it is especially important to follow the “letter of the law” and not to publish data which may directly or indirectly harm the security of the state and its citizens.

Manifestations of collaboration in the media space during hostilities are no exception, as there are cases when the media in the temporarily occupied territories provide their capacities, platforms and resources for dissemination of the invader’s information and propaganda. What is the punishment for the media that collaborate with the invader?

There are three main articles that can be applied in such situations:

Article 111-1, Part 6 of the Criminal Code of Ukraine (collaboration activity) – undertaking of information activities in collaboration with the aggressor state and/or its occupation administration aimed at supporting the aggressor state, its occupation administration or armed formations and/or at helping them avoid responsibility for armed aggression against Ukraine (punished by up to 12 years). It should be noted that undertaking information activities includes the creation, collection, receipt, storage, use and dissemination of information.

Article 111-2 of the Criminal Code of Ukraine (assistance to the aggressor state) – intentional actions aimed at helping the aggressor state (collaboration), the aggressor state’s armed formations and/or occupation administration committed by a citizen of Ukraine, a foreigner or a stateless person.

Article 436-2, Part 3 of the Criminal Code of Ukraine – justification, recognition as legitimate, or denial of the armed aggression of the Russian Federation against Ukraine, denial of the temporary occupation of part of Ukraine’s territory, as well as glorification of persons who carried out armed aggression, production, distribution of materials using the media (punishment of up to 8 years).

PROTECTION OF MEDIA REPRESENTATIVES IN LINE WITH THE NORMS OF INTERNATIONAL HUMANITARIAN LAW

Journalism has never been an easy and safe field of activity. Statistically, news journalism is considered one of the most dangerous modern professions. War is always dangerous and unpredictable, but the risks for those who cover events in a conflictzone have increased significantly. In recent years, international pressure has increased to strengthen the protection of journalists and to address the high level of impunity for criminals who kill journalists. Relevant resolutions were adopted by the Human Rights Council and the UN General Assembly. This year, the majority of countries responded to the UN call to apply the accountability mechanism for impunity of criminals which requests information on the status of investigations into the murders of journalists.

International laws adopted in the second half of the 20th century, which determine the rights and obligations of warring parties, give media representatives a special status.

The spirit and letter of international humanitarian law are clear: when journalists are officially accredited to army units, they are a full-fledged part of them, regardless of the correspondents' personal views.

If, under said conditions, journalists are captured by another warring party, they should be given the status of prisoners of war. The Geneva Conventions equates war correspondents in their rights with "civilian aviation workers" or other civilian groups of a warring army. They cannot be prosecuted under peacetime laws, such as espionage. Their camps must be located at a safe distance from the warzone, they must be provided with adequate food and medical care, and as prisoners of war, they should enjoy the right to send and receive letters.

At the same time, Additional Protocol I to the Geneva Conventions, adopted in 1977, gives a journalist the right not to be accredited to the regular army, but to be considered a civilian in areas of hostilities, in addition to having some additional rights. For example, soldiers may arrest a correspondent with the said status only in the case of a "manifest threat to security". Then the journalist is not granted the status of a prisoner of war, though they continue to enjoy a wide range of rights, including the right not to answer during interrogation (however, records, photos and video

materials can be legally confiscated by the military). Also, in this case, the correspondent is subject to peacetime laws; for instance, they may be expelled from the country in the absence of an appropriate visa, etc.

It should be noted that the Geneva Conventions of 1949 and the Additional Protocols of 1977 were drawn up specifically to guarantee safety of journalists covering a war between the regular armies of recognized independent states. For many years, these legal norms have protected media workers, giving them the status of prisoners of war or peaceful participants in hostilities.

Therefore, in accordance with international humanitarian law, journalists in a warzone have the right to choose between two statuses. They can be accredited to one of the armies and be considered war correspondent. Though, in this case, they risk being perceived as a target by the other warring party. If they are captured, they will have the status of a prisoner of war. Journalists, under the Additional Protocols of 1977, may also cover hostilities as civilian correspondents, then the soldiers of neither side have the right to attack them. However, reporters with this status are not granted the prisoner of war status if imprisoned and can therefore be tried for espionage.

INTERACTION OF THE MEDIA WITH THE ARMED FORCES OF UKRAINE IN THE CONTEXT OF THE ARMED CONFLICT WITH THE RUSSIAN FEDERATION

Since the beginning of the armed Russian aggression, the media, as a component of the system of democratic civilian control over the armed forces, have systematically been covering issues of national security and defence and informing society about the state of protection of Ukraine's national interests.

This function is effected through:

- sending requests to military administration bodies and other state authorities to obtain public information, as well as documents and materials related to the activities of the Armed Forces of Ukraine;
- dissemination of received information through available media, in compliance with the requirements of the Law of Ukraine "On State Secrets";

- publication of official responses of state authorities and military administration bodies to materials that were already made public;
- coverage of the activities of the Armed Forces of Ukraine which are of public interest in line with the restrictions defined by the Law of Ukraine “On State Secrets”.

For its part, the state must ensure the guarantees of freedom of speech, and free acquisition, collection, and dissemination of information as established by the Constitution of Ukraine. At the same time, Article 8 provides for the possibility of interference in the activities of the media and restrictions on the dissemination of certain information. First of all, they concern the dissemination of information about the country’s armed forces and means of defence.

In view of the above, special legislation and executive acts were introduced to regulate the activities of the Ukrainian media and information disseminators during the war as well as the specifics of covering the activities of the Armed Forces of Ukraine, of which the main documents include:

- The Law “On the Legal Regime of Martial Law”, which allows the military command and military administrations (where they were established) to “regulate in the manner prescribed by the Cabinet of Ministers of Ukraine, the work of suppliers of electronic communications networks and/or services, printing companies, publishers, broadcasters, broadcasters and other enterprises, institutions, organizations and cultural institutions and the media, and use local radio stations, television centers and printing houses for military purposes and conducting outreach work among the troops and the population”. It also allows them to “prohibit the operation of transceiver radios for personal and collective use and the transmission of information via computer networks” and “in case of violation of the requirements or non-compliance with the measures of martial law, to withdraw from enterprises, institutions and organizations of all forms of ownership, individual citizens electronic communication equipment, television, video and audio equipment, computers and, if necessary, other technical means of communication”;
- The Law of Ukraine “On Amending Article 114-2 of the Criminal Code of Ukraine on Enhancing Liability for Unauthorized Dissemination of Information on the Means of Countering Russia’s Armed Aggression”, adopted on 1 April 2022, introduces criminal liability for “unauthorized dissemination of information about the sending and movement of weapons, armaments and war supplies to Ukraine, the movement,

transfer or placement of the Armed Forces of Ukraine or other military formations created in accordance with the laws of Ukraine, committed during martial law or state of emergency”;

- The Law of Ukraine “On Amending Certain Legislative Acts of Ukraine on Establishing Criminal Liability for Collaborative Activities”, adopted on 03 March 2022, which determines that punishment shall be imposed, in particular, on those who engage in “information activities” in the interests of the invaders;
- The Law of Ukraine “On Providing Additional Guarantees of Protection to Journalists Working in Combat Zones” dated 1 August 2022, which obliges the media to provide its employees with means of protection against injuries from firearms, shrapnel injuries, as well as first-aid kits. Furthermore, the law obliges mandatory insurance of journalists at the employer’s expense in the case of wounding during coverage of the war and events in the occupied territories;
- The joint statement by the Ministry of Culture and Information Policy of Ukraine, Ministry of Defence of Ukraine, and MediaRukh dated 27 April 2022. Following these arrangements, the media and the Ministry of Defence of Ukraine reached an agreement on an embargo on the dissemination of information and that if compliant with all the necessary security requirements, journalists can collect information on the ground immediately after shelling. At the same time, media representatives and journalists are allowed to publish photos and videos taken of events at the site of hostilities after 12 hours for military facilities and after 3 hours for civilian facilities;
- Order of the Commander-in-Chief of the Armed Forces of Ukraine No. 73 dated 3 March 2022 “On Organizing Interaction between the Armed Forces of Ukraine, Other Components of the Defence Forces and Mass Media Representatives during the Legal Regime of Martial Law”, which defines the rules (algorithm) governing interaction with the media and the list of information that cannot be disclosed. Annexes to this Order also define the procedure for accreditation of media representatives and the rules for the work of media workers in the combatzone.

PUBLIC COMMUNICATION DOCTRINE

The main and general vision of approaches in the field of public communication, as well as the basic principles on which public communication in the Armed Forces of Ukraine is based, are determined by the Public Communication Doctrine approved on 19 September 2020 by the Commander-in-Chief of the Armed Forces of Ukraine (hereinafter referred to as the Doctrine). It should be noted that the Doctrine takes into account the experience of modern armed conflicts and fully corresponds to similar documents of NATO countries. It is the foundation for the development of documents that should organize information and communication activities.

The doctrine states that public communication:

- is an integral part of the process of strategic communications in the Armed Forces of Ukraine. It is effected during the main events of public diplomacy, public relations, civil-military cooperation, moral and psychological support, informational and psychological operations, in countering negative informational and psychological influence, in interaction with the public in cultural, sports and other public events, and in information and communication activities;
- is effected within the general system of interaction with the public, and in external and internal communication in the Armed Forces of Ukraine. The main goal of public communication in the Armed Forces of Ukraine is to satisfy the informational needs of external and internal audiences, to publish their own official information, to counter negative informational and psychological influence in order to maintain a positive image of the Armed Forces of Ukraine and to create favourable conditions for them to perform their assigned tasks.

In addition, the Doctrine:

- establishes and ensures an effective and efficient system of public communication between representatives of the Armed Forces of Ukraine and society and defines the basics of public communication;
- shapes the general principles of public communication, basic principles of officials' communication, basic principles of organizing public events, and basic principles of covering public information in official information sources.

INTERRELATION OF GENDER ASPECTS AND THE MEDIA DURING AN ARMED CONFLICT

The history of wars and armed conflicts demonstrates that universal human rights are systematically violated during hostilities and it is the civilian population that suffers first of all – in particular, children and women are the most common victims of war. At the same time, international humanitarian law (IHL) has an important principle of non-discrimination, which prohibits discrimination based on race, skin colour, sex, religion, property status, etc. Therefore, IHL requires special resources and practical knowledge from those who make decisions during hostilities. In view of the above, attention should be paid to respect of equal rights of men and women in the context of an armed conflict.

The main regulatory acts of an international nature focusing on the gender issue include:

- The UN Charter (1945);
- The Statute of the UN International Court of Justice (1945);
- Additional Protocol to the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949;
- The Declaration on the Protection of Women and Children in Emergency and Armed Conflict promulgated by a UN General Assembly resolution (1974). Said legal act requires unconditional compliance with IHL norms, especially the prevention of violations against, and harassment of, women;
- The Beijing Declaration (1995);

The UN Security Council Resolution 1325 (UNCSR 1325) on Women, Peace and Security and other sister resolutions remain the primary legal framework that comprehensively addresses women, peace and security, particularly in times of conflict;

The Istanbul Convention, which Ukraine ratified on 20 June 2022, states in Article 17.1 that the media community should encourage and support, in the role of relevant participants, the prevention of gender-based violence against women. It also encourages the media to establish guidelines and self-regulatory standards in order to enhance respect for women's rights and thus contribute to the prevention of violence against women and domestic violence.

Regarding the main national regulatory and legal documents, which address equal rights of men and women in the context of an armed conflict and cover the role of the media, the following should be highlighted:

- The Law of Ukraine “On Ensuring Equal Rights and Opportunities of Women and Men” (Article 21-1), which states that the media, in accordance with the legislation, contribute to the prevention of:
 - gender-based discrimination and gender-based violence;
 - dissemination of materials that reproduce or reinforce discriminatory ideas about the social roles and responsibilities of women and men, approve or provoke gender-based discrimination or gender-based violence, including sexual violence;
- The National Action Plan for the Implementation of the UN Security Council Resolution 1325 “Women, Peace and Security” for the period until 2025 (as amended by the Decree of the Cabinet of Ministers of Ukraine of 16 December 2022, No. 1150-r), which provides that the armed forces shall, within the framework of interaction with the public and information and communication activities, implement a number of awareness-raising activities and information campaigns for security and defence sector specialists to involve women in peace-making processes and provide reliable sources of communication on post-conflict rehabilitation issues;
- The Action Plan for the implementation of the Concept of Communication in the Field of Gender Equality (according to the Ordinance of the Cabinet of Ministers of Ukraine dated 27 January 2023, No. 79-r), which provides that the armed forces shall perform relevant tasks, namely: conduct an awareness-raising campaign on access to legal (free legal) assistance and ensure implementation of an awareness-raising campaign on equal participation of women and men in overcoming conflicts and countering security challenges, establishing peace and countering conflict-related violence.

II. ADVICE TO MEDIA REPRESENTATIVES AND CITIZENS

MEDIA ACCREDITATION

In order to provide informational support for Ukraine's Defence measures during the Russian Federation's armed aggression, and to deliver operational, truthful and comprehensive information to civil society and the international community, the Armed Forces of Ukraine provide accreditation to representatives of the national and foreign media.

To receive the appropriate electronic press card, journalists need to fill out an application form and send the list of documents specified in the application form.



After verification of the submitted data, media workers will be provided with an electronic version of the press card to present, if necessary, to the military and law enforcement agencies.

In the case of violated conditions of journalistic activity, disclosure of confidential information or transfer of the card to other persons, media representatives may be deprived of accreditation without the right to renew.

The Armed Forces of Ukraine remind you of the need to use protective equipment and not to put your life and health in danger. In the conditions of the large-scale use of weapons by the enemy, the Armed Forces of Ukraine are not responsible for the life and health of media representatives while in the combatzone.

Please note that the validity of the accreditation can be verified by the phone number **0894201864** (around the clock).

Excerpt from the RESOLUTION of the Cabinet of Ministers of Ukraine dated 27 May 2022, No. 627, "Some Issues of Staying in Ukraine of Foreigners and Stateless Persons Who Arrived in Ukraine to Work as a Correspondent or a Foreign Mass Media Representative":

"...For the period of martial law and for 30 days after its cancellation or termination, foreigners and stateless persons who arrived to work as a correspondent or a foreign mass media representative and duly passed

accreditation of mass media representatives during the legal regime of martial law, shall not be subject to the restrictions on the duration of temporary stay in Ukraine, established by Clause 2 of the Procedure for Extending the Stay and Extending or Reducing the Temporary Stay of Foreigners and Stateless Persons in Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine dated 15 February 2012, No. 150 (Official Bulletin of Ukraine, 2012, No. 17, Article 612).

The Ministry of Defence of Ukraine is to continuously inform the State Border Guard Service Administration and the State Migration Service on representatives of the mass media that have duly passed accreditation.”

PROCEDURE FOR ADMISSION OF MEDIA REPRESENTATIVES TO THE FACILITIES OF THE MINISTRY OF DEFENCE OF UKRAINE

This procedure is determined by the Instruction “On the Procedure for Admission of Journalists, Media Workers to the Facilities of the Ministry of Defence of Ukraine”, approved by the Order of the Ministry of Defence of Ukraine No. 36 of 08 February 2022.

Media representatives are duly admitted to system facilities of the Ministry of Defence per the Instruction for the purpose of informing society on the state of protection of Ukraine’s national interests, comprehensive and objective coverage of the activities of the Ministry of Defence, the Armed Forces of Ukraine and the State Special Transportation Service.

Media representatives carry out their professional activities at Ministry of Defence system facilities in compliance with the regime of access to limited-access information.

Procedure for admission of media representatives to facilities of the Ministry of Defence

Permission for the admission of media representatives to the system facilities of the Ministry of Defence is granted by:

- the Minister of Defence of Ukraine – to visit all the Ministry of Defence system facilities;
- the First Deputy Minister of Defence of Ukraine; the Deputy Minister of Defence of Ukraine for European Integration; the Deputy Minister of Defence of Ukraine for Digital Development, Digital Transformations

and Digitization; and the Deputy Ministers of Defence of Ukraine: to visit military administration bodies, military formations, military units, higher military educational institutions, military educational divisions of higher education institutions, institutions of professional pre-tertiary military education, as well as enterprises, institutions and organizations subordinated to the Ministry of Defence, whose activities it immediately directs and coordinates;

- the State Secretary of the Ministry of Defence of Ukraine: to visit structural divisions of the Ministry of Defence administration, institutions and organizations whose activities it immediately directs and controls;
- the Commander-in-Chief of the Armed Forces of Ukraine and the Deputy Commander-in-Chief of the Armed Forces of Ukraine: to visit all the Armed Forces facilities;
- the Chief of the General Staff of the Armed Forces of Ukraine: to visit structural divisions of the General Staff of the Armed Forces of Ukraine, other military administration bodies, military formations and military units;
- the Commander of the United Forces of the Armed Forces of Ukraine: to visit facilities in the base locations of the national contingent, as well as facilities at the operation sites of the Armed Forces which are under the operational control of the Command of the United Forces of the Armed Forces of Ukraine;
- the commanders of types, separate branches of forces and troops of the Armed Forces: to visit the commands and subordinate organizational structures;
- the Head of the Administration of the State Special Transportation Service: to visit the management body, brigades, regiments, separate battalions, support units, support bodies, training centre, establishments, enterprises and institutions of the State Special Transportation Service;
- the Head of the Ministry of Defence's intelligence agency: to visit all the facilities of the Ministry of Defence's intelligence agency.

The admission of media representatives to the Ministry of Defence system facilities is granted by the heads (commanders, chiefs) of the corresponding Ministry of Defence system facilities (hereinafter head of the Ministry of Defence facility) on the basis of a decision (order) issued by a relevant official of the highest military administration body.

To obtain permission to visit a Ministry of Defence system facility, media representatives shall submit an official written request in a printed and electronic form (by fax, e-mail) to the relevant unit of interaction with the media.

The request is sent no later than three working days before the media representatives' planned visit to the Ministry of Defence system facility.

The written request shall state:

- full name of the media, date and registration number, location, telephone (fax) number, e-mail address;
- purpose of visiting the Ministry of Defence facility;
- desired date and time of the visit;
- surname, first name and patronymic (if available) of the media representative regarding whom the request is made, serial (if available) and individual number of his/her passport, the issuing date and authority, the number of the editorial license or another document certifying professional affiliation to the media. If there are several such representatives, the information shall be provided for each one of them;
- if necessary: the vehicle(s) brand and registration number;
- the official(s) with whom an interview (comment) is to be recorded;
- topics and indicative questions for the interview (comments) with the official;
- an tentative list of samples of weapons and military equipment, buildings or rooms to be photographed or filmed.

The procedure for visiting Ministry of Defence system facilities by foreign journalists, and foreign media workers and the procedure for interacting with them should take into account the restrictions established by legislation.

The head of the Ministry of Defence facility should provide unhindered access to Ministry of Defence system facilities to military service members and staff of media founded by the Ministry of Defence (hereinafter referred to as military media representatives) solely on the basis of an editorial assignment provided by the military media management, an officer's ID (for military service members), a passport (for employees) and an editorial ID or another document certifying the person's affiliation with the military media.

PROCEDURE FOR ADMISSION OF MEDIA REPRESENTATIVES TO MINISTRY OF DEFENCE FACILITIES

To organize media representatives' work at Ministry of Defence system facilities, the head of the Ministry of Defence facility should determine:

- the official who will meet the media representatives and escort them around the facility, with due regard for the security system, the internal and the access regime;

- the media representatives' movement route in the facility area, with due regard for the restrictions of access to special facilities (premises) or special areas;
- parking places for the cars in which media representatives arrived;
- places for picture taking and filming of weapons, military equipment and other equipment, if this was indicated in the request and the corresponding permission was granted;
- the official(s) at the facility authorized to provide comments (interviews) to media representatives.

The Ministry of Defence facility's military service members and employees provide media representatives with information about the facility operation solely within their competence and in strict compliance with the requirements of the law for protection of limited-access information.

Where media staff are in breach of the legislation on the protection of state secrets and limited-access information, their visit to the Ministry of Defence system facility will be terminated.

Media representatives shall follow the rules of internal procedure established by the head of the Ministry of Defence and shall not interfere with the activities of the Ministry of Defence facility's officials.

WHAT IS FORBIDDEN TO DISCLOSE

This is defined in the Appendix to the Order of the Commander-in-Chief of the Armed Forces of Ukraine dated 03.03.2022, No. 73, "On the Procedure of Interaction between the Armed Forces of Ukraine, Other Components of the Defence Forces and Mass Media Representatives during the Legal Regime of Martial Law":

- names of military units (divisions) and other military facilities in the combat (special) task areas, geographic coordinates of their locations, the number of personnel in military units (divisions);
- the number of weapons and combat equipment, logistics and supplies, their condition and storage locations;
- descriptions, images and code names that identify or can identify the facilities;
- information on operations (combat actions) that are being conducted or are planned;

- information on the military facilities' protection and defence system and means of protection of the personnel, weapons and military equipment used (except for those that are visible or obviously expressed);
- procedure for using forces and means to perform combat (special) tasks;
- information on the collection of intelligence (techniques, methods, forces and means involved);
- information on the movement and deployment of friendly troops (name, number, locations, districts, routes);
- information on military units (divisions), forms, methods, tactics of their actions and methods of application for the intended purposes;
- information on conducting unique operations with an indication of techniques and methods used;
- information on the effectiveness of the enemy's radio-electronic warfare forces and means;
- information on delayed or cancelled operations;
- information on missing or downed airplanes, aircraft, missing ships and search and rescue operations that are planned or carried out;
- information on the planning and implementation of measures to guarantee security in using troops (disinformation, imitation, demonstrative actions, masking, countering technical intelligence and information protection);
- information on informational and psychological operations carried out, including those that are being carried out, as well as those that are planned;
- information aimed at propaganda or justification of the Russian Federation's large-scale armed aggression against Ukraine.

MILITARY MATTERS LIKE REASONABLE SILENCE

It is better to maintain silence than to provide the enemy with the information that will facilitate the accuracy of strikes on the positions of troops (forces) or peaceful settlements. Therefore, do not post photos of the shelling of any facilities in populated areas. If necessary, simply write, for example: the outskirts of the city, town, etc.

Detailed answers to individual questions related to the use of military information were provided by Hanna Malyar, Deputy Minister of Defence of Ukraine (<https://armyinform.com.ua/2022/03/22/chomu-pid-chas-vijny-ne-mozhna-publichno-govoryty-pro-vse-ganna-malyar/>):

- Why should one not publicly speak or write during the war about Ukraine's negotiations with anyone on the supply of military equipment, weapons, ammunition and other property for the Armed Forces of Ukraine?

Because the enemy is doing everything possible to disrupt contracts and discredit the supplying partners;

- Why should deliveries that have already taken place and the fact that we have something new not be discussed during the war?

Because the enemy immediately adjusts its actions based on the new data;

- Why should exact addresses and recognizable descriptions of the facilities that were hit or not hit by the missiles not be named?

You all know this already – because it is fire adjustment for the enemy;

- Why should the location of military facilities (*hospitals, by the way, are also military facilities*), weapons, military equipment, and personnel not be publicly posted?

Because the probability of destruction of the facility by the enemy increases tenfold;

- Why shouldn't statements and publications made by law enforcement agencies and special services be publicly fact-checked during the war?

Because this is war. Trust us that these statements go through a large number of agency filters, and if they are made public, it means it is necessary for the defence of the state;

- Why should the decisions and awareness of the Armed Forces of Ukraine not be publicly and privately doubted?

Because the Armed Forces of Ukraine are the most informed about the situation at the front. And if you do not understand the decision, then you just do not know everything. Furthermore, military decision-making should not be influenced by public opinion – because these are professional decisions, it is the same as in surgery.

PRACTICAL ADVICE FOR A JOURNALIST DURING MARTIAL LAW

Working from shelters or in hot spots, lack of sleep due to air-raid sirens and shelling – this is not the description of a movie, but the new realities of a journalist's work. MediaLab journalists shared their own experiences with their colleagues (<https://medialab.online/news/vijna-novi-vykyky/>). Specifically...

The journalistic rule “do no harm” should be used. Order No. 73 of the Commander-in-Chief of the Armed Forces of Ukraine dated 03 March 2022 prohibits admission of journalists to military and other facilities, the disclosure of which poses a threat to combat missions of the military.

At the same time, a press card from the Armed Forces of Ukraine allows one to perform editorial tasks in the combatzone and during curfew. It should be noted, however, that the Armed Forces of Ukraine have the right to revoke media representatives' accreditation for breaching the rules or transferring their press card to someone else. It is worth making the reminder yet again that the Armed Forces of Ukraine are not responsible for the health and lives of the journalists staying in the combatzone — this is the journalist's responsibility.

RULES OF PICTURE TAKING AND FILMING IN WARTIME

In times of war, it is important to follow the rules of picture-taking. The Security Service of Ukraine has developed recommendations for media workers so that they do not accidentally become fire adjusters.

The Security Service of Ukraine advises not to take pictures of or film roadblocks, airports, railway stations, oil depots, oil and gas pipeline

facilities, power plants, Ukrainian military service members, or Ukrainian combat equipment, and not to be out in the city during curfew.

Evhen Vorobiov, lawyer of the NGO “Human Rights Platform” explains that the law does not prohibit filming, for example, train stations. No liability is assumed for such filming. However, if the military advises not to film train stations in wartime, such advice should be followed for the sake of common safety.

At the same time, any military or strategic facilities can be filmed only with the permission of the military command’s authorized representatives. They can determine locations and facilities for filming in advance.

WHEN A JOURNALIST NEEDS A BULLETPROOF VEST AND A HELMET

Appendix 4 to the Order No. 73 of the Commander-in-Chief of the Armed Forces of Ukraine contains regulations for the media working in the combatzone. In particular, a journalist must carry a helmet, a bulletproof vest marked “PRESS” and a first-aid kit, which he or she knows how to use.

If you are directed to a checkpoint, the media owner must provide you with personal protective equipment, as there is potential danger there. The legislation does not provide direct obligations to wear or not to wear a bulletproof vest in places where there are no active hostilities.

Journalists can rent bulletproof vests and helmets from the Institute of Mass Information. To do this, you need to contact the Institute and fill out an appropriate questionnaire.

ADVICE ON WORKING IN THE DE-OCCUPIED TERRITORIES

(from Victoria Semeniuk, journalist of the IA “Volyn News”)

- Carry personal protective equipment – helmet, bulletproof vest, first aid kit, etc.;
- When preparing for trips to the combatzone or liberated territories, it is very important to have an action plan and clearly follow it without deviating from planned routes;
- Be prepared for unexpected situations, because you can come under fire, accidentally run over or step on a mine, a tripwire, etc. Furthermore,

one must mentally prepare oneself for the sight of dead bodies and the smell of death;

- You should not go in splendid solitude. Enemy sabotage and reconnaissance groups may still operate in the liberated territories;
- One should be prepared that local residents may react differently to your desire of getting a comment from them or taking their picture. Some people want to express themselves, whereas others, after experiencing stress, do not want to speak out in front of a camera, which may even provoke aggression.

DIGITAL SECURITY IN WARTIME

Before travelling to a combatzone, the following is recommended:

- delete sensitive information from devices that may affect your physical safety or others' safety in advance (contacts, social networks, Telegram channels, etc.);
- delete sensitive correspondence and configure auto-deletion in messengers;
- check the galleries on the devices to see if there are any photos/videos that will provoke the enemy;
- if possible, immediately upload the collected information to the "cloud", and then delete it from the devices; also, delete your phone and laptop search history from time to time.

RULES FOR CHECKING AND DISSEMINATING INFORMATION

The National Security Council of Ukraine and the General Staff of the Armed Forces of Ukraine, in their address to the civilian population, public opinion leaders and journalists, noted that the enemy generates dozens of fakes every day about the alleged capitulation of Ukrainian defenders, proactive surrender of positions and unwillingness to fight for the homeland.

In view of the above, it is suggested to follow simple rules for checking and disseminating information, namely:

- verify information through official agencies before believing and disseminating it;
- do not distribute materials relating to events at the front from "personal sources";

- refrain from public assessments of military operations, logistics, etc., because only the top military leadership has complete information from the theatre of hostilities and can make reliable forecasts;
- make it a rule to trust only official sources.

It should always be remembered that by spreading unverified materials, you help the enemy demoralize Ukrainian defenders and spread panic among the population!

WHAT CANNOT BE PUBLISHED ON SOCIAL MEDIA

Using social media has become standard practice in a modern person's life. At the same time, we would like to draw the attention of the civilian population, public opinion leaders, and media representatives to what should not be distributed on the internet:

- photos or videos of the shelling or projectile landing area;
- videos of missiles flying or moments of projectiles hitting;
- exact addresses, coordinates, and detailed descriptions of the place of hostilities;
- videos and photos with identification signs – signs with street names, house numbers, large stores and supermarkets, metro stations, factories and enterprises, car license plates;
- operation of the Ukrainian air defence system – which can be identified by a distinctive explosion in the air and fireworks;
- numbers of schools, hospitals, kindergartens, supermarkets or other facilities;
- videos and photos of missile strikes;
- any data on the actions and movements of Ukrainian troops and military equipment, their locations, as well as on major military facilities;
- unverified information about survivors or deceased;
- any information that has not been verified by the state and is not from official sources.

STRICTLY FORBIDDEN

- Live broadcasting of a missile attack or bombing. Such shots may help the enemy adjust fire and put other people's lives at risk. Wait to publish;
- Announcing and clarifying data on missile strikes (exact addresses) in the comments.

WHAT CAN BE PUBLISHED

- If you witnessed the movement of enemy troops, you should publish a photo with geotags and an indication of the exact time and place. Be sure to notify the bot @stop_russian_war_bot on Telegram;
- You can disseminate information about dead, wounded and captured Russian soldiers;
- Publish a video of an enemy committing a crime to the maximum audience;
- Repost official messages from Ukrainian authorities and information on refuting fakes.
- At the same time, it should be taken as a rule that important information that can be and needs to be published should also be verified.

WHAT CANNOT BE WRITTEN AND SPOKEN IN PUBLIC

Explanation of the State Communications and Data Protection Service of Ukraine. (https://t.me/dsszzi_official/2339):

- do not say that there are no means of air defence at a specific section of the front or indicate geographical data;
- do not declare that only one road remains safe for entering a town and name which one exactly;
- do not talk or write that a missile hit, for example, “School 7” – it is better to say that the missile hit a residential quarter in a town;
- do not say “the missile was aimed at the train station but hit a warehouse near the airfield”, because the next projectiles will definitely hit the airfield.

ON COVERAGE OF GENDER-RELATED ISSUES DURING AN ARMED CONFLICT

According to Article 21-1 of the Law of Ukraine “On Ensuring Equal Rights and Opportunities of Women and Men” (Article 21-1), the media, in accordance with the legislation, should contribute to the prevention of:

- gender-based discrimination and gender-based violence;
- dissemination of materials that reproduce or reinforce discriminatory ideas about the social roles and responsibilities of women and men, approve or provoke gender-based discrimination or gender-based violence, including sexual violence.

What does this mean in practical terms?

- It is important that journalists and the media, which are an element of the control mechanism on the part of society, apply the principles of gender-sensitive and conflict-sensitive approaches in covering the conflict.
- Count! Balance, where possible, the presence of women and men in reporting to faithfully reflect the composition of society, the right to vote, people's experiences, actions, views and interests. This applies both to male and female subjects and commentators of reports.
- Be modern! Avoid stereotypes that one-sidedly reflect society and its opportunities. Mirror a two-dimensional picture of society from the perspective of each gender. Voice all opinions, giving equal attention to men and women in their different roles.
- Make visible! Do not objectify women, make them visible. Use gender-correct language, in particular, feminine forms. Be careful with styling. Choose your illustrative material carefully.
- Highlight! Provide examples of gender equality, positive examples of non-discrimination and respect for human rights in private and public aspects of life. Recognize the importance of gender issues and ensure that gender issues cover both women's and men's interests. Remind the audience that both women and men participate in events together – and bear responsibility.
- Change the world for the better! Raise public awareness of conflict-related violence. Add to your materials the contact information of centres and organizations that help persons who have suffered violence.
- Guarantee the confidentiality of the female or male subject of the material. Do not disclose the survivor's details. Do not insist on the details of the acts of violence.
- Avoid victimization! Avoid the word "victim"! Speak to survivors of violence in a way that does not harm them, from a position of respect and human dignity. Do not try to blame the survivor! Do not try to protect the offender!
- Calculate the risks and dangers for the survivor.

WHAT ELSE YOU NEED TO KNOW

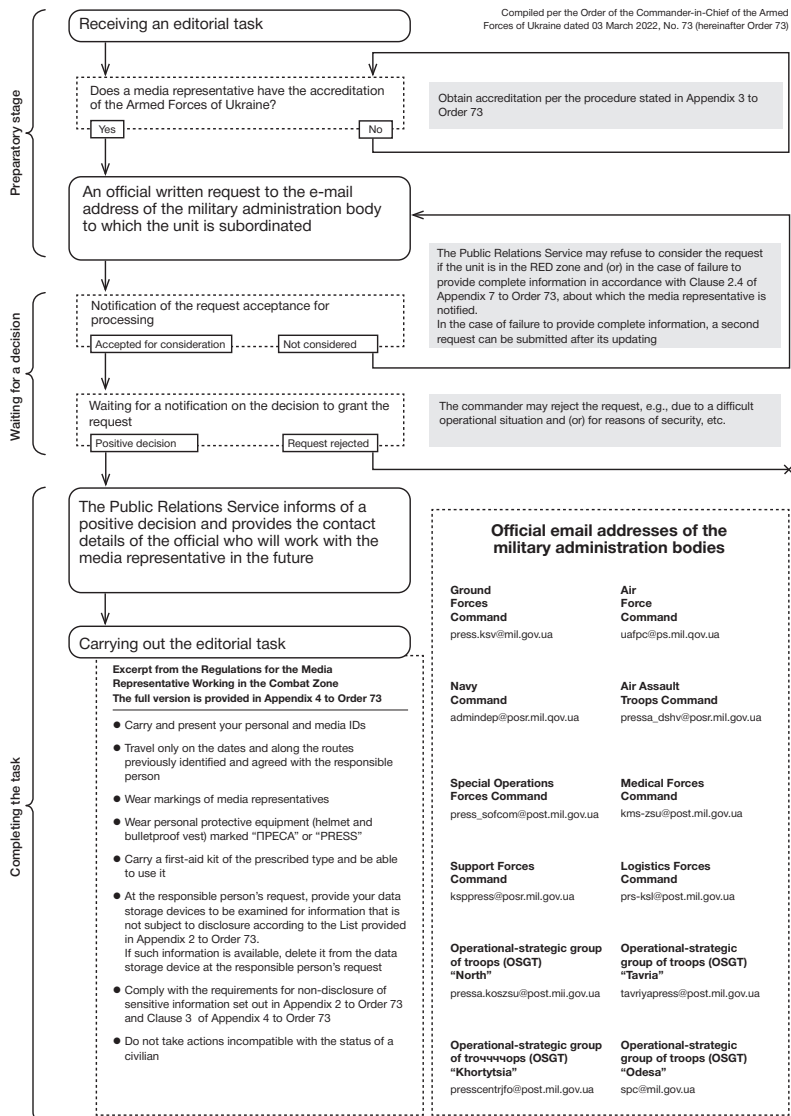
! Do not respond to strangers' posts on social media where they ask to describe the situation in the town or specify the address of a missile strike – these may be saboteurs.

! Centre for Strategic Communications and Information Security has reported that Russian artillery spotters have also resorted to new tactics such as offering help with the replacement of smashed windows for free. At the same time, this “good man” can ask a whole lot of questions about your house and everything nearby. He might just be an enemy artillery spotter, adjusting trajectory.

FLOWCHART OF MEDIA ACTIONS WHERE THERE IS A NEED TO WORK IN AREAS OF HOSTILITIES

Flowchart of media representatives' actions where there is a need to work in areas of hostilities

Compiled per the Order of the Commander-in-Chief of the Armed Forces of Ukraine dated 03 March 2022, No. 73 (hereinafter Order 73)



III. IMPORTANT TO KNOW

PROCEDURE FOR PAYMENT OF ONE-TIME FINANCIAL ASSISTANCE IN THE EVENT OF THE DECEASE (DEATH) OR WOUNDING (CONTUSION, INJURY OR MUTILATION) OF A JOURNALIST WHILE PERFORMING HIS/HER PROFESSIONAL DUTIES

This is established by the Procedure for Payment of One-Time Financial Assistance in the Event of the Decease (Death) or Wounding (Contusion, Injury or Mutilation) of a Journalist While Performing His/Her Professional Duties approved by the Resolution of the Cabinet of Ministers of Ukraine of 2 November 2016, No. 776

The day on which the right to receive financial assistance arises is:

- in the case of the decease (death) of a journalist while performing his/her professional duties: the date of death indicated on the death certificate;
- in the case of wounding (contusion, injury or mutilation) of a journalist while performing his/her professional duties: the date specified in the opinion of the forensic medical examination.

Financial assistance is paid in the following cases:

- the decease (death) of a journalist while performing his/her professional duties: in the amount of 100 subsistence minimums established by law for able-bodied persons at the time of the payment in equal shares to the family members of the deceased, and in the absence of family members or their refusal from receiving the financial assistance – to the parents and dependents in equal shares. The deceased journalist's family members are determined in accordance with Family Code of Ukraine, and dependents in accordance with the Civil Code of Ukraine;
- injuries (contusions, injuries or mutilations) of a journalist while performing his/her professional duties: in the amount of up to 50 subsistence minimums established by law for able-bodied persons at the time of the payment.

Which documents are to be submitted to receive financial assistance

To receive financial assistance, the deceased journalist's family members, parents and dependents (hereinafter referred to as applicants) or their

representatives shall submit an application to the Interagency Commission for Financial Assistance (hereinafter referred to as the Commission) in the event of the journalist's decease (death) or wounding (contusion, injury or mutilation) while performing his/her professional duties established by the State Television and Radio Committee, appending copies of the following:

- a document confirming the deceased person's journalist status;
- a document confirming the fact that the journalist was performing professional duties at the scene of the wounding that led to his/her decease (death);
- a document on the cause and circumstances of the journalist's decease (death), in particular, on the fact that the decease (death) is not related to his/her committing a criminal or administrative offense or is not a consequence of his/her actions while under the influence of alcohol, drugs, toxic substances, intentional self-harm or suicide;
- the journalist's death certificate;
- pages of the applicant's passport with information on the surname, first name and patronymic, date of issue and registration of the place of residence;
- registration number of the taxpayer's ID card;
- the journalist's birth certificate – for payment of the financial assistance to the journalist's parents;
- marriage certificate – for payment of the financial assistance to the journalist's wife (husband);
- birth certificate of a child – for payment of the financial assistance to a journalist's child;
- a document confirming the fact of co-habitation with the journalist (as of the date of his/her death), the sharing of a household with him/her and the existence of mutual rights and obligations between the applicant and the journalist – for payment of the financial assistance to a family member;
- a decision of the district, district in Kyiv and Sevastopol state administration, executive body of the village, township, city, district in the city (where created) council or court on the establishment of guardianship or care over an orphan child, a child deprived of parental care (in the case of guardianship or care of the deceased journalist's child);
- a court decision or a notarized deed confirming the applicant's dependency on the deceased – for payment of the financial assistance to a person who was not a family member of the deceased but was dependent on him/her.

The application shall be submitted in writing and signed by the applicant or his/her representative. Applicants have the right to submit a joint application for payment of the financial assistance in line with the requirements of the Procedure.

Where an application is submitted or jointly submitted by the applicant's (applicants') representative, it shall be supported with a separately annexed original or a notarized copy of the document authorizing the person to act on behalf and in the interests of the applicant (applicants) and a duly certified copy of the representative's passport pages with information on the surname, name and patronymic, date of issue and registration of the place of residence.

The applicant (his/her representative) shall have the right not to submit the documents specified in this clause if they were previously submitted by another applicant (his/her representative), which fact should be indicated in the application.

Where, after expiration of six months from the date of receiving the journalist's death certificate, the person who is entitled to receive the financial assistance has not declared his/her intention to receive it per the Procedure, s/he shall be considered to have refused to receive the financial assistance. In this case, its share shall be proportionally distributed among other persons entitled to receive the financial assistance in the order of priority.

Payments to a media representative in the case of wounding

A journalist entitled to financial assistance due to wounding (contusion, injury or mutilation) caused while performing his/her professional duties shall submit to the Commission, in person or through a representative, an application supported with attached copies of the following:

- the opinion of the forensic medical examination;
- certificates of the medical and social expert commission on the results of determining the degree of loss of professional capacity (as a percentage);
- a document confirming that the person who suffered wounding (contusion, injury or mutilation) has journalist status;
- a document on the causes and circumstances of the journalist's wounding (contusion, injury or mutilation), in particular, that the wounding (contusion, injury or mutilation) is not related to his/her committing of a criminal or administrative offense or is not a consequence of his/her actions while under the influence of alcohol, drugs, toxic substances, or intentional self-harm or suicide;
- a document confirming the fact that the journalist was performing professional duties at the scene of wounding (contusion, injury or mutilation);
- pages of the journalist's passport with information on the surname, first name and patronymic, date of issue and registration of the place of residence;

- registration number of the taxpayer's ID card.

The application shall be submitted in writing and signed by the journalist or his/her representative.

Where an application is submitted by the journalist's representative, it shall be supported with a separately annexed original or a notarized copy of the document authorizing the person to act on behalf and in the interests of the journalist and a duly certified copy of the representative's passport pages with information on the surname, name and patronymic, date of issue and registration of the place of residence.

WHAT IS PLANNED TO BE IMPROVED

The Verkhovna Rada of Ukraine supported draft Law 7367 On Mandatory Provision of Journalists in the Area of Hostilities (Combat Action) with Means to Protect against Injuries from Firearms, as well as First-Aid Kits.

The document proposes establishing additional safety guarantees for journalists who work in conditions hazardous to life and health, namely: in the areas of hostilities (combat action) and/or in the temporarily occupied territory of Ukraine.

For instance, it is proposed that Article 15 of the Law of Ukraine "On State Support of Mass Media and Social Protection of Journalists" (hereinafter the Law) with a provision under which the media are obliged to provide journalists and other employees assigned to work in the areas of hostilities (combat action) and/or to the temporarily occupied territory of Ukraine with means of protection against injuries from firearms, shrapnel injuries, as well as medical first-aid kits.

Furthermore, it is proposed that Article 18 of the Law provide for a fixed amount of one-time financial assistance to journalists in the case of wounding (contusion, injury or mutilation) caused to a journalist while performing his/her professional duties.

Also, the amendments to Article 7 of the Law of Ukraine "On Insurance" proposed an expanded list of the mandatory insurance types.

As of 6 June 2023, since the beginning of the full-scale invasion of Ukraine, at least 63 media representatives were killed, including both Ukrainian and foreign journalists. According to the National Union of Journalists of Ukraine, since 24 February 2022, Russia has committed more than 500 crimes against media representatives in Ukraine.

ACTIONS TO TAKE IN THE CASE OF A VIOLATION OF A JOURNALIST'S RIGHTS

Here are some memos for journalists collected by Nadiya Virna, a regional correspondent of the Institute of Mass Information (hereinafter IMI) in the Chernivtsi Region:



- if you are not allowed in to meetings of commissions, councils, open government events, or if you are beaten or intimidated, or if your camera is taken away – this is obstruction of legitimate professional activity (*Clause 1 of Article 171 of the Criminal Code of Ukraine*);
- if you are threatened with violence, destruction or damage to property, if your relatives and family members are threatened in connection with your journalistic work – this is a threat or violence against a journalist (*Article 345 Note 1 of the Criminal Code of Ukraine*);
- if your computers, accounts, programs are hacked – this is an unauthorized interference in the operation of electronic computing machines (computers), automated systems, computer networks or telecommunications networks (*Article 361 of the Criminal Code of Ukraine*).

Where your professional rights are violated and your journalistic activities obstructed, you should:

1. Call the police.
2. Write a complaint about the crime, indicating which article of the Criminal Code was violated, and request that the information be entered into the Unified Register of Pretrial Investigations.
3. If the information is not entered in the Register, challenge the actions of the police in court.
4. Give maximum publicity to the fact of obstruction. Contact the regional representative, in particular the Institute of Mass Information (IMI). After all, IMI provides advisory and legal assistance in such cases.

In all types of court proceedings, recordings may be made using portable audio equipment without a court permission. As for other types of portable or stationary recording of court proceedings – each type of proceeding has its own rules and procedural requirements. IMI lawyers have developed instructions for journalists on recording the court process.

IV. SAMPLES OF DOCUMENTS

	Збройні Сили України Armed Forces of Ukraine
ПРЕС-КАРТА/PRESS CARD № 123	
	Назва ЗМІ Media
	Олеженко Olejenko
	Олег Oleg
	Україна Ukraine
<ol style="list-style-type: none">1. The press card enables to perform editorial tasks in the combat zone and in the curfew under the conditions.2. In case of violation of the conditions, disclosure of confidential information (operational security violation) or transfer of the card to other persons, you may be deprived of accreditation without the right to renew.3. The Armed Forces of Ukraine are not responsible for your life and health while in the combat zone.4. Contact phone number to verify the accreditation: +380673661586, +380674621705.	
<ol style="list-style-type: none">1. Прес-карта дозволяє виконувати редакційні завдання у зоні проведення бойових дій та у комендантський час.2. У разі порушення умов журналістської діяльності розголошення конфіденційної інформації чи передачі карти іншим особам, Вас може бути позбавлено акредитації без права відновлення.3. Збройні Сили України не несуть відповідальності за Ваші життя та здоров'я при перебуванні у зоні проведення бойових дій.4. Контактний телефон органу, який видав акредитацію: +380673661586, +380674621705.	

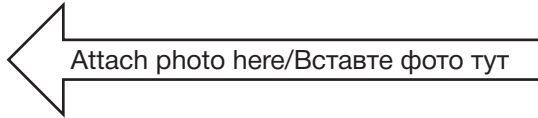
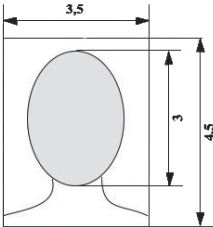
Armed Forces of Ukraine / Збройні Сили України



**Accreditation/Акредитація*
to be submitted at/надіслати на:
newsmodu@gmail.com**



First name, surname/ Прізвище, ім'я та по батькові _____
Date of Birth/ Дата народження _____
Country of origin /Країна походження _____
Country of residence/ Країна проживання _____
ID number**/ Номер та серія паспорта** _____
Phone number/ Email/ Телефон _____
Name of the media***/ Назва медіа*** _____
Position/ Посада _____
Journalist's ID/ Номер журналістського посвідчення _____
Photo/Фото: 3,5x4,5 cm/cm, Good quality/ Хороша якість _____



* *Please, send completed accreditations in .DOC format / Просимо надсилати заповнені акредитації у форматі .DOC*

** *Photo copies are to be attached to the request / Копії додаються до запиту*
Please, attach passport scans of a person(s) to be accredited and his/her journalist's ID(s) and photo. All the files need to be in good quality and relevantly titled.
До листа необхідно додати копію паспорту (1-2 сторінка), посвідчення журналіста та фотокартку. Всі файли мають бути відповідної якості та поіменовані.

*** *Letter by Editor-in-chief is to be attached to the request/Лист керівника медіа додається до запиту*

Important/ Важливо: the accreditation can be provided and remains valid only for media representatives equipped with body vests and helmets/акредитація надається і є чинною лише для тих представників медіа, які мають бронезилети та шоломи.

!!! NOTE / ДО УВАГИ !!!

! In the case of violations of the conditions of journalistic work, disclosure of confidential information or transfer of the card to other persons, you may be deprived of accreditation without the right to renew.

! The Armed Forces of Ukraine are not responsible for your life and health while in the combat zone.

AN EXAMPLE OF WRITING A TYPICAL REQUEST FROM THE MEDIA REGARDING PERFORMANCE OF PROFESSIONAL DUTIES*

**The request should preferably be printed on a company letterhead, which must include the media name and contact information*

From _____

To (name, position, address) _____

Dear Mr. _____,

We are approaching you with a request for an interview to the TV channel (name) for a news program. We are convinced that such a conversation will contribute to a better understanding of the situation in Ukraine by the audience and multilateral support of the state and citizens. Usually, the appearance of a variety of Ukrainian opinion leaders and military commanders improves understanding of the seriousness of the Russian invasion and will help increase cooperation between our countries, speeding up victory.

The TV channel (name) with a daily audience of __ million viewers is broadcast throughout the territory of _____, and has a _____ focus.

We are ready to talk with you at any time convenient for you. We are also prepared to agree on the details closer to the date of the interview.

We also request your permission to conduct an interview with (name, position) to discuss various aspects of Ukraine's struggle for freedom and independence during invasion of Ukraine by the Russian Federation. In particular, we would be very interested in talking to the following military officials:

Major General of the Armed Forces of Ukraine _____

Brigadier General of the Armed Forces of Ukraine _____

Lieutenant General of the Armed Forces of Ukraine _____

Sincerely,

Director, International News Department of TV channel _____

Name, position, email

Contact person, producer of the news TV channel,

name phone ____ - ____ - ____

HOTLINES AND CONTACT INFORMATION

Ministry of Defence of Ukraine

- Call centre of the Ministry of Defence of Ukraine:
Telephone: **0-800-500-442**,
e-mail: **zvern mou@ukr.net**
- Call centres at the Joint Command Centre of the United Forces, the Main Command Centres of the field forces of the United Forces, in the group of troops of the operational command “South” (around the clock) – multi-channel communication numbers **0800500410**, **(044) 454-44-99** (landline)
- Department of Finance of the Ministry of Defence for financial support and social benefits:
Telephone: **(044) 271-12-57**
- Regarding the facts of abuses by officials (thefts, illegal transactions in the receipt, write-off or procurement of property, completeness of financial support payments to servicemen, rewards to participants of the Joint Forces Operation, etc.):
Telephone: **(044) 243-44-74** (standby, around the clock), **(067) 556-90-98** (during working hours, from 9:00 a.m. to 6:00 p.m.)
- Regarding the fight against corruption in the Armed Forces of Ukraine:
Telephone: **(044) 454-44-21**
e-mail: **vzv k_mou@mil.gov.ua**
Postal address: 03168, Kyiv-168, 6 Povitroflotskyi Prospekt

General Staff of the Armed Forces of Ukraine

- Regarding military social security:
Telephone: **(044) 454-44-51**
e-mail: **antikorupzsu@ukr.net**
Postal address: 03168, Kyiv-168, 6 Povitroflotskyi Prospekt

Chief Military Prosecutor

Visiting address: 01011, Kyiv, 13/15 Riznytska Str.
Reception phone number: **(044) 280-10-20**,
e-mail: **korrupcia.cent r@gp.gov.ua**

Military Law and Order Service of the Armed Forces of Ukraine

Telephone: **(044) 456-73-03**

e-mail: **och_vsp@mil.gov.ua**

Postal address: Kyiv, 55/2 Prospekt Peremohy

Verkhovna Rada of Ukraine Commissioner for Human Rights

Hotline telephone: **0-800-50-17-20**

Postal address: 01008, Kyiv, 21/8 Instytutaska Str.

Government Commissioner for Gender Policy

Levchenko, Kateryna Borysivna

Telephone: **(044) 256-61-62**

e-mail: **levchenko@kmu.gov.ua**

Universal telephone number of the free legal aid system of the **Ministry of Justice of Ukraine: 0-800-213-103** (free from all landline and mobile phones). A phone number and address of the nearest centre of free legal aid throughout Ukraine can be provided here.

e-mail: **callcentre@minjust.gov.ua**

Postal address: 01001, Kyiv, 13 Horodetskoho Str.

Public organization “Legal Hundred”

Hotline telephone: **0-800-308-100**, 9:00 – 18:00, Monday – Friday,

e-mail: **volunteerslh@gmail.com**

Postal address: Kyiv, 61 Kostiantynivska str.

Public Relations Department of the Armed Forces of Ukraine

Bohdan SENYK

Telephone: **(097) 931-60-63**

e-mail: **press@post.mil.gov.ua, www.zsu.gov.ua**

Ground Forces Command of the AF of Ukraine

Volodymyr FITYO

Telephone: **(098) 770 1917**

e-mail: **press.ksv@post.mil.gov.ua**

Air Assault Troops Command of the AF of Ukraine

Valentyn SHEVCHENKO

Telephone: **(098) 720-07-39**

e-mail: **pressa_dshv@post.mil.gov.ua**

Special Operations Forces Command of the AF of Ukraine

Oleksandr KINDRATENKO

Telephone: **(063) 737-93-49**
e-mail: **press_sofcom@post.mil.gov.ua**

Territorial Defence Forces Command of the AF of Ukraine

Oleksiy DMYTRASHKIVSKYI
Telephone: **(096) 438-66-94**
e-mail: **tro.info@post.mil.gov.ua**

Medical Forces Command of the AF of Ukraine

Evhenia SLIVKO
Telephone: **(066) 704-13-76**
e-mail: **kms_zsu@post.mil.gov.ua**

Navy Command of the AF of Ukraine

Oleh CHALYK
Telephone: **(068) 944-53-00**
e-mail: **navypaoua@gmail.com**

Air Force Command of the AF of Ukraine

Yuriy IHNAT
Telephone: **(093) 292-63-63**
e-mail: **uaf@ps.mil.gov.ua**

Support Forces Command of the AF of Ukraine

Maxym KRAVCHUK
Telephone: **(068) 369-43-99**

Logistics Forces Command of the AF of Ukraine

Valeriy SHERSHEN
Telephone: **(097) 558-46-75**

Deputy Head of the Press and Information Department of the Ministry of Defence – Unit Head

Oleksandr HAIN
Telephone: **(063) 170-08-17**
www.mil.gov.ua

United Centre for the Coordination of Search and Release of Persons Illegally Deprived of Liberty due to the Armed Aggression of the Russian Federation

Telephone: **(067) 650 83 32** (Viber, WhatsApp)
(098) 087 36 01 (Viber, WhatsApp)
e-mail: **united.center.ssu@gmail.com**

V. REGULATORY AND LEGAL ACTS

Interaction of the Defence Forces (Armed Forces of Ukraine, as well as other military formations established in accordance with the laws of Ukraine, law enforcement and intelligence agencies, special purpose agencies with law enforcement functions, which, under the Constitution and the laws of Ukraine, are assigned with a functions of ensuring the Defence of the state – the Law of Ukraine “On National Security of Ukraine”) with civil society and mass media in the period of martial law are governed by the following:

- Helsinki Final Act of the Conference on Security and Cooperation in Europe, 1 August 1975;
- The UN Charter (1945);
- The Statute of the UN International Court of Justice (1945);
- Additional Protocol to the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949;
- Declaration on the Protection of Women and Children in Emergency and Armed Conflict adopted by a UN General Assembly resolution (1974). The said legal act requires unconditional compliance with IHL norms, especially prevention of violations and harassment of women;
- Universal Declaration of Human Rights (UN GA), 10 December 1948 (Article 19 and others);
- European Convention on Human Rights (Council of Europe), 1950 (Article 10, 15 and others);
- International Covenant on Civil and Political Rights (UN GA), 16 December 1966 (Article 19 and others);
- Constitution of Ukraine of 28 June 1996;
- Law of Ukraine “On the Legal Regime of Martial Law” dated 12 May 2015 (Bulletin of the Verkhovna Rada, 2015, No. 28, Article 250, as amended pursuant to Laws 2259-IX dated 12 May 2022);
- Law of Ukraine “On Approving the Decree of the President of Ukraine “On the Legal Regime of Martial Law” No. 2102-IX dated 24 February 2022;
- Law of Ukraine “On Public Associations” dated 22 March 2012;
- Law of Ukraine “On the Armed Forces of Ukraine” dated 06 December 1991;

- Law of Ukraine “On National Security of Ukraine” dated 21 June 2018;
- Law of Ukraine “On Volunteer Activities” dated 19 April 2011;
- Law of Ukraine “On Ensuring Equal Rights and Opportunities of Women and Men” dated 08 August 2005 (as amended, Article 21-1);
- Law of Ukraine “On Amending Certain Laws of Ukraine Regarding Prohibition of Production and Dissemination of Information Products Aimed at Promoting the Actions of the Aggressor State” dated 03 March 2022, No. 2109-IX;
- Law of Ukraine “On Amending the Criminal and Criminal Procedural Codes of Ukraine with respect to Ensuring Counteraction to Unauthorized Dissemination of Information on the Sending, Transferring of Weapons, Armaments and War Supplies to Ukraine, the Movement, Transfer or Placement of the Armed Forces of Ukraine or Other Military Formations Established in Accordance with the Laws of Ukraine, Committed during Martial Law or a State of Emergency” dated 24 March 2022, No. 2160-IX;
- Law of Ukraine “On Amending Certain Legislative Acts of Ukraine on Strengthening Criminal Liability for Production and Dissemination of Prohibited Information Products” dated 03 March 2022, No. 2110-IX;
- Law of Ukraine “On Amending Certain Legislative Acts of Ukraine Regarding Establishing Criminal Liability for Collaborative Activities” dated 03 March 2022, No. 2108-I;
- Law of Ukraine “On the Media” dated 13 December 2022, No. 2849-IX;
- Law of Ukraine “On Information” dated 02 October 1992, No. 2657-XII;
- Decree of the President of Ukraine, No. 487/2021, dated 27 September 2021 “On the National Strategy for Promoting the Development of Civil Society in Ukraine for 2021-2026”;
- Decree of the President of Ukraine, No. 473/2021, dated 17 September 2021 “On the National Security and Defence Council of Ukraine Decision dated 20 August 2021 “On the Strategic Defence Bulletin of Ukraine”;
- Decree of the President of Ukraine, No. 121/2021, dated 25 March 2021 “On the National Security and Defence Council of Ukraine Decision dated 25 March 2021 “On the Military Security Strategy of Ukraine”;
- Resolution of the Cabinet of Ministers of Ukraine, No. 573, of 08 July 2020 “Issues of Introducing and Implementing Certain Measures of the Legal Regime of Martial Law”;

- Resolution of the Cabinet of Ministers of Ukraine, No. 996, “On Ensuring Participation of the Public in the Shaping and Implementation of State Policy”;
- “Procedure for Establishing a Special Regime of Entry and Exit, Restriction of Freedom of Movement of Citizens, Foreigners and Stateless Persons, as well as Movement of Vehicles in Ukraine or in Some of Its Areas Where Martial Law Has Been Imposed” approved by the Resolution of the Cabinet of Ministers of Ukraine dated 29 December 2021, No. 1456;
- Decree of the Cabinet of Ministers of Ukraine dated 28 October 2020, No. 1544-r, “On Approving the National Action Plan to Implement the UN Security Council Resolution 1325 “Women, Peace and Security” for the Period until 2025” {as amended pursuant to the Decree of the Cabinet of Ministers, No. 1150, dated 16 December 2022};
- Decree of the Cabinet of Ministers of Ukraine dated 16 September 2020, No. 1128-r, “On Approving the Concept of Communication in the Field of Gender Equality”;
- Decree of the Cabinet of Ministers of Ukraine dated 27 January 2023, No. 79-r, “On Approving the Action Plan to Implement the Concept of Communication in the Field of Gender Equality”;
- Order of the Commander-in-Chief of the Armed Forces of Ukraine dated 03 March 2022, No. 73, “On the Procedure of Interaction between the Armed Forces of Ukraine, Other Components of the Defence Forces and Mass Media Representatives during the Legal Regime of Martial Law”.

