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Journalists matter: the need to step up efforts to liberate Ukrainian journalists held in captivity by the Russian Federation

Committee Opinion¹

Committee on Legal Affairs and Human Rights

Rapporteur: Ms Nadejda IORDANOVA, Bulgaria, Members not belonging to a Political Group

A. Conclusions of the committee

1. The Committee on Legal Affairs and Human Rights welcomes the report prepared by Ms Yevheniia Kravchuk (Ukraine, ALDE) for the Committee on Culture, Science, Education and Media and supports the draft resolution. Ms Kravchuk's report addresses the violations of international humanitarian law and crimes committed by the Russian Federation against Ukrainian journalists and media professionals in the context of the ongoing war of aggression against Ukraine, including targeted attacks resulting in deaths, unlawful detention, torture and enforced disappearances. The report rightly recalls that journalists working in areas of armed conflict are civilians and as such are protected by international humanitarian law (IHL).² As civilians, they cannot be attacked unless and for such time as they directly participate in hostilities. By contrast, journalists who travel under the protection and with the authorisation of the armed forces, without being members of the armed forces, are described as "war correspondents" under IHL and are entitled to prisoner of war status upon capture in an international armed conflict.

2. The report provides a well-documented overview of the Russian Federation's actions against Ukrainian journalists, including since the occupation of Crimea in 2014. It gives specific examples of journalists who have been killed or gone missing. The case of Victoria Roshchyna is particularly horrendous and was cited as an emblematic case of torture of civilian detainees in Mr Eerik-Niiles Kross' (Estonia, ALDE) report entitled "Legal and human rights aspects of the Russian Federation's aggression against Ukraine" (June 2025, [Doc. 16193](#), paragraph 42). Ms Kravchuk's report also refers to recent or ongoing investigations and court proceedings concerning violations of IHL and international human rights law committed by Russia against Ukrainian journalists. Of particular importance are the judgments delivered by the European Court of Human Rights ("the Court") in the *Ukraine v. Russia* inter-State cases. In both judgments of 24 June 2024 (concerning Crimea) and 9 July 2025 (concerning eastern Ukraine and the full-scale invasion of Ukraine beginning in 2022), the Court found patterns of violations ("administrative practices") of several Articles of the European Convention on Human Rights (ETS No. 5) against journalists. These included the unlawful suppression of non-Russian media; the unlawful deprivation of liberty, prosecution and/or conviction of "Ukrainian political prisoners" in Crimea for exercising their freedom of expression; the unlawful deprivation of liberty, ill-treatment and extrajudicial killing of journalists, and other serious interferences with the freedom to impart and receive information and ideas.

1. Reference to committee: [Doc. 16020](#), Reference 4822 of 28 June 2024. Reporting committee: Committee on Culture, Science, Education and Media. See [Doc. 16237](#). Opinion approved by the committee on 8 September 2025.

2. See Article 79 of Protocol Additional I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts ("Protocol 1").



3. The draft resolution acknowledges the importance of holding Russian officials accountable for the unlawful detention of Ukrainian journalists and the destruction of media infrastructure. This can be achieved either before the International Criminal Court (ICC) or before the criminal courts of member States under the principle of universal jurisdiction. The Committee on Legal Affairs and Human Rights supports the call made to this end in paragraph 18 of the draft resolution and notes that the unlawful detention of civilian journalists and deliberate military attacks against media infrastructure and professionals can amount to war crimes and/or crimes against humanity (if they are part of a widespread or systematic attack against a civilian population), under the ICC Statute.³ The committee also welcomes the proposal to strengthen the member States' and EU sanction regimes against those responsible for crimes against journalists.

4. The committee proposes to strengthen the draft resolution by adding a reference to the Russian Federation's obligation under the European Convention on Human Rights and international law to implement the Court's judgments in the *Ukraine v. Russia* inter-State cases. It also proposes to amend the paragraph calling States and the ICC to investigate and prosecute any incitement to commit relevant crimes, in order to align it with the ICC Statute.

B. Proposed amendments

Amendment A (to the draft resolution)

In the draft resolution, after paragraph 16.1, insert the following paragraph:

“implement the judgments of the European Court of Human Rights in the Ukraine v. Russia inter-State cases, delivered on 25 June 2024 and 9 July 2025, in particular by immediately releasing all journalists who were unlawfully detained and are still in the custody of the Russian authorities, and ensuring their safe return to the jurisdiction of the Ukrainian authorities;”

Amendment B (to the draft resolution)

In the draft resolution, replace paragraph 20 with the following paragraph:

“The Assembly calls on member States and the International Criminal Court to investigate and prosecute any direct and public incitement to commit genocide against the Ukrainian people, including through hate speech, disinformation and propaganda, notably those aiming to justify the war of aggression against Ukraine.”

C. Explanatory memorandum by Ms Nadejda Iordanova, rapporteur for opinion

1. Introduction

1. I would like to congratulate Ms Yevheniia Kravchuk (Ukraine, ALDE) for her report, which raises awareness of the situation of Ukrainian journalists and calls on the Russian Federation to release immediately all journalists detained in breach of international law, provide information to families and international bodies on the location and health conditions of these detainees, and ensure unhindered access for the ICRC and/or other independent humanitarian organisations to all places of detention. It is important to recall that the ICRC is mandated under the Geneva Conventions to have access to all places of detention holding prisoners of war and civilian detainees, which include Ukrainian journalists detained in Russia.⁴ The Parliamentary Assembly has already stated that the International Committee of the Red Cross (ICRC) should have immediate, safe and unimpeded access to all facilities where Ukrainian civilians are being detained, both in temporarily occupied territories and in the Russian Federation, in line with Article 143 of the Convention relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949 (Fourth Geneva Convention) (see [Resolution 2605 \(2025\)](#) “Legal and human rights aspects of the Russian Federation's aggression against Ukraine”, paragraph 11). Ukrainian journalists are civilians who must be protected by the Fourth Geneva Convention and other IHL rules applicable to civilians.

3. See Article 8(2)(a) and (b) for war crimes (wilful killing, torture or inhuman treatment, unlawful confinement, intentional attacks against civilian objects) and Article 7(1)(e) (f) and (i) for crimes against humanity (imprisonment, torture, enforced disappearance).

4. Article 143 of the Fourth Geneva Convention.

2. With regard to accountability, I fully support the proposal to call on the ICC and member States to prosecute and hold to account the Russian Federation's officials involved in the unlawful detention of Ukrainian journalists and destruction of media infrastructure. The practice of detention, enforced disappearance and torture of Ukrainian civilians by the Russian Federation has been deemed to constitute war crimes and crimes against humanity, as reiterated by the Assembly ([Resolution 2605 \(2025\)](#), paragraph 11) and other international bodies.⁵

3. My proposed amendments to the draft resolution are intended to strengthen it and ensure its accuracy with regard to international law. While paragraph 16.2 of the draft resolution calls on the Russian Federation to immediately release specific journalists detained in breach of international law, I consider that it is also very important to remind the Russian Federation of its continuing obligation to implement the Court's judgments delivered in the *Ukraine v. Russia* inter-State cases. This includes the release of all unlawfully detained journalists still in custody. With regard to prosecuting incitement to commit the relevant international crimes (war crimes, crimes against humanity, and genocide) before the ICC, I propose an amendment to bring this in line with the provisions of the ICC Statute.

2. Explanatory notes

2.1. Amendment A (to the draft resolution)

This amendment refers to the Russian Federation's obligation to implement the Court's judgments in the *Ukraine v. Russia* inter-State cases. In the first case (24 June 2024, Crimea), the Court found violations of Articles 3 (ill-treatment), 5 (unacknowledged detention) and 10 (unlawful detention, prosecution and conviction of the "Ukrainian political prisoners" in Crimea for exercising their freedom of expression and unlawful suppression of non-Russian media) of the Convention, partially with regard to journalists. The Committee of Ministers, in its decision of 6 March 2025, stated that the Russian Federation should release all illegally detained Ukrainian soldiers, ethnic Ukrainians, Crimean Tatars and journalists, as part of the implementation measures required. In the second inter-State case (9 July 2025), the Court found a violation of Article 10 of the Convention due to the intimidation, detention, ill-treatment and killing of journalists, among other issues. The Court explicitly stated, in the operative part of its judgment, that the Russian Federation must "without delay release or safely return all persons who were deprived of their liberty on Ukrainian territory under occupation by the Russian and Russian-controlled forces in breach of Article 5 of the Convention before 16 September 2022 and who are still in the custody of the Russian authorities". This includes journalists and more generally civilians.⁶ The proposed amendment aims to remind the Russian Federation of its obligation under international law and the Convention to implement these specific measures. Although Ms Kravchuk's explanatory memorandum accurately summarises the Court's judgments and the obligation to implement them, adding an explicit reference to this obligation would strengthen the wording and the legal basis of paragraph 16 of the draft resolution.

2.2. Amendment B (to the draft resolution)

The amendment aims to clarify that incitement to commit war crimes and crimes against humanity is not criminalised as an independent offence under the ICC Statute. Only the direct and public incitement to commit genocide is expressly criminalised as an independent offence, under Article 25(3) (e) of the Statute. This reflects Article III of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, which also prohibits the direct and public incitement to commit genocide. For war crimes and crimes against humanity, the ICC Statute establishes liability for ordering, soliciting, inducing, aiding, or abetting their commission, but does not criminalise incitement per se unless it amounts to one of those accessory roles. Since the current wording of paragraph 20 of the draft resolution refers to hate speech, disinformation, and propaganda as possible means of inciting these crimes, it is more appropriate to refer in this context to "direct and public" incitement and to limit this paragraph's scope to the crime of genocide.

5. [Ukraine: Enforced disappearances committed by Russian authorities amount to crimes against humanity, says UN Commission of Inquiry | OHCHR, March 2025.](#)

6. See paragraph 1115 of the judgment.