



LEGAL PROTECTION OF PRESS FREEDOM IN THE INTERNATIONAL ARMED CONFLICT IN UKRAINE (CASE STUDY OF THE RUSSIA-UKRAINE WAR 2014–2022)

Anastasya Rifatia Zahra

University of Mataram

Email : anastasyazahra9@gmail.com

Zunnuraeni

University of Mataram

Email : zunnuraeni17@unram.ac.id

Abstract

This research examines the protection of press freedom under international law during the armed conflict in Ukraine from 2014 to 2022, marked by Russia's annexation of Crimea and subsequent military invasion. The purpose of this study is to analyze legal protection regulations and propose mechanisms for safeguarding press freedom. This research uses a normative juridical approach, utilizing conceptual analysis, international treaties, and case studies. The legal materials used consist of primary, secondary, and tertiary legal sources, analyzed qualitatively through grammatical, systematic, historical, and teleological interpretation methods. The findings show that provisions under International Humanitarian Law, such as the 1949 Geneva Conventions and Additional Protocol I of 1977, primarily focus on the protection of individual journalists as stipulated in Article 79, without extending such protection to press institutions as civilian objects. This normative gap leaves media organizations vulnerable to various violations, both physical and non-physical, including censorship, restrictions on access to information, and attacks on broadcasting infrastructure. Therefore, strengthening and amending international humanitarian law—integrated with international human rights instruments—is necessary to ensure that press freedom as an institution receives comprehensive and effective legal protection during international armed conflicts. This would also preserve the press's role as a pillar of democracy and a means of public oversight.

Keywords: *International Humanitarian Law; Press Freedom; International Armed Conflict; Legal Protection; Ukraine.*

A. INTRODUCTION

The international armed conflict that has occurred in Ukraine since 2014, marked by Russia's annexation of Crimea and a massive military escalation in 2022, has had a significant impact on various sectors of life, including press freedom. In this conflict situation, press freedom faces serious pressure in the form of restrictions on access to information, censorship of independent media, disinformation, and attacks on broadcasting infrastructure. This condition threatens the right of the international community to obtain accurate and independent information about the war situation.

Press freedom is one of the main pillars in ensuring public transparency and accountability, especially in times of armed conflict. In the context of international law, the role of the press is not only important as a conveyor of information, but also as a

watchdog against potential violations of humanitarian law and human rights. But in practice, press institutions in Ukraine face restrictions and attacks that hinder freedom of information. The government and armed parties often control the media for political and military interests, so press freedom is one of the victims of the conflict.

International Humanitarian Law (IHL) provides for the protection of individuals who are not directly involved in the fighting, including journalists serving in conflict zones. This provision is stipulated in Article 79 of the 1977 Additional Protocol I to the 1949 Geneva Convention, which states that journalists who perform dangerous tasks in conflict areas must be considered civilians. However, the provision does not include the protection of press institutions as institutional entities that have an important function in the dissemination of information and social control.

Real-life cases such as the closure of *Dozhd TV broadcasts* by the Ukrainian government in January 2017 and attacks on independent news agencies demonstrate the weak protection of international law against press institutions. Reports from *Reporters Without Borders* (RSF) and UNESCO noted an increase in violence against journalists, cyber hacking, and restrictions on access to information in Russian-occupied territories. This shows that international humanitarian law has not been effective enough in guaranteeing press freedom on the battlefield.

International legal instruments such as the 1949 Geneva Convention, the 1977 Additional Protocol I, the *Universal Declaration of Human Rights* (UDHR), and the *International Covenant on Civil and Political Rights* (ICCPR) do recognize the right to freedom of expression and the right to information (Article 19 of the UDHR and the ICCPR). However, there is no international legal instrument that explicitly provides protection for press institutions in the context of international armed conflict. UN resolutions and UNESCO declarations such as the *Windhoek Declaration* (1991) are only moral and recommendative.

Therefore, this study aims to analyze how the legal regulation of press freedom in international armed conflicts, especially in the context of the Russia-Ukraine conflict, as well as identify existing legal vacancies. This research also seeks to provide normative solutions to strengthen the legal protection of press institutions as protected civilian objects, through harmonization between International Humanitarian Law and International Human Rights Law.

B. METHOD

The research method used is normative juridical legal research that focuses on written laws or regulations related to the legal protection of press freedom in the armed conflict in Ukraine such as in armed conflict. International Humanitarian Law, such as the 1949 Geneva Convention and Additional Protocol I of 1977 to the 1949 Geneva Conventions on the Protection of Victims of International Armed War, are connected to several cases in this study.

The approach methods carried out in this study are conceptual approaches, international agreements, and case approaches that are sourced from primary, secondary, and tertiary legal materials, including written rules, books, journals, investigation results, and others. Data collection is carried out through literature studies and then

collected and analyzed by researchers by involving existing cases, as the subjects studied in this study and related to legal protection of press freedom.

C. ANALYSIS AND DISCUSSION

1. Arrangements for Legal Protection of Press Freedom in International Armed Conflict Based on International Humanitarian Law

Freedom of the Press is a right granted by constitutional or legal protection related to the media and published materials such as dissemination, printing and publishing [newspapers](#), [magazines](#), books or other materials without any interference or censorship treatment from the government.¹ International law recognizes freedom of the press as part of freedom of expression mentioned in Article 19 of the DUHAM which reads:

“Everyone has the right to freedom to have and express opinions; in this case includes the freedom to hold opinions without interference, and to seek, receive and convey information and opinions in any way and without regard to limits.”²

As well as Article 19 paragraph (2) of the ICCPR which reads:

*“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”*³

Both instruments affirm that everyone has the right to seek, receive, and disseminate information through any media regardless of territorial boundaries. The role of the United Nations (UN) is actively promoting press freedom. For example, the UN General Assembly has designated May 3 as *World Press Freedom Day* through UN General Assembly Resolution 48/432 of 1993.⁴ This commemoration underscores the importance of member states’ commitment to respect press freedom.

In International Humanitarian Law, one of the principles that must be obeyed by parties involved in armed conflict is the principle of *distinction*. This principle requires the warring parties to clearly distinguish between combatants and civilians, as well as military objects and civilian objects, in every military action carried out. This obligation is affirmed in Article 48 of Additional Protocol I of 1977 to the Geneva Conventions of 1949 which reads:

“In order to ensure respect and protection for civilians and civilian objects, the Parties to a dispute must at all times distinguish civilians from combatants and between civilian objects and military targets and must therefore direct their operations only towards military objectives.”⁵

The article states that the warring parties must distinguish between civilians and combatants and between civilian objects and military targets against military targets.

1 Holy. “What is Freedom of the Press? Here is the Definition and Examples”. <https://www.detik.com/jateng/berita/d-6701522/apa-itu-kebebasan-pers-berikut-pengertian-dan-contohnya>. *detikjateng*. Retrieved 15 September 2025.

2 Universal Declaration of Human Rights (DUHAM), UN General Assembly Resolution No. 217 A (III), December 10, 1948, Article 19.

3 Kovenan Internasional tentang Hak-Hak Sipil dan Politik (ICCPR), diadopsi 16 Desember 1966, mulai berlaku 23 Maret 1976, Pasal 19 ayat (2).

4 UNESCO. 1991. *Windhoek Declaration on Promoting an Independent and Pluralistic African Press* (in the version republished by UNESCO after the establishment of World Press Freedom Day in 1993). Windhoek, Namibia: UNESCO.

5 Director General of General Legal Administration, Ministry of Justice and Human Rights of the Republic of Indonesia, *Additional Protocol I to the Geneva Conventions, August 12, 1949*, Article 48, Jakarta, 2003. accessed September 20, 2025

In this context, a press institution as an object that includes news offices, broadcasting studios, information channels, and communication infrastructure, is legally categorized as a civil object. As long as these institutions are not directly used for military purposes or make an effective military contribution to the warring party, they are within the protection of the law. This is emphasized in Article 52 paragraph (1) of Supplementary Protocol I which reads:

“Civilian objects should not be targeted for attacks or restrictive measures. Civilian objects are all objects that are not military targets as formulated in paragraph (2).”⁶

Based on Article 52 paragraph (1) of Additional Protocol I of 1977 to the Geneva Conventions of 1949, civilian objects are all objects that are not military targets, and therefore must not be attacked. Press institutions, news offices, broadcasting stations, and other means of communication are included in the category of civilian objects as long as they are not used for military purposes.

This provision provides a legal basis for the protection of the press in situations of armed conflict. However, this protection is limited, as the concept of protection of civilian objects in international humanitarian law essentially focuses on physical threats, such as armed attacks on media facilities or journalists. In the development of modern warfare, threats to press freedom come not only in the form of physical attacks, but also in the form of non-physical attacks, such as censorship, disinformation, digital intimidation, cyber hacking, and restrictions on access to information sources.

In the context of the international armed conflict in Ukraine, non-physical forms of threats such as disinformation and organized propaganda are further exacerbating the conditions of press freedom. Disinformation spread through digital media is used as a tool to manipulate public opinion and undermine the credibility of independent press institutions. From the perspective of international humanitarian law, such acts are often categorized as *ruses of war* that are not prohibited under Article 37 paragraph (2) of Additional Protocol I of 1977 to the Geneva Conventions of 1949, which states:

“Deception in war is not prohibited. Such deception is an act intended to mislead an enemy or to induce him to act carelessly, but which does not violate the provisions of international law applicable in armed disputes and which does not constitute cunning because the deception invites the confidence of an enemy with respect to protection under international law...”

Although deception in war is not prohibited, its application in the modern context often touches the realm of public information. Strategic disinformation can hinder the function of press institutions in conveying the truth to the international community, as well as causing confusion and lowering trust in the media. Thus, although press institutions are legally recognized as civilian objects, the protection afforded by international humanitarian law has not been able to reach complex forms of non-physical threats, such as disinformation and *information warfare*.

Press freedom in situations of armed conflict has an important role to play in ensuring transparency and accountability for violations of humanitarian law that occur. The media and journalists are key actors in documenting facts on the ground, including potential war crimes, human rights abuses, and abuses of power by warring parties. However, when the media faces pressure from the military or political side,

6 *Ibid.*, Article 52 paragraph (1).

either through physical restrictions or control of the flow of information, the function of public oversight becomes hampered.

International humanitarian law recognizes the role of journalists through Article 79 paragraph (1) of Additional Protocol I of 1977, which states:

“Journalists who perform dangerous job duties in areas of armed conflict shall be considered as civilians within the meaning of Article 50 paragraph (1).”

This provision affirms that journalists are entitled to the same protection as other civilians as long as they are not directly involved in hostilities. However, this provision has not provided special protection for press institutions institutionally. Protection of civilian objects like this is also limited to threats of a military nature and does not include non-physical threats that are increasingly dominant in the digital era.

2. Limitations of International Humanitarian Law Provisions

Although international humanitarian law provides protection for civilians and civilian objects in armed conflict, existing provisions still have limitations in guaranteeing legal protection of press institutions as an object. The protection available is more focused on individual journalists than on media institutions as an institution, even though the existence and operationalization of press institutions in armed conflicts are highly vulnerable to attacks, censorship, dissolution, and manipulation of information.

In general, international humanitarian law has stipulated that civilians and civilian objects should not be targeted. However, the provision is still oriented towards physical threats, such as military attacks on civilian infrastructure or facilities. In the development of modern conflicts, threats to press freedom are not only physical, but also non-physical, such as cyberattacks, disinformation, propaganda terorganisir, pembatasan akses terhadap informasi publik, hingga tekanan politik terhadap lembaga media. Dengan demikian, Although the protection of civilian objects has been recognized, international humanitarian law has not been able to provide comprehensive protection for press freedom in the context of information warfare and media digitalization.

2.1 The focus of Additional Protocol 1 (Article 79) is on journalists, not the media as an institution

One concrete example of this limitation can be seen in Article 79 of the 1977 Additional Protocol I to the Geneva Conventions of 1949, which reads as follows:

“Journalists who perform dangerous work duties in areas of armed conflict shall be considered as civilians within the meaning of Article 50 paragraph (1).”⁷

The provision affirms that journalists who perform dangerous tasks in areas of armed conflict should be treated as civilians, and therefore entitled to protection as long as they are not directly involved in hostilities. However, the focus of this protection is limited to journalists as individuals, and does not include the media institutions that house them.

Thus, in the event of an attack on news offices, broadcast studios, broadcast towers, or communication networks used by press institutions to disseminate information, international humanitarian law does not provide specific provisions that guarantee the protection of the press as an institution. Protection of the media relies only on general provisions regarding civil objects as stipulated in Article 52 of Additional Protocol I of

7 *Ibid.*, Article 79.

1977 to the Geneva Conventions of 1949. This shows that there is no equal written protection between journalists and media institutions, even though both exercise equally important journalistic functions in the context of armed conflict.

This limitation can be seen from the case of the attack that occurred on May 15, 2021 on the al-Jalaa Tower located in Gaza City, Palestine. According to reports, the attack was carried out by the Israeli military by targeting a 12-story building containing the offices of international media such as *Al Jazeera* and *the Associated Press*.⁸ The attack was carried out by the Israeli military under the pretext that the building was being used for military purposes. This incident reflects the weak institutional protection of press institutions in international humanitarian law, as there is no specific legal instrument governing the protection of the media from such attacks.

In addition to physical attacks, the limitations of international humanitarian law are also seen in the lack of regulation regarding non-physical attacks on press institutions. This kind of attack can be in the form of a broadcast network shutdown, a decrease in radio frequencies, a cyberattack that cripples the editorial system, or an administrative action that impedes journalistic activities. Although non-physical attacks are difficult to identify and prove, their impact on press freedom is just as significant as physical attacks, as they both limit the media's ability to disseminate information to the public.

In the modern context, disinformation and information warfare have become one of the most serious forms of non-physical threats. The spread of fake news and data manipulation by conflicting parties is used to shape public opinion, discredit independent media, and obscure facts on the ground. However, international humanitarian law still considers these forms of attacks to be part of "*ruses of war*" that are not prohibited, as stipulated in Article 37 paragraph (2) of Additional Protocol I of 1977. This creates a legal loophole because it allows the practice of disinformation to develop indefinitely in the context of conflict, thereby further weakening the functioning of press institutions.

2.2 Absence of Explicit Recognition of Press Institutions as Objects in Need of Special Legal Protection

International Humanitarian Law does not explicitly mention press institutions as objects that should be given special legal protection, any more than hospitals, places of worship, or installations that have special protection symbols are allowed. In fact, in the provisions of HHI, civilian objects must still receive protection unless they are proven to make an effective contribution to military action.

In this context, civilian objects are defined as all objects that are not included in the category of military targets, as explained in Article 52 paragraph (1) of Additional Protocol I of 1977 to the Geneva Conventions of 1949. Civilian objects include buildings, infrastructure, and non-military facilities such as residential houses, schools, hospitals, places of worship, and media offices. All of these objects should not be targeted for attack because they have no direct contribution to military operations.

On the other hand, military objects as referred to in Article 52 paragraph (2) are objects that effectively contribute to military actions and if their destruction provides a definite and direct military advantage. However, a civilian object can lose its protected

8 Human Rights Watch, *Gaza: Israel's May Airstrikes on High Rises*, retrieved October 27, 2025, from <https://www.hrw.org/news/2021/08/23/gaza-israels-may-airstrikes-high-rises>. Retrieved 27 October 2025

status if it is used to support military operations directly.⁹ The term “directly supporting military operations” must be interpreted narrowly. This means that the civilian object was actively and directly used for military purposes at the time of the attack.

For example, a television station used to broadcast propaganda to recruit new combatants or demoralize an enemy may lose its civilian status. However, media that only cover or broadcast information about the conflict cannot be considered legitimate military targets. Thus, international humanitarian law should provide a clear boundary between the use of the media for military purposes and its function as a means of public information.

The absence of norms regarding special protection for press institutions poses difficulties in the enforcement of international law accountability. When an attack occurs on a media office or press facility, there is no specific legal instrument that can be used to assess the legality of the attack on the press as an institution. The existing provisions are still general, thus opening up a wide space of interpretation and potentially being abused by the parties to the conflict to justify their actions.

Thus, it is necessary to establish a legal instrument or special article in International Humanitarian Law that explicitly provides protection for press freedom, both from physical and non-physical threats. This is important because violations of press freedom are not only in the form of armed attacks, murders of journalists, or destruction of media facilities, but also include actions such as the disconnection of broadcasting networks, restrictions on access to public information, and systematic censorship of news. These forms of non-physical violations have a serious impact on the international community's right to obtain correct information in situations of armed conflict.

Thus, the main problem lies not in the absence of the term “press” in the regulation, but in the inability of the concept of protection of civilian objects to respond to the challenge of complex forms of non-physical threats. Press institutions are not just civil infrastructure, but part of an international public accountability mechanism. Therefore, international humanitarian law needs to develop in order to be able to provide comprehensive protection for the media, both physically and digitally, in order to guarantee press freedom in the midst of international armed conflicts.

3. Press Freedom as an Institutional Right in International Human Rights Law

The limitations of the regulation in international humanitarian law in International Humanitarian Law on press institutions as civilian objects as described by the author previously, make it important to refer to the framework of International Human Rights Law as a complement to the legal protection of press freedom, especially in the context of armed conflict. Human rights law expressly guarantees freedom of opinion and freedom of expression, including freedom of the press, not only as an individual right but also as an institutional right inherent in press media institutions as public information channels.

In this context, press freedom is seen not only as an individual right of journalists, but also as an institutional right of the media that has an important social and political function in guaranteeing the right of the public to obtain true, objective, and independent

9 Director General of General Legal Administration of the Ministry of Justice and Human Rights of the Republic of Indonesia. *Additional Protocol I to the Geneva Conventions of August 12, 1949*, Article 52 paragraph (2), Jakarta, 2003.

information. Press institutions play the role of *watchdogs*, means of public accountability, and a link between the public and the reality on the ground, including in situations of international armed conflict. Therefore, restrictions or attacks on press institutions are directly a threat to the public's right to information and truth.

3.1 Article 19 of the DUHAM and ICCPR as the Basis for the Right of Press Institutions to Disseminate Information

The Universal Declaration of Human Rights (DUHAM) in Article 19 affirms that:

“Everyone has the right to freedom to have and express opinions; in this case includes the freedom to hold opinions without interference, and to seek, receive and convey information and opinions in any way and without regard to limits.”¹⁰

This provision is reaffirmed in Article 19 paragraph (2) of the *International Covenant on Civil and Political Rights* (ICCPR), which states that everyone has the right to freedom of expression, including the freedom to seek, receive, and convey information and ideas, whether orally, in writing, print, or through other media.

These two human rights instruments do not explicitly mention press institutions as legal subjects that must be protected. However, in substance, both affirm that the right to information includes the freedom of the press in carrying out its functions, because the right to seek, receive, and disseminate information is impossible to achieve without the existence of free and independent media institutions. Thus, the protection of press freedom also means the protection of media institutions which play a role as the main means of realizing the public's right to information.

Within the framework of international human rights, press freedom also includes the state's obligation to guarantee the existence and freedom of media institutions. The state not only has a responsibility not to commit violations (*negative obligation*), but also has a positive obligation to prevent, protect, and take action against any actions that threaten press freedom, including from non-state parties or armed groups. This includes the state's obligation to protect the media from attacks, intimidation, censorship, as well as restrictions on information that are disproportionate to national security reasons.

3.2 The relevance of human rights principles to the institutional protection of the press in situations of international armed conflict

In the context of armed conflict, Human Rights Law remains in force at the same time as International Humanitarian Law, as the two are complementary to each other. This principle is affirmed in various jurisprudence and UN resolutions, which state that although some human rights may be restricted in an emergency or war, the right to freedom of expression and information must still be respected within the limits permitted by international law.

This was affirmed by the UN Human Rights Committee in *General Comment No. 34* on Article 19 of the ICCPR,¹¹ which affirms that restrictions on freedom of expression can only be applied if they are absolutely necessary to protect national security, public order, health, or public morals, and should not be done arbitrarily or with the aim of

¹⁰ Universal Declaration of Human Rights (DUHAM), UN General Assembly Resolution No. 217 A (III), December 10, 1948, Article 19.

¹¹ General Comment No. 34 on Article 19: Freedoms of opinion and expression, UN Human Rights Committee, 29 July 2011. <https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf> Diakses pada 20 September 2025.

silencing criticism. This principle is important to prevent the abuse of the pretext of “national security” by the state in limiting the role of the media in times of conflict.

Press freedom guaranteed by international human rights instruments must also be distinguished from *hate speech* that can incite violence and genocide. Freedom of the press includes the right to express diverse views, even those critical of the government or authorities. However, this right is not unlimited, as its abuse to incite hatred, discrimination, or violence against certain groups may be considered a violation of international law, as affirmed in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

Thus, freedom of the press also contains moral and legal responsibilities, namely the obligation to use freedom of expression responsibly and not violate human principles. However, this responsibility should not be used as an excuse to excessively restrict media freedom or to justify repressive actions against journalists and press institutions.

In practice, international reports show that many countries involved in armed conflicts use the pretext of national security to limit the media’s space for movement. This is the case, for example, in the conflict in Ukraine, where the governments of both sides impose restrictions on media deemed “potentially harmful to stability” or “spreading enemy propaganda”. In fact, these kinds of restrictions are often used to control public narratives and hinder access to independent information.

This situation shows that International Human Rights Law has a very important relevance in strengthening the legal protection of press freedom in times of conflict. Instruments such as the DUHAM and the ICCPR provide normative legitimacy that the media has the right to operate freely and independently, both in peace and in war.

However, the challenge that arises in the modern era is that threats to press freedom are now more non-physical, such as digital censorship, cyberattacks, restrictions on internet access, and organized disinformation. These threats have not been fully anticipated by the existing international legal framework, both by Humanitarian Law and Human Rights Law. Therefore, there needs to be a new approach that integrates physical and digital protection for press institutions.

Press freedom as an institutional right is also related to the right to *truth*, namely the right of the international community to know the facts about violations of the law and human rights. In armed conflict, press institutions play an important role in ensuring transparency and accountability of the parties to the conflict. When the media is silenced, attacked, or influenced through information manipulation, the right to public truth is also violated. Therefore, in the context of international armed conflict, the protection of press freedom must be interpreted more broadly, including physical and non-physical dimensions, as well as the protection of individual journalists and media institutions. Strengthening an international legal framework that is more adaptive to the reality of information warfare is urgent to ensure press freedom as a pillar of democracy and an instrument of global surveillance against violations of humanitarian and human rights laws.

4. Norm Void and Its Effect on the Protection of Press Institutions

The combination of the limitations of the provisions in International Humanitarian Law and the general nature of the protections afforded by International Human Rights

Law has created a significant gap in norms regarding the protection of press institutions in situations of armed conflict. This vacuum has a direct impact on the high risks faced by media institutions, both in the form of physical attacks, such as bombings of media offices and broadcasting infrastructure, and non-physical violations, such as communication network shutdowns, systematic censorship, restrictions on access to public information, and cyberattacks on editorial systems.

The absence of norms that specifically regulate the protection of press freedom has led to a weak mechanism of legal accountability for the state and non-state actors who commit violations. In fact, press institutions have a vital function as information conveyors and social supervisors which are part of the principle of transparency in international law. Therefore, there is a need for special provisions in international humanitarian law that not only protect individual journalists, but also protect the existence and institutional function of the press as the main means for the international community to obtain correct and objective information.

4.1 Absence of a mechanism of legal responsibility for attacks/infiltration into the media

International Humanitarian Law does prohibit attacks on civilian objects, including media facilities, as long as they are not used for military purposes. However, until now there is no legal mechanism that expressly regulates the responsibility of the state or non-state actors for attacks aimed at press institutions, especially non-physical ones such as disinformation, information sabotage, or digital attacks.

As a result, the assessment of the legality of an attack on the media is often subjective and influenced by the political narrative of the warring parties. In some cases, media outlets that deliver critical reports are considered “biased” to one side and are targeted for restriction, intimidation, or attack. This situation presents a serious gap in the international accountability mechanism, due to the absence of firm legal parameters for assessing the form of non-physical attacks on the media.

Even when there are attacks that clearly violate the principles of *distinction* and proportionality, international accountability mechanisms such as *the International Criminal Court (ICC)* or ad hoc courts rarely specifically adjudicate cases related to the destruction of press institutions. This is different from attacks on hospitals, humanitarian facilities, or places of worship that have special protection symbols, making it easier to qualify as *grave breaches*.

The absence of this arrangement means that violations of press institutions often do not receive an adequate legal response at the international level. For example, an attack on a broadcast tower in Ukraine that cut off a national communications network is not categorized as a serious violation because it is considered not to cause direct casualties, even though the impact is very large on the freedom of public information.

In addition, modern forms of attacks on the media are not only in the form of physical destruction, but also digital infiltration and the takeover of information systems. Cyber hacking, data manipulation, and the spread of digital propaganda have become new strategies in contemporary conflicts to undermine independent media. However, the international legal framework does not yet have sufficient norms to assess and take action against such violations. As a result, an armed state or group can carry out an information attack without clear legal consequences.

4.2 The press as a non-combatant party but at high risk in the field of conflict

In principle, press institutions are non-combatants who should not be used as military targets. This is in accordance with the basic principles of International Humanitarian Law which require a distinction between combatants and non-combatants, as well as between military targets and civilian objects. However, in practice, the media's strategic role in disseminating information and shaping public opinion often makes it considered a threat by warring parties, especially when media coverage is not in accordance with certain political or military interests.

In various international armed conflicts, including the war in Ukraine, there is a systematic pattern in which press institutions are targeted for attack, both through direct violence and non-physical strategies such as censorship, broadcast blocking, cyberattacks, and disinformation campaigns. These actions not only silence the media, but also serve as a means of information control by conflicting parties.

For example, in the Ukraine conflict, independent media outlets trying to report on the real situation on the ground often face access restrictions, broadcast blocks, and even intimidation of their journalists. In addition, Russia and Ukraine both use information strategies to influence international public opinion, both through propaganda that spreads certain political narratives and through restrictions on foreign media in their respective regions.

This condition is exacerbated by the absence of an effective international legal mechanism to enforce the protection of press institutions. Although the media is legally classified as a civil object, the protection provided is declarative and not followed by a clear law enforcement system. This puts press institutions in a very vulnerable and high-risk position, even when they are carrying out their journalistic functions in a neutral manner.

This weakness shows that international humanitarian law is still oriented towards conventional physical threats, while modern warfare has shifted to a form of information warfare that uses the media as a strategic tool. In this context, legal protection of press freedom should be extended not only to the physical dimension but also to the non-physical dimension, including cyberattacks, disinformation, and control of public narratives.

Therefore, it is necessary to strengthen international legal instruments through the establishment of new norms that recognize press institutions as strategic civil entities that have a vital social function in maintaining the transparency of conflicts. This recognition is important so that any form of attack, both physical and non-physical, can be categorized as a serious violation of international humanitarian law and human rights. With these norms in place, the responsibilities of states and non-state actors can be enforced more effectively to ensure comprehensive protection of press freedom in the area of international armed conflict.

5. Implementation of Protection of Press Freedom as an Institution in the International Armed Conflict in Ukraine

The implementation of the protection of press freedom in the international armed conflict in Ukraine shows that there is a huge gap between the norms of international law and the reality on the ground. Although press institutions are normatively recognized

as civilian objects protected by International Humanitarian Law, practice on the ground shows that the media is often the target of military and political strategies, both by Russia and Ukraine.

From the beginning of the conflict in 2014 to the full-scale invasion in 2022, press institutions have faced various forms of violations ranging from restrictions on access to information, physical attacks on media infrastructure, to non-physical attacks such as censorship, cyberattacks, and disinformation that undermine the credibility of press institutions. This condition proves that legal protection of press freedom is still partial and has not been able to anticipate the multidimensional threats faced by the media in modern conflict terrains.

5.1 Violations of Press Freedom as an Institution in the Russia-Ukraine Conflict

In the occupied Donetsk and Luhansk regions, pro-Russian separatist groups seized and took over Ukraine's broadcasting infrastructure, replacing national channels with pro-Kremlin media to control the flow of information. In Russia alone, almost all independent media are banned, blocked, or labeled as "foreign agents," while the remaining media are strictly controlled by the state.¹²

Even in Ukraine, the government is imposing restrictions on media deemed a threat to national security, including a ban on broadcasting of certain television stations. Since 2022, three opposition television channels *Espresso*, *Priamyi*, and *Channel 5* have been shut down by the Ukrainian government because they are considered to have the potential to weaken national stability.¹³

Independent media in Russia are also forced to self-censor, with threats of dissolution or imprisonment if they violate state policy. Media outlets such as *Meduza* and *TV Rain* are branded as "undesirable organizations,"¹⁴ while their journalists are intimidated or forced out of the country. Instead, the remaining national media are under the control of the government or political allies, with editorial guidelines prohibiting reporting critical of military policies.¹⁵

These conditions show that although press freedom is guaranteed in the norms of international law, political and military pressure has caused many press institutions to lose their autonomy and independence. Such pressure is a form of non-physical attack on press freedom because it limits the media's ability to carry out its journalistic functions freely.

5.2 Attacks on Press Infrastructure and Operations

Since Russia's massive invasion in February 2022, there has been a significant increase in direct attacks on Ukraine's media infrastructure. Television transmitter

12 Reporters Without Borders, *Russia Country Profile*, RSF World Press Freedom Index 2025. <https://rsf.org/en/country/russia#:~:text=Since%20Russia%E2%80%99s%20large,are%20subject%20to%20military%20censorship> Diakses pada 21 September 2025.

13 Reporters Without Borders, *Ukraine: RSF sends new government five key recommendations to protect press freedom*, <https://rsf.org/en/ukraine-rsf-sends-new-government-five-key-recommendations-protect-press-freedom#:~:text=improved%20by%20establishing%20a%20working,they%20have%20been%C2%A0excluded%20since%202022>. Diakses pada 21 September 2025.

14 Reporters Without Borders, *Russia Country Profile*, RSF World Press Freedom Index 2025. <https://rsf.org/en/country/russia#:~:text=Since%20Russia%E2%80%99s%20large,are%20subject%20to%20military%20censorship> Diakses pada 21 September 2025.

15 *Ibid*.

towers in Kyiv, Lysychansk, Kharkiv and Korosten were targeted by missile attacks, causing dozens of television and radio channels to cease operations.¹⁶

Reporters Without Borders (RSF) reported to the *International Criminal Court (ICC)* that the attack on the broadcast tower should be categorized as a war crime,¹⁷ as it targeted civilian communications facilities that have vital public functions. On the other hand, since 2014 pro-Russian separatists have also taken over news outlets and radio stations in Donbass, replacing independent broadcasters with pro-Kremlin propaganda.

In addition to physical attacks, Ukraine's independent media is facing a wave of systematic cyberattacks. Monitoring organizations have recorded dozens of *hacking* and *Distributed Denial of Service (DDoS)* incidents against Ukrainian news sites since 2022.¹⁸ According to the *European Centre for Press & Media Freedom (ECPMF)*, there were at least 64 cyberattacks, 2 interceptions of journalistic data, and 7 raids on media offices or journalists' homes during the conflict.¹⁹

These kinds of attacks show that the threat to press freedom is no longer limited to physical violence, but also includes a digital dimension capable of crippling journalistic activities without causing direct casualties. However, such non-physical attacks are often not categorized as serious violations in international law, as there are no provisions that explicitly provide for the protection of information systems and digital media infrastructure as part of a civilian object.

5.3 Disinformation as a Threat to the Integrity of Press Institutions

In addition to physical and digital attacks, disinformation and propaganda are the most serious threats to the integrity of press institutions in Ukraine. Both sides in the war used information strategies to shape international and domestic public opinion.

Russia's official media massively spread **conspiratorial narratives** such as allegations of the existence of "Nazi Ukraine" or "US biological weapons laboratories," which were later proven to be unfounded.²⁰ Meanwhile, the Ukrainian government has also put forward a narrative of defending democracy and nationalism to strengthen public solidarity, although some consider the information policy to limit diversity of views.

This centralized information campaign has been criticized by various international parties because it has the potential to create polarization of information and lower public trust in independent media.²¹ *Reporters Without Borders (RSF)* highlighted that large-scale propaganda from Russia aims to undermine the credibility of Ukraine's independent media and mislead the global community about the facts on the ground.

Within the framework of humanitarian law, Article 37 of Additional Protocol I to the 1949 Geneva Convention distinguishes between permissible *ruses of war* and prohibited

16 Reporters Without Borders, *RSF refers Russian strikes on four Ukrainian TV towers to International Criminal Court*, <https://rsf.org/en/rsf-refers-russian-strikes-four-ukrainian-tv-towers-international-criminal-court#:~:text=Reporters%20Without%20Borders%20radio%20stations%20have%20been%20affected>. Diakses pada 22 September 2025.

17 *Ibid.*

18 European Centre For Press & Media Freedom, *Three Years of War: The Reality for Ukrainian Media*, <https://www.ecpmf.eu/three-years-of-war-the-reality-for-ukrainian-media/#:~:text=Infrastructure>. Diakses pada 22 September 2025.

19 *Ibid.*

20 The Guardian. *Russian disinformation surged on social media after invasion of Ukraine, Meta reports*. <https://www.theguardian.com/world/2022/apr/07/propaganda-social-media-surge-invasion-ukraine-meta-reports#:~:text=In%20the%20place%20of%20accurate.and%20secret%20US%20bioweapon%20labs>. Diakses pada 22 september 2025.

21 UNESCO. *Statement on the safety of journalists on the occasion of World Press Freedom Day*. <https://unesco.mfa.lt/en/news/25/statement-on-the-safety-of-journalists-on-the-occasion-of-world-press-freedom-day:331>. Diakses pada 22 September 2025.

acts of *perfidy*. Deception such as camouflage, dissemination of misleading information, or false military operations is allowed as long as it does not betray trust protected by international law.²²

However, this approach has become inadequate in dealing with modern forms of disinformation, which are scaled far beyond the military context and have a direct impact on the public's right to correct information. Disinformation currently operates through social media and online platforms, reaching millions of people and creating information chaos. Because disinformation is not categorized as a violation of international law, press institutions become particularly vulnerable to reputational attacks and manipulation of public opinion.²³

5.4 Legal and Institutional Responses to Violations of Press Freedom

Various international institutions such as the United Nations and UNESCO have issued declarations and resolutions emphasizing the importance of protecting press freedom in conflict situations. *United Nations Security Council Resolution 2222 (2015)* and UNESCO statements consistently condemn attacks on journalists and media infrastructure, affirming that press freedom is a fundamental pillar in maintaining peace and public accountability.²⁴

However, all of these legal instruments are declarative and non-binding, so they do not have effective enforcement power in the field.²⁵ This moral and normative approach is important for shaping global consciousness, but it is not enough to prevent repeated violations of press freedom in conflict zones.

The main reason why protection of press freedom has not been effective is due to the vacuum of norms in international law. Most existing legal instruments only regulate physical attacks on civilian objects, while violations by press agencies now include non-physical attacks that are often undetectable or difficult to prove. Such forms of non-physical attacks include:

1. disconnection of broadcasting networks that hinder media coverage,
2. decrease in radio frequency or broadcast blocking,
3. cyberattacks that paralyze editorial systems, and
4. administrative measures that restrict journalistic activities or access to public information.

Until now, there has been no special mechanism that can take direct and comprehensive action against violations of press freedom. Some cases such as the bombing of a TV tower²⁶ can qualify as war crimes under *the 1998 Rome Statute*, but the enforcement

22 International Review of the Red Cross. (2021). *Protecting Civilians from Disinformation During Armed Conflict*. https://international-review.icrc.org/articles/protecting-civilians-from-disinformation-during-armed-conflict-914#footnote24_gl9mdg2. Diakses pada 22 September 2025.

23 The Guardian. *Russian disinformation surged on social media after invasion of Ukraine, Meta reports*. <https://www.theguardian.com/world/2022/apr/07/propaganda-social-media-surge-invasion-ukraine-meta-reports#:~:text=In%20the%20place%20of%20accurate,and%20secret%20US%20bioweapon%20labs>. Diakses pada 22 September 2025.

24 UNESCO. *Statement on the safety of journalists on the occasion of World Press Freedom Day*. <https://unesco.mfa.lt/en/news/25/statement-on-the-safety-of-journalists-on-the-occasion-of-world-press-freedom-day:331>. Diakses pada 22 September 2025.

25 *Ibid.*

26 Reporters Without Borders, *RSF refers Russian strikes on four Ukrainian TV towers to International Criminal Court*, <https://rsf.org/en/rsf-refers-russian-strikes-four-ukrainian-tv-towers-international-criminal-court#:~:text=Reporters%20Without%20Borders%20radio%20stations%20have%20been%20affected>, diakses pada 7 Oktober 2025

process depends on the jurisdiction and initiative of institutions such as *the International Criminal Court (ICC)*.

Non-governmental organizations such as *Reporters Without Borders (RSF)* have reported more than 100 cases of attacks on journalists and media to the ICC,²⁷ but to date there have been no direct sanctions against countries or individuals who have committed aggression against press freedom. As a result, perpetrators of attacks on the media can only be prosecuted as part of general war crimes, without any specific category that affirms the importance of the protection of press institutions as civilian entities.

The weakness of international law enforcement mechanisms is also seen in the neglect of non-physical attacks. Although cyberattacks and disinformation have a destructive impact comparable to conventional military attacks, these kinds of cases are rarely investigated or prosecuted due to the complexity of proof and the difficulty of determining the perpetrator. As a result, impunity for non-physical attacks on the media continues, weakening the effectiveness of legal protections for press freedom amid armed conflict.

D. CONCLUSION

The international armed conflict in Ukraine shows that the protection of press freedom still faces serious challenges, both in normative and implementive aspects. Although International Humanitarian Law through the 1949 Geneva Convention and the 1977 Additional Protocol I recognize the status of journalists as civilians who must be protected, such protection has not been able to fully guarantee the institutional security and freedom of press institutions. Existing legal provisions still focus on the protection of individual journalists, while press institutions as civilian objects have not received comprehensive protection, especially from non-physical forms of threats such as disinformation, cyberattacks, censorship, and restrictions on public information.

In practice, the Russia-Ukraine conflict shows a systematic pattern of attacks on the media, both in the form of destruction of broadcasting infrastructure and digital infiltration and manipulation of information. These attacks not only paralyze the media's function as a conveyor of information, but also undermine the integrity and independence of press institutions. This proves that the protection of civilian objects in humanitarian law is not sufficiently adaptive to the characteristics of modern warfare involving the dimensions of information and technology.

The vacuum of norms in international law is also a major factor in the weak enforcement of legal responsibility for perpetrators of attacks on the press. The absence of specific provisions on the protection of press institutions results in many non-physical violations that cannot be qualified as war crimes, so that they are not touched by international justice mechanisms. The UN and UNESCO resolutions that are declarative have not been able to provide a tangible binding effect to prevent repeated violations of press freedom.

Therefore, it is necessary to update and strengthen more explicit international legal norms in recognizing press institutions as strategic civic entities that have an

²⁷ Reporters Without Borders, *Ukraine: RSF sends new government five key recommendations to protect press freedom*, <https://rsf.org/en/ukraine-rsf-sends-new-government-five-key-recommendations-protect-press-freedom#:~:text=Over%20a%20hundred%20journalists%20and,The%20Ukrainian%20justice>. Diakses pada 7 Oktober 2025.

important function in guaranteeing the public's right to information. This protection should cover both physical and non-physical dimensions, and affirm mechanisms of legal accountability against states and non-state actors who carry out attacks on the media. Only by strengthening these norms can press freedom be effectively guaranteed in situations of international armed conflict and continue to function as an instrument of global transparency and accountability.

BIBLIOGRAPHY

Books

- Ambarwati, Denny Ramdhany, and Rina Rusman. *Hukum Humaniter Internasional dalam Studi Hubungan Internasional*. Jakarta: PT RajaGrafindo Persada, 2009.
- Bakry, Umar Suryadi. *Hukum Humaniter Internasional: Sebuah Pengantar*. Jakarta: Prenadamedia, 2019.
- Mearsheimer, John J. *The Tragedy of Great Power Politics*. New York: W.W. Norton & Company, 2014.
- Muhaimin. *Metode Penelitian Hukum*. 1st ed. Mataram: Mataram University Press, 2020.
- Office of the United Nations High Commissioner for Human Rights. *Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation*. New York and Geneva: United Nations, 2006.

Journal Articles

- Muwahid. "Metode Penemuan Hukum (*Rechtsvinding*) oleh Hakim dalam Upaya Mewujudkan Hukum yang Responsif." *Jurnal Al-Hukama: The Indonesian Journal of Islamic Family Law* 7, no. 1 (2017).
- Ramadani, N., and I. Rodiah. "Literasi Informasi dalam Isu Kebebasan Pers: Tantangan Perpustakaan dalam Menangkal Disinformasi di Masyarakat." *Librarium: Library and Information Science Journal* 2, no. 1 (2025).
- Saeri, M., Ahmad Jamaan, Muhammad Farhan Surez, Pindi Gayatri, Hana Inayah Utami, and Zarina. "Konflik Rusia-Ukraina Tahun 2014–2022." *Jurnal Ilmu Hubungan Internasional* 8, no. 2 (2023).
- Trenin, Dmitri, and Kuzman Novak. "The Ukraine Crisis and the Resumption of Great Power Rivalry." *Politicka Misao* 52, no. 2 (2015).
- Zunnuraeni. "Penerapan Hukum Hak Asasi Manusia pada Situasi Konflik Bersenjata." *Jurnal Ilmu Hukum* 4, no. 1 (2016).

Legal Instruments and Regulations

- Deklarasi Universal Hak Asasi Manusia (DUHAM), Resolusi Majelis Umum Perserikatan Bangsa-Bangsa No. 217 A (III), 10 Desember 1948.
- Direktorat Jenderal Administrasi Hukum Umum Departemen Kehakiman dan Hak Asasi Manusia Republik Indonesia. *Protokol Tambahan pada Konvensi-Konvensi Jenewa 12 Agustus 1949 dan yang Berhubungan dengan Perlindungan Korban-Korban Pertikaian-Pertikaian Bersenjata Internasional (Protokol I) dan Bukan*

Internasional (Protokol II). Jakarta, 2003.

Direktorat Jenderal Hukum dan Perundang-undangan Departemen Kehakiman. *Terjemahan Konvensi Jenewa Tahun 1949*. Jakarta: Pengayoman.

International Covenant on Civil and Political Rights, adopted 16 December 1966, entered into force 23 March 1976.

The Council of Europe. *European Convention on Human Rights*. Rome, 1950.

United Nations. *Universal Declaration of Human Rights*. Paris, 1948.

Internet Sources

Badan Pengembangan dan Pembinaan Bahasa, Kementerian Pendidikan dan Kebudayaan Republik Indonesia. "Pers." *Kamus Besar Bahasa Indonesia (KBBI) Daring*. <https://kbbi.web.id/pers>, accessed 29 February 2025.

BBC Monitoring. "Ukraine Conflict: Further False Images Shared Online." <https://www.bbc.com/indonesia/dunia-61217326>, accessed 14 March 2025.

BBC Monitoring. "Ukraine: Watching the War on Russian TV – A Whole Different Story." <https://www.bbc.com/news/world-europe-60571737>, accessed 14 March 2025.

BBC Reality Check and BBC Monitoring. "Ukraine War: Fact-Checking Russia's Biological Weapons Claims." <https://www.bbc.com/news/60711705>, accessed 14 March 2025.

Committee to Protect Journalists. "Russian Shelling Damages Office of Zorya Newspaper in Ukraine." <https://cpj.org/2022/07/russian-shelling-damages-office-of-zorya-newspaper-in-ukraine/>, accessed 20 September 2025.

Digital Attack Map. "What Is a DDoS Attack?" <https://www.digitalattackmap.com/understanding-ddos/>, accessed 21 March 2025.

Erizka Permatasari. "Arti Privasi, Derogable Rights, dan Non-Derogable Rights." Hukumonline. <https://www.hukumonline.com/klinik/a/arti-privasi--iderogable-rights-i--dan-inon-derogable-rights-i-lt4d5605606b42e/>, accessed 22 September 2025.

European Centre for Press and Media Freedom. "Three Years of War: The Reality for Ukrainian Media." <https://www.ecpmf.eu/three-years-of-war-the-reality-for-ukrainian-media/>, accessed 22 September 2025.

International Committee of the Red Cross. "International Armed Conflict." <https://casebook.icrc.org/a-to-z/glossary/international-armed-conflict>, accessed 21 March 2025.

International Committee of the Red Cross. "What Is International Humanitarian Law?" <https://www.icrc.org/en/document/what-international-humanitarian-law>, accessed 29 February 2025.

United Nations Human Rights Committee. *General Comment No. 34 on Article 19: Freedoms of Opinion and Expression*. 29 July 2011. <https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>, accessed 20 September 2025.

