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Freedom House

Freedom in the World 2021 - Ukraine

PARTLY FREE

60

/ 100

[Political Rights](#) 26 / 40[Civil Liberties](#) 34 / 60

LAST YEAR'S SCORE & STATUS

62 / 100 Partly Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Note

The numerical scores and status listed here do not reflect conditions in the occupied Ukrainian territories of Crimea and Eastern Donbas, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the [report methodology](#) and [FAQ](#).

Overview

Ukraine has enacted a number of positive reforms since the protest-driven ouster of President Viktor Yanukovich in 2014. However, corruption remains endemic, and the government's initiatives to combat it have met resistance and experienced setbacks. Attacks against journalists, civil society activists, and members of minority groups are frequent, and police responses are often inadequate. Russia occupies the autonomous Ukrainian region of Crimea, which it invaded in the aftermath of Yanukovich's ouster, and its military supports armed separatists in the eastern Donbas area.

Key Developments in 2020

- More than one million people tested positive for COVID-19, and 18,533 people died during the year. Though the government imposed restrictions on movement and public space, most measures were deemed to be proportionate.
- In October 2020, multiple reports alleged that the head of the Constitutional Court, Oleksandr Tupytsky, had obtained land in occupied Crimea, failed to declare luxurious real estate in Kyiv, and was linked to a prominent case of judicial fraud.
- Also in October, the Constitutional Court annulled multiple anticorruption laws that required the public declaration of government officials' and representatives' assets and mandated criminal punishments for not doing so. Multiple judges who published their financial holdings had been under investigation because of these laws.
- During November and December, President Volodymyr Zelenskyy attempted to dissolve the Constitutional Court after it annulled significant anticorruption legislation. Though the Court was not dissolved, the parliament passed new, albeit weakened legislation replacing the annulled anticorruption measures.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for a maximum of two five-year terms. In the 2019 election, held in two rounds in March and April, Zelenskyy defeated incumbent president Petro Poroshenko with 73.2 percent of the second-round vote, winning a majority of votes in all but one Ukrainian region. International observers deemed the vote competitive and credible, although polling could not take place in Crimea and separatist-held parts of Donbas.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 450 members of the unicameral Supreme Council, or Verkhovna Rada, have been elected to five-year terms through a mixed system in which half of the members are chosen by closed-list proportional representation and the other half in single-member districts. Future elections will be held under a new system approved in December 2019.

In early elections held in July 2019, President Zelenskyy’s Servant of the People party won 254 seats, giving them an outright majority—the first time since independence any party had crossed that threshold. The incumbent Poroshenko bloc, which had rebranded in May as European Solidarity, took just 25 seats. The Opposition Platform—For Life grouping took 43 seats, Fatherland 26, and the Voice Party 20.

The elections were deemed generally competitive and credible, despite some problems. Voting was again impossible in Crimea and separatist-held parts of Donbas. Consequently, the elections filled only 424 of the 450 seats. Additionally, approximately one million Ukrainian citizens are unable to vote because they do not have a registered address. An Organization for Security and Co-operation in Europe (OSCE) election monitoring mission cited some irregularities, including “widespread vote-buying, misuse of incumbency, and the practice of exploiting all possible legislative loopholes” that contributed to inequalities among competitors.

In October 2020, Ukraine held its first local elections under the reforms and revisions to the electoral framework passed in December 2019. Despite the Central Election Commission’s generally timely and professional administration of the election during the pandemic, the OSCE observer mission expressed concern about the often-politicized work of territorial commissions, widespread allegations of vote-buying, and abuse of state resources, among other issues.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant 2 / election management bodies? 4

The mixed electoral system for the parliament that has governed past polls, including those in 2019, has been criticized as prone to manipulation and vote-buying. President Zelenskyy attempted to introduce an entirely party list—based system prior to the 2019 parliamentary election, but could not garner enough parliamentary support. However, in December 2019, the new parliament adopted an electoral code that partially implemented a proportional representation voting system, with open party lists for both parliamentary and local elections, and Zelenskyy enacted it at the end of the year.

In October 2020, the Central Election Commission decided not to conduct local elections in 18 communities of the Donetsk and Luhansk regions in eastern Ukraine, located close to the contact line with noncontrolled territories. The decision affected 475,000 voters, who continued to be governed by military-civil administrations, which are appointed directly by the president.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these 3 / competing parties or groupings? 4

With the exception of a ban on the Communist Party, there are no formal barriers to the creation and operation of political parties. New political parties organize frequently. A law that came into force in 2016 provides parliamentary parties with state funding, but the provision effectively favors established parties over newcomers. Party financing in Ukraine remains opaque, despite robust laws to regulate it.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through 4 / elections? 4

Ukrainian politics feature dynamic competition among parties. Opposition groups are represented in the parliament, and their political activities are generally not impeded by administrative restrictions or legal harassment. Generally, grassroots parties have difficulty competing with more established parties that enjoy the support and financial backing of politically connected business magnates, known as oligarchs.

In the second election round held in April 2019, Zelenskyy won the presidency by a large margin, defeating incumbent president Poroshenko. In July’s elections, President Zelenskyy’s new Servant of the People’s party took an absolute majority of seats in the Rada, defeating the incumbent European Solidarity grouping.

B3 0-4 pts

Are the people’s political choices free from domination by forces that are external to the political 2 / sphere, or by political forces that employ extrapolitical means? 4

Russian influence in Ukrainian politics has continued to decline since Yanukovich’s ouster, though Moscow retains influence in some eastern and southern regions.

Ukraine’s oligarchs exert significant influence over politics through their financial support for various political parties, and lobby for the appointment of loyalists to key institutional positions.

Although electoral laws forbid the use of public resources in election campaigns, incumbent officials used administrative resources during the local election campaign, while law enforcers turned a blind eye to the practice.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other 3 / relevant groups) have full political rights and electoral opportunities? 4

There are no formal restrictions on the participation of women and members of ethnic, racial, or other minority groups in political life. However, their voting and representation are hindered by factors including discrimination that discourages their political participation, the conflict in the east, lack of identity documents for many Roma, and rules against running as an independent for many local, district, and regional offices. Internally displaced persons (IDPs), of which there are over 1.5 million, face legal and practical barriers to voting. Societal discrimination against LGBT+ people affects their ability to engage in political and electoral processes.

The Law on Local Elections mandates a 30 percent quota for women on party lists, but it is not effectively enforced. A record 87 women were elected to parliament in 2019, though this amounts to only 20 percent of all seats.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies 3 / of the government? 4

Elected officials craft and implement reforms, though many initiatives stall due to opposition from powerful business groups and other special interests. The main obstacle to effective governance in government-controlled parts of Ukraine is corruption.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem, and even the little remaining political will to fight it is eroding, despite strong pressure from civil society. Anticorruption agencies have repeatedly been ensnared in politically fraught conflicts with other state entities and elected officials. In September 2020, the Constitutional Court ruled that a prominent anticorruption agency created by the ruling party was unconstitutional and shut down multiple investigations that had been opened by the agency. The agency had been investigating multiple sitting judges. The High Anti-Corruption court, created in September 2019, convicted 16 high-ranking officials in 2020.

In October 2020, multiple reports claimed that Constitutional Court Chief Justice Oleksandr Tupytsky allegedly had illegally obtained and owned land in Russia-occupied Crimea, omitted recording his luxurious real estate in Kyiv among his assets, and had ties to a prominent case of judicial fraud. Tupytsky denied any wrongdoing. The State Bureau of Investigation opened a criminal investigation alleging that Tupytsky had committed treason by owning land in Russian-occupied Crimea.

C3 0-4 pts

Does the government operate with openness and transparency? 1 / 4

In previous years, Ukraine made some progress in advancing transparency, for example by requiring that banks publish the identity of their owners, and by passing a 2016 law obliging politicians and bureaucrats to file electronic declarations of their assets. However, in October 2020, the Constitutional Court annulled the asset-declaration law, as well as a law that dictates criminal punishments for falsified asset reporting. Law enforcement agencies were forced to close some high-level corruption cases and remove the full database of official declarations from public access. Parliament reinstated a weakened version of the law in December.

In July 2020, the director and several high-ranking officials of the National Bank, a historically independent regulator, resigned due to systemic political pressure and the installation of a presidential loyalist as the bank’s new leader.

After making progress to enhance the accessibility of information about public procurements in recent years, Ukraine failed to set up a centralized system about the purchasing medical equipment—including vaccines—to fight the coronavirus pandemic in a timely and transparent manner. Moreover, the Finance Ministry reported in December that about 26 percent of the money allocated to the COVID-19 emergency fund was spent on building roads.

Score Change: The score declined from 2 to 1 because a Constitutional Court ruling significantly weakened asset-declaration requirements and rolled back criminal penalties for the falsification of asset declarations.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts**Are there free and independent media? 2 / 4**

The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. The media landscape features considerable pluralism, and open criticism of the government and investigation of powerful figures. However, business magnates own and influence many outlets, using them as tools to advance their agendas. President Zelenskyy has received significant support from media outlets controlled by banking magnate Igor Kolomoisky. Other parties also receive favorable coverage from “friendly” media. Zelenskyy at times has also refused to take reporters’ questions, and his staff has occasionally refused access to spaces journalists are legally permitted to enter.

A number of Russian news outlets and their journalists are prohibited from entering the country. Various language laws impose upon news outlets requirements that certain content be in the Ukrainian language. In April 2020, the National Security Council and President Zelenskyy extended a ban on Russian social media in Ukraine.

Journalists continued to face threats of violence and intimidation in 2020, and Ukraine’s courts and law enforcement agents often fail to protect their rights. In August, several international media watchdogs urged Ukrainian authorities to investigate the torching of a car affiliated with an investigative television program and the alleged surveillance of its journalists. By the end of the year, the police reportedly had identified three suspects.

The independent Institute of Mass Information recorded 205 media-freedom violations in 2020, including 19 cases of physical violence, 11 cyberattacks, 111 incidents of interference, 18 incidents of threats, 17 cases of restricting access to public information, and 2 cases of direct censorship. The National Police initiated 200 investigations of various crimes against journalists in 2020.

D2 0-4 pts**Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4**

The constitution and a 1991 law define religious rights in Ukraine, and these are generally respected. However, smaller religious groups continue to report some discrimination. Vandalism of Jewish structures and cemeteries continues. Acknowledging one’s atheism may result in discrimination.

In October 2018, Ukrainian Orthodox clerics received permission from religious authorities in Istanbul, the historical seat of the Eastern Orthodox Church, to create their own autocephalous church and remove it from the canonical jurisdiction of the Russian Orthodox Church. A new Orthodox Church of Ukraine was then formed in December to unite existing factions. The Kremlin and church leaders in Moscow strongly objected to the move, and Ukrainian officials said they anticipated provocations, including disputes over church property. However, tensions between the new Orthodox Church of Ukraine and the Ukrainian branch of the Russian Orthodox Church have decreased in recent years.

D3 0-4 pts**Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4**

A 2014 law dramatically reduced the government’s control over education and allowed universities much greater freedom in designing their own programs and managing their own finances.

A law adopted in 2017 was designed to align the country’s education system with those in the European Union (EU), but it drew criticism for provisions that mandate the use of Ukrainian as the primary language of instruction in most publicly funded secondary schools by 2020, affecting numerous schools taught in minority languages.

D4 0-4 pts**Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4**

Ukrainians generally enjoy open and free private discussion, although the polarizing effects of the conflict have weighed on political expression, especially when it relates to questions of individual and national identity. Heated exchanges in the media and instances of violence against those expressing views considered controversial are not uncommon, likely contributing to self-censorship among ordinary people.

E Associational and Organizational Rights**E1 0-4 pts****Is there freedom of assembly? 2 / 4**

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of demonstrations. Ukraine lacks a law governing the conduct of demonstrations and specifically providing for freedom of assembly.

Threats and violence by nonstate actors regularly prevent certain groups from holding events, particularly those advocating equal rights for women and LGBT+ people. In August 2020, police arrested 16 people after fights broke out during a march for LGBT+ rights in Odessa.

E2 0-4 pts**Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4**

Numerous civic groups emerged or were reinvigorated following the departure of Yanukovych in 2014, and many are able to influence decision-making at various levels of government. In 2019, the Constitutional Court struck down a law that had required leaders, staff, and contractors of nongovernmental organizations (NGOs) focused on corruption to submit asset and income declarations. Populist lawmakers had used the information made public through the law to smear the groups as working to harm Ukraine on behalf of malicious “foreign agents.”

However, in recent years, NGOs have faced growing threats of violence, and those responsible are rarely brought to justice. In July 2020, the house of Vitaliy Shabunin, head of the board of the Anti-corruption Action Centre, was set on fire. The police started a criminal investigation but had no suspects by the end of the year.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions function in the country, but strikes and worker protests are infrequent, as the largest trade union, stemming from the Soviet-era labor federation, lacks independence from the government and employers in practice. Factory owners are still able to pressure their workers to vote according to the owners’ preferences.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 1 / 4

Ukraine has long suffered from corrupt and politicized courts, and recent reform initiatives aimed at addressing the issue have stalled or fallen short of expectations.

In October 2020, President Zelenskyy attempted to dissolve the Constitutional Court after it annulled laws aimed at fighting corruption; multiple Constitutional Court judges had been under investigation because of those laws. Shortly thereafter, the State Bureau of Investigation opened a criminal case against several Constitutional Court judges for allegedly attempting to seize state power. Though he was unable to dissolve the body, Zelenskyy ordered by presidential decree in December the suspension of Constitutional Court Chief Justice Oleksandr Tupytsky, who was also being investigated for bribery and witness tampering. The court claimed that Tupytsky’s suspension was unconstitutional, though it then opened an inquiry into removing him from his position. The crisis was unresolved at year’s end.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 1 / 4

Although due process guarantees exist, in practice individuals with financial resources and political influence can escape prosecution for wrongdoing. According to statistics from the World Prison Brief published in April 2020, about 37 percent of prisoners are in pretrial detention.

The government has made little progress in meeting domestic and international demands to investigate and prosecute crimes committed during the last months of the Yanukovych administration in late 2013 and early 2014, which included the shooting of protesters.

Judges consistently move to stymie corruption investigations into high-profile officials, including within the judiciary. In September and October 2020, the Constitutional Court annulled a series of anticorruption laws that required asset declarations of public officials, created anticorruption institutions, and empowered key anticorruption actors. The National Anticorruption Bureau and the National Agency for Prevention of Corruption reportedly were forced to close multiple ongoing investigations because of the ruling.

In December 2020, the National Anticorruption Bureau complained about the presidentially appointed prosecutor general’s “unprecedented meddling” in the investigation of a bribery case related to deputy head of the president’s office.

Score Change: The score declined from 2 to 1 because judges have prevented corruption investigations from proceeding, and the prosecutor general meddled in the investigation of high-level officials.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The security situation is generally stable outside of the occupied areas. However, there have been a number of high-profile assassinations and assassination attempts in recent years, some of which targeted political figures. Conditions in many prisons are squalid and dangerous.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2012 law introduced a nonexclusive list of grounds on which discrimination is prohibited. Gender discrimination is explicitly banned under the constitution. However, these protections are inconsistently enforced, and the Romany minority and LGBT+ people experience significant discrimination in practice. Roma and LGBT+ people and groups generally only receive police protection or justice for attacks against them when there is intense pressure from civil society or international observers. Rights groups have reported that employers openly discriminate on the basis of gender and age.

In September 2020, President Zelensky signed a decree aimed at creating a network for fighting domestic abuse, citing a spike in domestic violence in the first half of the year as a result of a nationwide lockdown.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, 3 / employment, or education? 4

Freedom of movement is generally not restricted in areas under government control. Ukraine's cumbersome system requiring individuals to be legally registered at an address to be able to vote and receive some services, however, creates a barrier to full freedom of movement, in particular for the displaced and those without an address where they could be registered for official purposes.

Movement restrictions in Ukraine due to the COVID-19 pandemic disproportionately impacted the elderly, the poor, and families with children.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without 2 / undue interference from state or nonstate actors? 4

The government has taken steps to scale back regulation of private businesses in recent years. However, the business environment is negatively affected by widespread corruption, and a moratorium on the sale of agricultural land remains in effect until July 2021.

The COVID-19 lockdown was not enforced equally for all businesses in Ukraine. Some businesses that belong to politically connected individuals were allowed to operate with few restrictions, while other nonessential businesses were forced to close down.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, 3 / protection from domestic violence, and control over appearance? 4

The government generally does not restrict social freedoms, though same-sex marriages are not recognized in Ukraine. Domestic violence is widespread, and police responses to the few victims who report such abuse are inadequate.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The trafficking of women domestically and abroad for the purpose of prostitution continues. IDPs are especially vulnerable to exploitation for sex trafficking and forced labor.

Labor laws establish a minimum wage that meets the poverty level, as well as a 40-hour work week and workplace safety standards. However, workers at times go unpaid, and penalties for workplace safety violations are lenient.

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Austrian Red Cross
Austrian Centre for Country of Origin and Asylum
Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
[T \(Telefon\)](#) +43 1 589 00 583
[F \(Fax\)](#) +43 1 589 00 589
info@ecoi.net

Contact
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F.A.Q.
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