



Freedom of the Press 2015 - Ukraine

Publisher [Freedom House](#)

Publication Date 28 April 2015

2015 Scores

Press Status: Partly Free

Press Freedom Score (0 = best, 100 = worst): 58

Legal Environment (0 = best, 30 = worst): 14

Political Environment (0 = best, 40 = worst): 26

Economic Environment (0 = best, 30 = worst): 18

Note: The scores and narrative for Ukraine do not reflect conditions in Russian-occupied Crimea, which is assessed in a separate report.

Status change explanation: Ukraine's status improved from Not Free to Partly Free due to profound changes in the media environment after the fall of President Viktor Yanukovich's government in February, despite a rise in attacks on journalists during the Euromaidan protests of early 2014 and the subsequent conflict in eastern Ukraine. The level of government hostility and legal pressure faced by journalists decreased, as did political pressure on state-owned outlets. The media also benefited from improvements to the law on access to information and the increased independence of the broadcasting regulator.

Conditions for press freedom in Ukraine were affected by tumultuous political events in 2014. During the first two months of the year, a protest movement known as Euromaidan occupied central Kyiv and withstood waves of attacks by security forces loyal to President Viktor Yanukovich, who ultimately fled the country in late February. Russian forces then occupied Crimea and actively supported separatist militants in Ukraine's two easternmost regions, Donetsk and Luhansk. Even as fighting escalated in the east, the country held democratic elections for the presidency and parliament in May and October, respectively. These events led to an overall improvement in the media environment, although concerns remain, especially regarding the government's handling of pro-Russian propaganda, the concentration of ownership of private outlets in the hands of a small group of wealthy businessmen, and the high levels of violence against journalists in the country, especially in the east.

Legal Environment

The constitutional and legal framework for the media in Ukraine is among the most progressive in Eastern Europe, though its protections have not always been upheld in practice and came under growing pressure during Yanukovich's presidency.

Libel was decriminalized in 2001, and in 2009 the Supreme Court instructed judges to follow the civil libel standards of the Strasbourg-based European Court of Human Rights, which granted lower levels of protection to public officials and clearly distinguished between value judgments and factual information. However, officials continued to use libel lawsuits filed in the country's politicized court system to deter critical news reporting. In mid-January 2014, as confrontations between Euromaidan protesters and government forces intensified, the parliament passed a series of draconian laws that recriminalized libel, required internet-based news outlets to obtain registration or face steep fines or closure, restricted the independence of media regulatory bodies, and required all mobile-telephone users to identify themselves and sign contracts with providers, enabling greater monitoring. The legislation was then repealed on January 28 in a concession to the protesters. Civil suits continued to be filed against the media by public officials and private companies during 2014, but they were less common than in the previous year.

In March, the parliament adopted legislation on access to public information that had been under consideration for nearly two years. The new law, signed by the acting president in April, incorporated the highest international standards and introduced fines for officials who improperly refuse, delay, or falsify responses to information requests. However, at year's end the judiciary had yet to conform to the changed legal framework in its rulings.

After Yanukovich fled the country in late February, the parliament declared no confidence in the leadership of the state broadcast regulator, the National Television and Radio Broadcasting Council of Ukraine, which had regularly applied regulations and made licensing decisions in a secretive and highly partisan manner. New appointees were in place by July, and the reconstituted council was seen as more politically independent than its predecessor.

Political Environment

During January and February 2014, while Yanukovich remained in power, the government continued to exert influence over media content through politically loyal managers at state-run outlets and pressure on private media owners, editors, and journalists. This changed after the president fled, as was noted by many observers of Ukrainian media. Almost immediately, most major media outlets began openly discussing what had occurred during the Euromaidan protests, including the violence and its causes. State pressure on the media remained at a reduced level for the rest of the year. There were some instances of political pressure or attempts at de facto censorship by officials on the regional level. In Kirovohrad in December, the head of the regional administration ordered a subordinate to review the newspaper *Zorya* before publication. The main private broadcast outlets – which are controlled by a handful of powerful businessmen – displayed a variety of political orientations or biases, especially during the 2014 election campaigns.

A law signed in May called for the state television and radio broadcasters to be converted into editorially independent public-service broadcasters by 2015, and a number of other measures were subsequently adopted to facilitate this process. However, opposition surfaced among numerous employees and managers at the state outlets who feared for their positions. Separately, Kharkiv journalist Zurab Alasaniya was appointed in March as director of the state television company. A

committed supporter of public-service broadcasting, he had been one of the founders of the nonprofit station Hromadske TV in 2013.

The issue of censorship arose in March, as Russian state-owned news outlets carried aggressively propagandistic content that was apparently designed to support the Kremlin's occupation of Crimea, encourage pro-Russian separatism in Russian-speaking areas of the east and south, and discredit the new government in Kyiv. The broadcasting regulator began obtaining court orders to temporarily suspend the retransmission of certain Russian channels in Ukraine, and by September it had suspended 15 channels pending a full judicial review of allegations that they had incited hatred, threatened national security, or supported separatism. A final ruling was expected in 2015.

Also in September, Ukrainian security forces raided the offices of Russian-language newspaper *Vesti* as part of a criminal investigation into allegations that the paper had violated Ukraine's territorial integrity; the allegations reportedly were related to *Vesti*'s coverage of the conflict in the east. Investigators seized property and computer servers, temporarily shutting down the newspaper's website. Security forces had also searched the *Vesti* offices in May as part of a money-laundering investigation. Additionally, Ukrainian authorities denied entry to dozens of Russian journalists throughout the year, barring some from entering the country for three to five years.

In December, the parliament passed legislation to create a Ministry of Information Policy, tasked in part with combating Russian propaganda; former journalist Yuriy Stets, a politician allied with President Petro Poroshenko, was named to head the new ministry. The move was widely criticized by journalists and media freedom organizations, but Stets said it was necessary to protect the country's "information and communications space" from "enemy attacks."

In Donetsk and Luhansk, Russian-backed separatists took over local broadcasting facilities beginning in April as they seized control of large parts of the two regions. Transmissions of Ukrainian channels were replaced with pro-Kremlin channels from Russia. Cable operators were similarly affected. The process was repeated whenever transmission sites changed hands in the conflict.

The year's Euromaidan clashes and warfare in the east made Ukraine one of the world's most dangerous and difficult places for journalists to carry out their work. According to the Institute of Mass Information (IMI), a Ukrainian nongovernmental organization, there were at least 995 documented violations of free speech in 2014, double the number in 2013 (496) and triple that of 2012 (324). The totals included data from Crimea. Five journalists and two media workers were killed during 2014. One, Vyacheslav Veremiy of *Vesti*, was shot and killed in Kyiv in February by masked men. The other six fatalities took place amid the fighting in Donetsk and Luhansk.

There were 286 documented physical assaults on journalists, according to IMI. The largest numbers occurred during the Euromaidan period (82 incidents in January and 70 in February), then the frequency gradually declined for the rest of the year. In a category that was new to the IMI monitoring system, a total of 78 journalists were abducted and illegally detained by a variety of actors, including progovernment and separatist combatants. Twenty of these incidents took place in April in Donetsk, though a handful of the year's kidnappings were recorded in areas far from the combat zone. In July, pro-Russian separatists in Donetsk interfered with international and Ukrainian journalists who were attempting to cover the downing of a Malaysia Airlines airliner in the region,

using arbitrary detention and intimidation to inhibit journalists' access to the crash area and other key sites.

In another new phenomenon, many journalists were internally displaced, having fled separatist-controlled parts of the eastern regions after facing threats for their reporting. Donetsk-based investigative journalist Oleksiy Matsuka, for example, left for Kyiv after his car was torched in April; he had recently coauthored an article that identified many of the key personalities associated with the separatist movement as Russian citizens or individuals with significant connections to Russia. Others who fled during the year included Luhansk blogger Serhiy Ivanov and Serhiy Harmash, editor of the independent Donetsk news website *Ostrov*. Eventually the entire editorial staff of *Ostrov*, like many other editorial teams, left Donetsk and Luhansk. Separately, many Russian and other foreign journalists working for Russian outlets were detained by the Security Service of Ukraine (SBU) and expelled from the country.

Additional restrictions on press freedom during 2014 included police barring press access to public buildings or meetings, physical attacks on editorial offices, and cyberattacks on news websites, including *Glavnoe*, *Gordon*, and UNIAN. These occurred in various parts of the country. In Kyiv, for example, a firebomb was thrown at the television station 112 Ukraine in July.

Economic Environment

Most media in Ukraine are privately owned. According to the National Television and Radio Broadcasting Council, at the end of 2014 there were 1,563 valid broadcast licences in Ukraine, of which 1,229 were held by private stations, 298 by communally owned broadcasters, and 36 by state broadcasters.

Although a bill proposed in February 2014 would require outlets to disclose more information about their owners, media ownership remained nontransparent in practice. It is nevertheless widely understood that most of the sector is controlled by a small number of wealthy businessmen with interests in politics and other industries. The Inter Media Group is reportedly owned by gas trader Dmytro Firtash and Serhiy Lyovochkin, who served as head of Yanukovich's presidential administration before resigning in January 2014. Star Light Media, reportedly owned by billionaire industrialist Viktor Pinchuk, is composed of six television stations and an assortment of other media and advertising companies. 1+1 Media Group is reportedly owned by Ihor Kolomoyskyi, who was appointed governor of Dnipropetrovsk in March. Rinat Akhmetov, considered Ukraine's wealthiest person, reportedly controls Media Group Ukraine.

Petro Poroshenko, also a powerful businessman, retained ownership of his 5 Kanal television station after winning the May presidential election, despite widespread calls for him to give up the outlet as a conflict of interest.

Two independent, internet-based broadcast outlets, Hromadske Radio and Hromadske TV, were launched by journalists in 2013 to provide an alternative to state media and politically influenced commercial outlets. They gained considerable prominence during the Euromaidan protests. In another new project, 1+1 Media Group created an English-language television channel called Ukraine Today in August 2014.

The government does not restrict access to the internet, which was used by about 42 percent of the population in 2013. Ukrainians have increasingly turned to online platforms, including social media, for their news and information.

Zeonbud, the country's only digital terrestrial television transmission company, was declared a monopoly by the state antimonopoly committee in December 2014. It had obtained its exclusive license through an opaque process in late 2010, and the new designation would expose it to enhanced government oversight.

Advertising revenue for print media has declined in recent years, leaving newspapers even more financially dependent on politicized owners. Paid content disguised as news, known as *jeansa*, remains widespread in the media and weakens the credibility of journalists, particularly during elections.

Copyright notice: © Freedom House, Inc. · All Rights Reserved