

Ukraine

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Capital: Kyiv
Population: 45.5 million
GNI/capita, PPP: US\$8,970

Source: The data above are drawn from the World Bank's *World Development Indicators 2015*.

Nations in Transit Ratings and Averaged Scores

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Electoral Process	3.25	3.00	3.00	3.50	3.50	3.50	3.75	4.00	4.00	3.50
Civil Society	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.50	2.25
Independent Media	3.75	3.75	3.50	3.50	3.50	3.75	4.00	4.00	4.25	4.00
National Democratic Governance	4.50	4.75	4.75	5.00	5.00	5.50	5.75	5.75	6.00	6.00
Local Democratic Governance	5.25	5.25	5.25	5.25	5.25	5.50	5.50	5.50	5.50	5.50
Judicial Framework and Independence	4.25	4.50	4.75	5.00	5.00	5.50	6.00	6.00	6.00	6.00
Corruption	5.75	5.75	5.75	5.75	5.75	5.75	6.00	6.00	6.25	6.00
Democracy Score	4.21	4.25	4.25	4.39	4.39	4.61	4.82	4.86	4.93	4.75

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

In 2014, Ukraine experienced the most dramatic political developments since its independence in 1991. The sequence of events began in November 2013, when a protest movement known as Euromaidan occupied Kyiv's central square. The demonstrators opposed President Viktor Yanukovich's decision to suspend his government's planned signature of an Association Agreement with the European Union (EU), but they broadened their demands to include the president's resignation and early elections after the authorities used force against the peaceful assembly. Yanukovich ultimately fled the capital and the country in late February, and a caretaker government—led by opposition figures and supported by the parliament—took charge pending elections.

Russia responded to the change in government by occupying and annexing the Crimean Peninsula and sponsoring armed disorder in the south and east, particularly in the easternmost oblasts (regions) of Donetsk and Luhansk, known informally as the Donbas. The unrest in the east developed into open warfare between government forces and Russian-backed separatist fighters that continued throughout the year, with regular infusions of Russian equipment and personnel.

Meanwhile, the government in Kyiv organized a presidential election in May and parliamentary elections in October. Both were recognized as fair and democratic, although residents of Crimea and occupied parts of the Donbas, amounting to about 15 percent of Ukrainian voters, were unable to participate.

Petro Poroshenko, a member of parliament, former minister of economy and foreign affairs, and wealthy businessman, was elected president in May, obtaining 54.7 percent of votes in the first round. After the October parliamentary elections, five parties that supported closer ties with Europe formed a ruling coalition that united more than two-thirds of the legislature.

The media environment benefited from a reduction in governmental pressure after Yanukovich's departure, but structural reforms of the media sector, including the conversion of state broadcasters to public-service stations and full transparency of media ownership, had yet to be achieved at year's end. Ukraine's civil society played a crucial role during the Euromaidan period and continued to advocate for systemic reforms throughout 2014. Civic inclusion and mass volunteerism proved to be vital elements of the country's democratic progress.

Although the corrupt core of the Yanukovich regime was dismantled, corruption remained a major challenge for Ukraine. New antigraft legislation was adopted in October, opening a path toward lasting institutional changes.

The Ukrainian economy entered into severe recession, crippled by a fiscal crisis dating to 2013, high energy prices, huge emergency expenditures due to the

conflict with Russia, and the partial destruction of economic infrastructure in the Donbas. The national currency was devalued twice during the year, falling from 8 to 16 hryven per U.S. dollar. Gross domestic product declined by 6.8 percent.

National Democratic Governance. Ukraine returned to a democratic trajectory in 2014, but the stability and security of its new government and fragile institutions were seriously challenged by the Russian invasion. After Yanukovich fled his post in February, the Verkhovna Rada (parliament) voted to dismiss him and announced an early presidential election for 25 May. Lawmakers also changed the constitution, strengthening the role of the parliament in relation to the presidency and restoring a system that prevailed from 2004 to 2010. An interim government was established with Arseniy Yatsenyuk, then of the *Batkivshchyna* (Fatherland) party, as prime minister. Russia quickly occupied Crimea, and after a fundamentally flawed referendum, it annexed the territory on 18 March, drawing condemnation from the United Nations and most of the international community. In April, Russia stoked armed rebellion in the Donbas, supporting self-proclaimed “people’s republics” in Donetsk and Luhansk. The Ukrainian government lost *de facto* control over about 35 percent of the two regions, and combat between government forces and the Russian-backed separatists continued through the end of the year. The country nevertheless proceeded with its presidential and parliamentary elections in May and October, and in December a new cabinet headed by Prime Minister Yatsenyuk took office, declaring its commitment to radical reforms. Because at the end of the year the outcome of those reforms was uncertain, parts of the national territory were under occupation, and the country continued to be shaken by war and other violence, *Ukraine’s rating for national democratic governance remains at 6.00.*

Electoral Process. Both the presidential election in May and the parliamentary polls in October were recognized as fair and democratic, despite the fact that about 15 percent of voters were unable to participate due to the occupation of Crimea and parts of the Donbas. Poroshenko, a supporter of the Euromaidan protests, won the presidency with 54.7 percent of the vote in the first round. The parliamentary elections brought significant turnover in the political establishment, with new parties accounting for five out of the six factions that passed the 5 percent vote threshold for proportional representation: Yatsenyuk’s People’s Front, the Petro Poroshenko Bloc, *Samopomich* (Self-Reliance), the Opposition Bloc (mostly former members of Yanukovich’s Party of Regions), and the Radical Party. A majority of the newly elected lawmakers had never served in the Rada before. Due to the country’s return to fair national elections in 2014 after years of government manipulation under Yanukovich, *Ukraine’s rating for electoral process improves from 4.00 to 3.50.*

Civil Society. Civil society played a crucial role during the Euromaidan protests, and subsequently led advocacy campaigns for comprehensive institutional reforms. In mid-January, the Yanukovich government attempted to impose severe restrictions on nongovernmental organizations, requiring those that receive funding

from international donors to register as “foreign agents.”¹ However, the legislation was repealed two weeks later. New forms of civic engagement, particularly mass volunteerism, are considered to be the main legacy of Euromaidan.² In some respects, civil society actors went on to perform functions that the weak state apparatus was unable to manage, such as assistance to citizens displaced from the conflict zone and material support for the armed forces. Due to the sector’s increased activity and influence during the year, *Ukraine’s rating for civil society improves from 2.50 to 2.25.*

Independent Media. Ukraine has a diverse and competitive media market, and the constitution and legal framework generally provide for media freedom. The fall of the Yanukovich government led to a reduction in state pressure and informal government patronage of political coverage. While direct pressure on journalists from the central government was largely eliminated, some incidents were reported at the regional level. In addition, at least five journalists and two media workers were killed during the year, most in connection with the war in the Donbas, and many more were injured, abducted, or otherwise obstructed in their work. Russian television news channels, which carried strident anti-Ukrainian propaganda, were removed from Ukrainian retransmission systems, and some Ukrainian outlets displayed their own biases in response to the Russian aggression. Other forms of bias remained a concern, including paid political content and subordination of journalism to media owners’ political or business interests. Poroshenko retained ownership of the 5 Kanal television station after his election as president. A new Ministry of Information Policy was established in December to counter Russia’s “information war,” raising concerns that it could be used to limit media freedom in Ukraine. However, lawmakers took steps to convert the state media into public-service broadcasters, and the process was scheduled to be completed in 2015. Due to the overall reduction of government pressure on journalism after Yanukovich’s departure, *Ukraine’s rating for independent media improves from 4.25 to 4.00.*

Local Democratic Governance. Ukraine is a highly centralized state, and events of 2014 brought decentralization proposals to the top of the public agenda. A concept document on decentralization was approved by the government in April, but legislation to implement the plan had not yet been approved at year’s end. Draft constitutional amendments introduced by President Poroshenko were still under consideration. The first steps toward decentralization of public finances were taken through the 2015 state budget, adopted in December. Meanwhile, successful municipal elections were held in many regions in May, including a mayoral election in Kyiv, marking a return to normalcy for local politics. An abortive attempt was made to grant occupied Donetsk and Luhansk a temporary “special status” within Ukraine as part of a putative peace agreement signed in September, but the deal quickly collapsed, with the Russian-backed separatists demanding full independence as fighting continued. Because comprehensive decentralization reforms were held up by lack of consensus and severe security challenges, *Ukraine’s rating for local democratic governance remains unchanged at 5.50.*

Judicial Framework and Independence. The deadly crackdowns of the Euromaidan period highlighted major flaws in Ukraine's judicial and law enforcement systems that were inconsistent with the standards of a democratic state. Important reform processes were initiated in many areas, but substantial progress had yet to materialize at year's end. Some legislation was drafted, the new ruling coalition that formed after the parliamentary elections included judicial reform as one of its top priorities, and Poroshenko established a council for judicial reform with the deputy head of the presidential administration as its coordinator. At the same time, the Russian annexation of Crimea and the war in the Donbas presented new legal problems involving war crimes and occupation. *Ukraine's rating on judiciary remains unchanged at 6.00.*

Corruption. Unchecked corruption at the highest levels of government was one of the main grievances of the Euromaidan movement, and the removal of Yanukovich represented an important first step in addressing the problem. A new lustration law that took effect in October aimed to vet public officials for links to abuses under Soviet rule or the Yanukovich administration, but the Council of Europe's Venice Commission and other international bodies found that it fell short of human rights standards, and revisions were under way at year's end. Also in October, the parliament passed a package of anticorruption measures, including the creation of an anticorruption bureau and new rules on asset disclosure. The successful implementation of these laws could lead to significant improvements in democratic governance, though the full effects had yet to be seen in late 2014. Nevertheless, due to the ouster of the Yanukovich elite and other signs of progress, *Ukraine's corruption rating improves from 6.25 to 6.00.*

Outlook for 2015. Although the Euromaidan movement brought a new political and civic reality to Ukraine, the country's path toward a robust democracy will not be short or easy. The coming year will yield the first fruits of systemic change, but serious threats to security and social stability will persist.

The new government will advance reforms in some policy areas, most likely making relatively slow progress. The ruling coalition and the government may face internal friction among political leaders, including between President Poroshenko and Prime Minister Yatsenyuk. A crisis of the coalition cannot be ruled out.

Economic recession will continue to unsettle public finances; the government will not be able to cover existing social expenditures without extensive new loans. These hardships will be exploited by Russia. Neither the separatist conflict in the Donbas nor the issue of the Crimean annexation is likely to be resolved during the year. However, if Ukraine manages to make substantial progress on reforms, an economic recovery may take hold as early as the second half of 2015. European integration will remain a cornerstone of Ukraine's strategic vision and identity.

MAIN REPORT

National Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
4.50	4.75	4.75	5.00	5.00	5.50	5.75	5.75	6.00	6.00

The collapse of the authoritarian regime constructed under President Viktor Yanukovich and the election of new executive and legislative leaders in 2014 offered Ukraine a fresh opportunity for democratic development. There was obvious progress in the erosion of the traditional patronage-based political class, but the institutions of governance remained fragile and fragmented, and they came under serious threat from Russian interference aimed at further weakening Ukrainian statehood.

The nature of the Yanukovich regime might be described as personalist authoritarianism, as it had matured beyond its initial reliance on the business magnates, or oligarchs, of the eastern Donbas area, such as Rinat Akhmetov. Instead, the late phase of Yanukovich's presidency was marked by the total domination of his direct proxies and close relatives, led by his elder son, Oleksandr Yanukovich. Open political competition was suppressed through the politicized prosecution and imprisonment of key opposition leaders, and a massive share of public spending and private business activity was controlled by the president's inner circle.

The year began with efforts by the Yanukovich government to crush the Euromaidan protest movement, which had emerged in November 2013 in response to the president's decision not to sign a planned Association Agreement with the European Union (EU). The movement was not well organized at first, but repeated attempts by the authorities to forcibly disperse its encampment in Kyiv's Independence Square (Maidan Nezalezhnosti) hardened its resistance and attracted fresh support. On 16 January, the president's allies in the Verkhovna Rada (parliament) hastily enacted a package of legal changes—quickly dubbed the “dictatorship laws” by critics—that were designed to deter further civic activity. Among other provisions, they allowed the administrative detention of protest organizers and participants on vague grounds, as well as harsh criminal penalties for offenses like blocking roads and “violation of public order.”²³ The laws, which closely resembled those of Russia, were adopted without debate and without even a proper counting of the votes; members simply voted through a show of hands.

Societal opposition to the “dictatorship laws” led to days of violent clashes in Kyiv and some other cities. On 28 January, the parliament repealed the controversial legislation in a concession to the protesters, and Prime Minister Mykola Azarov resigned after nearly four years in office. Nevertheless, violent confrontations between protesters and progovernment forces continued, and more than 100 people were killed during a particularly bloody period from 18 to 21 February,

including over a dozen police officers. The deaths hardened the demonstrators' resolve, reducing the possibility of any compromise that would leave Yanukovych in office.

On the afternoon of 21 February, Yanukovych and opposition leaders—with the participation of foreign ministers from Poland, Germany, and France—signed an agreement that envisaged a return to the 2004 constitution, with its less powerful presidency, and the holding of an early presidential election by December 2014. A Russian envoy to the negotiations declined to sign the pact. The Verkhovna Rada voted for the constitutional changes the same day, but Yanukovych failed to sign the legislation, which, together with other factors, undermined the whole agreement.

Apparently fearing for his safety, Yanukovych that evening fled first to the east of Ukraine, then to Russia. On 22 February, the Verkhovna Rada voted to dismiss him on the grounds that he had abandoned office, and announced an early presidential election for 25 May 2014. Many parliamentary members and allies of Yanukovych's Party of Regions either turned against him or fled, giving opposition forces a sizeable majority in the 450-seat body; 328 lawmakers voted to remove the president. Oleksandr Turchynov, then of the *Batkivshchyna* (Fatherland) party, was chosen as speaker of parliament and acting president, while Arseniy Yatsenyuk, also of *Batkivshchyna*, was subsequently named to lead an interim government as prime minister.

Taking advantage of the unsettled situation in Kyiv, the Russian government deployed military forces without clear markings in Crimea, seizing the Crimean parliament building in Simferopol on 27 February. With the peninsula under military occupation and new local leaders installed by force, a referendum was hastily organized on 16 March to rubber-stamp a planned annexation by the Russian Federation, which officials in Moscow formalized five days later. The referendum and annexation were condemned as illegitimate by the United Nations and most of the international community.

In April, Russia stoked armed rebellion in Ukraine's easternmost oblasts (regions) of Donetsk and Luhansk—an area also known as the Donbas, Yanukovych's traditional base of support. Many residents were distrustful of the new government in Kyiv, and susceptible to Russian media messages that portrayed it as a "fascist" regime. Crimea-like "referendums" on independence were held in rebel-controlled areas in May, and separatist forces proclaimed a "Donetsk People's Republic" (DNR) and a "Luhansk People's Republic" (LNR). No country, including Russia, recognized the move, but Moscow actively supported the rebels' escalating military conflict with the Ukrainian government, sending personnel, weapons, armored vehicles, and other supplies over the border. Although Russian authorities continued to deny providing such support, extensive evidence accumulated during the year, and it was openly acknowledged internationally. The Ukrainian central government lost *de facto* control over about 35 percent of the two oblasts. Some territory was briefly regained during a summer offensive, but direct intervention in August by Russian military units—a fact again denied by Moscow—drove back government forces and captured some new ground for the rebels.

A cease-fire agreement was negotiated in Minsk in September, and Kyiv offered a temporary “special status” to the two separatist regions that would give them considerable autonomy. However, the deal collapsed as fighting continued and the rebels held illegal local elections in November. The conflict remained unresolved at year’s end.

As the crisis in the east unfolded, Ukraine proceeded with its plans for presidential and parliamentary elections in May and October. Politician and businessman Petro Poroshenko took office as president in June, and a new governing coalition was formed after the parliamentary vote. A second cabinet headed by Prime Minister Yatsenyuk was installed on 2 December, with the support of 288 members of the Verkhovna Rada. The cabinet had a strong reformist profile, and the appointment of some recent foreign nationals—including Finance Minister Natalie Jaresko of the United States and Economy Minister Aivaras Abromavicius of Lithuania—was touted as part of an effort to bring new ideas into the system. The government’s reform agenda ranged from decentralization and judicial overhauls to anticorruption measures and changes to the security and energy sectors.

The new leadership was also considering further constitutional reforms. Turchynov, as acting president, had signed the restoration of the 2004 constitution following Yanukovich’s dismissal, reversing a 2010 Constitutional Court decision that unraveled the 2004 changes and greatly strengthened the presidency. However, the unclear division of executive authority between the president and prime minister, which had plagued governments before 2010, remained a potential problem. Any comprehensive decentralization plan giving more power to the regions would also require constitutional amendments.

Electoral Process

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.25	3.00	3.00	3.50	3.50	3.50	3.75	4.00	4.00	3.50

The holding of early presidential and parliamentary elections was one of the central demands of the Euromaidan movement, and the process began immediately after the fall of the Yanukovich regime in February 2014. Yanukovich had been elected to a five-year term in early 2010, and the last parliamentary elections were held in October 2012. A presidential vote was scheduled for 25 May, while parliamentary elections took place on 26 October. In terms of basic democratic standards, both elections were free and fair, representing improvements over the polls held under Yanukovich. However, the occupation of Crimea (with 5 percent of Ukraine’s population) and parts of the Donbas (with roughly 8 percent of the population) by Russian and Russian-backed forces prevented the participation of millions of eligible voters.

Shortly before the presidential election, the Central Election Commission reported that 18 out of 34 district election commissions in Donetsk and Luhansk had been partly or completely unable to function due to interference from separatist authorities.⁴ Despite these problems, an election observation mission from the

Organization for Security and Cooperation in Europe (OSCE) concluded that the process “was characterized by high voter turnout and the clear resolve of the authorities to hold what was a genuine election largely in line with international commitments and with a respect for fundamental freedoms in the vast majority of the country.”⁵ Total turnout was reported at about 60 percent in areas where the elections could be conducted. However, the rates varied widely at the regional level, from 78 percent in the far western oblast of Lviv to just 15 percent in Donetsk. In the peaceful areas of the south and east, the turnout was below average: 46 percent in Odesa and 48 percent in Kharkiv.

Poroshenko, a wealthy businessman and former cabinet minister who had supported the Euromaidan movement, won the election in the first round with 54.7 percent of the vote. No candidate had won a Ukrainian presidential election in the first round since 1991, when the country’s first post-Soviet leader, Leonid Kravchuk, was elected with a solid majority. Poroshenko’s closest competitor in a field of 21 candidates was former prime minister Yuliya Tymoshenko, who secured less than 13 percent.

Running as an independent, Poroshenko benefited in part from the relatively low popularity of the leaders of the three main parties in the interim government: Tymoshenko of *Batkivshchyna*, Vitaliy Klychko of the Ukrainian Democratic Alliance for Reform (UDAR), and Oleh Tyahnybok of the nationalist *Svoboda* (Freedom) party. Voters sought an independent leader with minimal attachments to the old political establishment who would be able to restore proper governance, end the war, and unite political elites behind a platform of reforms. There was also a desire to rally around a single candidate and finalize the election as soon as possible, to create an opportunity for peace and fully legitimate governance.

Klychko, a former boxing champion who was considered the most popular potential candidate at the beginning of the year, decided not to run as his poll numbers sank, and threw his support behind Poroshenko. Observers had argued that Klychko lacked sufficient experience in politics and governance. However, Poroshenko returned the endorsement by supporting Klychko’s successful campaign for mayor of Kyiv in an election also held on 25 May.

The mandate of the existing parliament would have extended until 2017, but the Euromaidan movement demanded change in all branches of government, particularly after the passage of the “dictatorship laws” in January discredited incumbent legislators. Formal grounds for the *Verkhovna Rada*’s dissolution were provided in July, when the UDAR and *Svoboda* factions announced their withdrawal from the governing coalition. President Poroshenko dissolved the *Rada* on 25 August, one month after the coalition’s collapse, and elections were scheduled for 26 October.

Under the electoral law put in place for the 2012 elections, half of the *Rada*’s 450 seats are elected through majoritarian contests in single-member constituencies, and the other half are filled through proportional representation using national party lists. The vote threshold for party representation is 5 percent. Despite pressure from civil society to introduce a fully proportional system with open lists, the

parliament failed to change the law, as most of the members elected in majoritarian constituencies had no hope of being reelected via party lists.

According to the OSCE election observation mission, the October elections “marked an important step in Ukraine’s aspirations to consolidate democratic elections in line with its international commitments. There were many positive points to the process, such as an impartial and efficient Central Election Commission, an amply contested election that offered voters real choice, and a general respect for fundamental freedoms.”⁶

However, the mission identified problems including tabulation irregularities in some areas, and again noted the inability to conduct voting in Crimea and occupied parts of the Donbas. As a result, 27 constituency seats were not filled: 10 in Crimea, 2 in Sevastopol, 9 in Donetsk, and 6 in Luhansk. Voter turnout was reported at 52 percent, lower than the 2012 figure of 58 percent and the lowest for the entire period of independence.

The elections brought significant turnover in the political class. A majority of those elected were new to the Rada, and of the six parties that passed the threshold for proportional representation, five did so for the first time. The Petro Poroshenko Bloc, formed by the new president, led the voting with a total of 133 seats. The People’s Front, founded by Yatsenyuk and Turchynov in March, placed second with 81. Samopomich (Self-Reliance), created in late 2012, won 33 seats. A group consisting largely of former Party of Regions members, the Opposition Bloc, garnered 29 seats, followed by Oleh Lyashko’s Radical Party with 22. Only Batkivshchyna, which won 19 seats in all, had secured proportional seats in a previous convocation of the Rada. Independents and small parties took the remainder of the single-mandate seats. The more extreme Ukrainian nationalist parties performed poorly; Right Sector, for example, took just one seat.

Five parties—the Poroshenko Bloc, People’s Front, Samopomich, the Radical Party, and Batkivshchyna—formed a majority coalition in November and approved a new cabinet headed by Yatsenyuk in early December.

Civil Society

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.50	2.25

Ukraine’s civil society played a crucial role during the Euromaidan period, and throughout 2014 it continued to lead the advocacy campaign for comprehensive reforms and provide independent expertise. A massive volunteer movement bridged the gulf that traditionally existed between “elite” groups like think tanks and the civic grassroots, including at the local level.

One provision of the “dictatorship laws” enacted on 16 January would have required nongovernmental organizations (NGOs) to register as “foreign agents” if they received any foreign funding or support, which would be subject to taxation. The rule was similar to one pioneered by Russia in 2012, adding to the impression

that the Yanukovich government was drawing Ukraine closer to Moscow. However, the law was repealed along with the rest of the package two weeks later.

Volunteerism is considered to be the main legacy of Euromaidan for civil society in Ukraine.⁷ The large-scale grassroots activism associated with the movement was without precedent in the country and the broader region. From the beginning, the Kyiv protest encampment itself was a combination of horizontal networks that interacted quite efficiently, without any vertical subordination or hierarchy. There were attempts to build umbrella-like quasi-decision-making bodies, such as the Maidan Civic Council, but in many cases they were not needed for effective day-to-day activities. Entities like the Civic Sector of Euromaidan and various specialized “*sotnyas*” (hundreds) fielded teams of medical workers, lawyers, and other skilled volunteers that made the encampment a socially sustainable organism for many weeks.

Over the course of the year, volunteer organizations expanded their roles to fill gaps in the public services provided by state institutions. Volunteerism came to be widely perceived as an alternative to inefficient public authorities. The main functions performed by these groups were public safety and defense, informational policy and informational security, assistance to the armed forces and military hospitals, and assistance to internally displaced persons (IDPs) from the conflict zones. There was an ongoing process of volunteer self-organization. A Volunteer Solidarity Forum was held in September in Kharkiv, with some 300 participants from 20 cities. Civil society also generated new expert and advocacy initiatives, the most successful of which was the Reanimation Package of Reforms (RPR) network.⁸ RPR unites over 300 experts and 50 civic organizations and movements with the aim of developing and lobbying for urgent reforms. It includes working groups focused on topics like combating corruption, judicial reform, and European integration. RPR remained committed to its nonpartisan mission despite the fact that some of its experts decided to run in the October parliamentary elections.⁹ Another notable initiative is the Nova Kraina (New Country) Civic Platform,¹⁰ involving more than 300 experts from across Ukraine.

The surge in public activism during the year included a right-wing nationalist element, with groups like Right Sector forming to combat Yanukovich’s security forces and Russian interference. The nationalists contributed to the establishment of a number of paramilitary volunteer battalions fighting alongside the military in the Donbas, such as Azov and Aidar. However, the actual role and political influence of far-right groups are often exaggerated due to relentless Russian propaganda.

Civil society operates in a relatively free environment, under a rather permissive legal framework that was introduced in 2013. The current government is generally open to partnership with NGOs. At the same time, the methods and forms of partnership have yet to be adjusted to new realities. Existing “Civic Councils” and other formal consultative institutions are in many cases unable to meet the expectations and needs of civil society in the post-Maidan period.

Conditions for NGOs in Crimea and the Donbas are far more hostile. During 2014, hundreds of activists were harassed, intimidated, or detained by armed groups in the Donbas. In occupied Crimea, NGOs are subject to restrictive Russian

laws, including the requirement that those receiving foreign funds or participating in joint activities with foreign groups register as “foreign agents.” Ukrainian rather than Russian entities are considered “foreign.”

Independent Media

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.75	3.75	3.50	3.50	3.50	3.75	4.00	4.00	4.25	4.00

Ukraine has a diverse and competitive media market, and the constitution and legal framework generally provide for media freedom. The victory of the Euromaidan movement changed the media landscape in 2014, dismantling the system of state control and informal government influence over political coverage. Journalists no longer faced direct pressure from the central government after February, though at the regional level some officials continued efforts to manipulate or punish the media.

The “dictatorship laws” of 16 January included multiple new restrictions on media freedom. Among other provisions, defamation was reinstated as a criminal offense, the dissemination of vaguely defined “extremist” material was also criminalized, all online media were required to register as information agencies and subjected to possible fines, the parliament and president were empowered to dismiss members of the broadcast regulator at any time, and state bodies were given greater authority to block websites using loose criteria.¹¹ Like the other measures adopted that day, these changes were repealed later the same month after they galvanized the protest movement.

One journalist, Vyacheslav Veremiy of the daily *Vesti*, was beaten and fatally shot in Kyiv by unidentified assailants in February, in an atmosphere of increased violence during the last days of the Yanukovych government. Many other journalists suffered physical assaults in the Euromaidan period. However, the bulk of the year’s abuses occurred amid the Donbas conflict; four journalists and two other media workers were killed in the area in 2014, according to the Committee to Protect Journalists. Andrea Rocchelli, an Italian photojournalist, was killed in a mortar attack on 24 May outside the city of Slovyansk. Andrey Mironov, a human rights activist who was assisting Rocchelli and a second foreign journalist, was also killed. The remaining four deaths involved employees of Russian news outlets covering the war from the separatist side.

Throughout the year, Russian television networks aired aggressive propaganda designed to defend the Crimea annexation, support Donbas separatism, and vilify the new Ukrainian government. The Ukrainian broadcast regulator responded by obtaining court orders to suspend the retransmission of 15 Russian channels in the country.¹² In areas occupied by Russian and Russian-backed forces, however, Ukrainian broadcasts were replaced with Russian content at local transmission facilities. Similarly, many local journalists fled the Russian-held areas for their own safety, while a number of reporters working for Russian outlets were detained and expelled by the Ukrainian security service.

Some preexisting problems in the Ukrainian media sector persisted in 2014, including political bias and paid news content that is not clearly identified as such. During the parliamentary election campaign, the misuse of media for the promotion of individual candidates and parties reached an especially high level. Media owners in some cases use their outlets as means of pursuing their own political and business goals. In a conflict of interest that drew criticism from press freedom advocates, Poroshenko retained ownership of his 5 Kanal television station even after his election as president.

Progress was made toward the conversion of the state television and radio outlets into public-service broadcasters. Legislation enacted in May created a legal framework for public television and radio broadcasting, and the conversion process was expected to be completed in 2015. Meanwhile, journalist Zurab Alasaniya, a founder of the independent online television station Hromadske.tv, was appointed as the new head of the state television network in March. The broadcast regulator, the National Television and Radio Broadcasting Council of Ukraine, also grew more politically independent under new appointees after the fall of the Yanukovich government.

A Ministry of Information Policy was established on 2 December 2014. The government argued that it was necessary to coordinate the country's defense against Russia's "information war." The decision was criticized by some independent media associations due to the risk that the new ministry could be used to limit media freedoms.

Internet-based media and social-networking platforms played an extraordinary important role during the Euromaidan protests. The first gathering of protesters at the Maidan came in response to a call posted by a popular journalist on his Facebook page. The Russian-owned social network VKontakte remains the most popular site of its kind in Ukraine.

Local Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
5.25	5.25	5.25	5.25	5.25	5.50	5.50	5.50	5.50	5.50

Developments of 2014 brought the need for decentralization to the top of the reform agenda. There was a general acceptance of the need to grant more authority to regional and local governments, but the exact form this would take remained under discussion at year's end.

Ukraine has four tiers of subnational administrative divisions: the Autonomous Republic of Crimea and 26 oblasts, including two cities with oblast status, Kyiv and Sevastopol; 490 raions (districts) and 111 cities with raion status; 460 cities; and at the lowest tier, 1,180 townships and 27,208 villages. There are some 12,000 local councils below the oblast level.¹³ Sevastopol, located on the Crimean Peninsula, was occupied and annexed by Russia along with the autonomous republic in February and March 2014.

Local governance in Ukraine is regulated by Section XI of the constitution and a number of specific laws, including the 1997 Law on Local Self-Government and the 1999 Law on Local State Administrations.¹⁴ The laws have been amended many times since their original adoption, but they still mostly reflect and operate on principles inherited from Soviet times—namely, strong centralization, lack of local autonomy, and a disproportional distribution of the state budget.

Previous governments attempted to initiate decentralization reforms, but each failed due to the complexity of the problem and an unwillingness to give up central control, especially over budget distribution. The new government installed after the 2014 parliamentary elections identified decentralization as one of its main priorities. While it had yet to take decisive steps at year's end, there appeared to be political will for reform, both within the presidency and at the Ministry of Regional Development.

The decentralization effort was greatly complicated by the war in Donbas, as the government faced conflicting pressures to grant greater autonomy to Donetsk and Luhansk in the interests of peace, and to resist any such plan as a ploy by Moscow to weaken Ukraine's statehood. In October, Poroshenko and the parliament agreed to assign a "special status" to parts of the two regions for a three-year period, giving them considerable local autonomy if they held elections in December under Ukrainian law. However, the plan, which stemmed from a tentative peace agreement negotiated in Minsk in September, was jettisoned when the Russian-backed separatists insisted on independence and held their own deeply flawed elections in November.

Meanwhile, a number of substantial proposals for nationwide decentralization were elaborated and presented during 2014. The only formally adopted document was the Concept of Local Government Reform and Territorial Organization of Power in Ukraine, approved by the cabinet in April.¹⁵ As a policy framework, the document would have to be operationalized through relevant legislative changes.

Another important document was a draft law on amendments to the constitution of Ukraine presented by President Poroshenko. Generally the draft was well received, though one controversial provision indicated that the representatives of the national government on the local level would be both appointed by and accountable to the presidency exclusively—not to the prime minister and cabinet. Some argued that this was inconsistent with the post-Yanukovich constitutional reforms that sought to weaken the presidency.¹⁶ An assessment by the Council of Europe's Venice Commission stated that the suggested amendments would strengthen president's powers and create conditions for a direct conflict between the president on the one hand and the local self-governance bodies or the cabinet on the other.¹⁷

The key problems hindering the development of local self-government remained unsolved in 2014: an excessive centralization of power at the national level; excessive fragmentation of lower-level administrative units; assumption of the powers of local self-governance bodies by the administrations appointed by the president and cabinet or absence of cooperation and coordination in their work; vagueness of the criteria and procedures for establishing various territorial units; absence of an adequate financial basis for local government budgets; unfair and inefficient accumulation of funds by the central government; and poor staffing of local self-government bodies.

Budgetary relations between the center and the regions remain unbalanced. Every year, subsidies from the state budget increase. During the first half of 2014, the total income of Ukrainian regions amounted to about 30.5 billion hryven (\$2.6 billion), while subsidies for the same period exceeded 35 billion hryven (almost \$3 billion). In over 50 percent of local rural communities, the state budget subsidizes local government funds at a rate of 70 percent; the state provides 90 percent of the budget in some 500 communities.¹⁸ The 2015 state budget adopted in December represented a step toward the decentralization of public finances, giving local communities and regions slightly more control.

Local elections took place in a number of Ukrainian cities during 2014. In May, Vitaliy Klychko won the mayoral contest in Kyiv, which had been without an elected mayor since 2012. His UDAR party also won elections for a new city council; the previous council's mandate had expired in 2013. The authorities under Yanukovich had avoided fresh elections in order to maintain political control over the capital. Moreover, under a 2010 legal change, most executive power in the city had been transferred to a presidentially appointed city manager. In June 2014, President Poroshenko named Klychko to this position, augmenting his authority as elected mayor.

In a controversial move, the post-Yanukovich central government appointed powerful business magnates to serve as governors of important oblasts in the east, near the Donbas conflict zone. The strategy was seen as an attempt to draw these figures into the cause of defending the country and upholding the new democratic system, but critics warned that they could undermine the government in pursuit of their own interests and autonomy. Wealthy industrialist Serhiy Taruta, who was appointed as governor of Donetsk in March, was fired by Poroshenko in October after criticizing his policies, and replaced with a former general. Ihor Kolomoysky, a billionaire who was named governor of Dnipropetrovsk, sponsored a volunteer battalion that fought alongside the Ukrainian military, adding to concerns that such units could ultimately weaken state authority.

Judicial Framework and Independence

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
4.25	4.50	4.75	5.00	5.00	5.50	6.00	6.00	6.00	6.00

The constitution of Ukraine contains the necessary provisions for the protection of political freedoms and civil liberties. The Euromaidan movement gave citizens the impetus to demand that these provisions be fully respected in practice.

The need to reform the judicial and law enforcement systems, and their inconsistency with democratic standards, became more evident against the backdrop of the Euromaidan protests and the brutal response by security forces. Important reform processes were initiated in many areas over the course of 2014, but overall the results were mixed, and comprehensive changes had yet to be implemented at year's end.

In one of its first acts after the fall of the Yanukovych administration in late February, the parliament ordered the release of Tymoshenko, who had been serving a seven-year prison sentence on charges that were widely seen as politically motivated. Although the politicized trials of the Yanukovych period were not repeated in 2014, several Ukrainian individuals detained by Russian authorities were regarded as political prisoners. Two of the most prominent were film director Oleh Sentsov, who was arrested in Crimea in May and accused of plotting terrorist attacks, and military pilot Nadiya Savchenko, who was captured in eastern Ukraine in June and charged in Russia with involvement in the deaths of two Russian journalists.

On 24 February, the parliament voted—with a two-thirds majority—to dismiss five judges from the Constitutional Court. They were found to have violated their oaths by endorsing the controversial September 2010 ruling that reversed the 2004 constitutional reforms and restored the 1996 constitution, effectively granting extensive powers to President Yanukovych. The ruling had come shortly after the court was stacked with Yanukovych allies. However, some of the dismissed judges remained in the judiciary, and the overhaul of the Constitutional Court was regarded as incomplete, meaning it could continue to be used for political ends rather than serving as a truly impartial body.¹⁹

On 9 October, Poroshenko signed a lustration law that called for the vetting of public officials and the exclusion of those responsible for abuses under Yanukovych or under Soviet rule. It would apply to law enforcement officers, prosecutors, the Security Service of Ukraine (SBU), and judges, among other officeholders. The Venice Commission and other groups criticized the law, arguing that it applied to too many positions, lacked due process and did not appear to require proof of guilt in each individual case, and improperly made the Justice Ministry rather than an independent body responsible for carrying out lustration. However, the Ukrainian authorities conceded that the law required revisions, and the Venice Commission agreed to assist with the process.²⁰

Also in October, the parliament enacted a new law governing the prosecutor general's office. It removed the function of "general supervision," which had given the prosecutor general sweeping authority to oversee the implementation and application of the country's laws.

Later the same month, President Poroshenko established the Council on Judicial Reform and appointed Oleksiy Filatov, deputy head of the presidential administration, as its coordinator. The council was tasked with drafting and submitting proposals on judicial reform for consideration by the president. The process of finding and punishing those responsible for the shooting of protesters in early 2014 was ongoing at year's end. Members of the riot police unit Berkut as well as unidentified snipers were thought to be responsible for the deaths of scores of demonstrators. However, a number of the senior officials who allegedly ordered these crimes, including Yanukovych, fled the country. Many Berkut officers fled to Crimea, where they joined Russian security services. The Berkut unit itself was dissolved after the change in government in February. Three Berkut suspects were arrested in April, but the most senior of the three, Dmytro Sadovnyk, absconded

after being released to house arrest in September. A criminal case was then opened against the judge who allowed the release. Meanwhile, the media identified a number of flaws in the evidence against the three suspects.

The Ukrainian judicial and law enforcement authorities were largely powerless to prevent or punish human rights abuses in Russian-occupied Crimea and separatist-held portions of the Donbas during 2014. Although Ukrainian officials have investigated claims of human rights violations by progovernment forces in the east, these efforts have been criticized as inadequate.²¹

Corruption

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
5.75	5.75	5.75	5.75	5.75	5.75	6.00	6.00	6.25	6.00

A genuine effort to combat endemic corruption was one of the main demands of the Euromaidan movement, and the removal of the former president, who was deeply mired in the problem, represented an important first step. However, further gains would require systemic reform.

The year's greatest achievement in this area was the parliament's 14 October adoption of a package of anticorruption legislation, which was welcomed by domestic NGOs and international organizations. In fact, the laws were developed by the RPR civil society network in cooperation with the Justice Ministry, based on recommendations from UN and Council of Europe experts. Among other provisions, the package would allow asset seizures and trials in absentia for former officials who fled the country, make it easier to convict suspects based on unexplained wealth, require full disclosure of the real beneficiaries of Ukrainian companies, and create an anticorruption bureau tasked with investigating and prosecuting high-level corruption.²² When implemented, the laws would fulfill requirements linked to crucial international financial assistance. Although the effectiveness of the measures in practice had yet to be seen in 2014, the new package generated more optimism than previous anticorruption efforts given the political will and comparative probity of the post-Yanukovich leadership.

The lustration law, also enacted in October but subject to possible revisions that were under discussion at year's end, could have an impact on corruption among public servants by forcing the dismissal or exclusion of those implicated in abuses of power under Yanukovich or the Soviet Union.²³ It also entailed a review of officials' asset and income declarations. Implementation of the law would take place in four phases and last until the end of 2016. Although it does not apply to current elected officials or judges on the country's highest courts, it was estimated that about a million public servants would be subject to examination.²⁴ As noted above, the legislation as adopted in October was criticized for a number of shortcomings,²⁵ including the fact that officials could be dismissed based on collective responsibility rather than individual guilt—a violation of international standards.²⁶

The effort to locate, freeze, and recover assets illegally obtained by Yanukovich and his associates was ongoing throughout 2014. The search was primarily based on investigations by journalists at the online newspaper *Ukrayinska Pravda*; Serhiy Leshchenko, a well-known journalist at the outlet who was later elected to parliament with the Poroshenko Bloc, published a book on his findings in September.²⁷ In early October, the parliament enacted a law giving the authorities greater power to confiscate the property of suspects who have fled the country or assisted separatist militants.²⁸ However, there was little in the way of actual asset recovery during the year, and at year's end the government had yet to prosecute officials from the Yanukovich regime, even those who were still in Ukraine. The lack of progress caused considerable public frustration.

As in previous years, Ukraine performed poorly in international assessments of corruption. It ranked 142 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, earning a score of 26 on a 100-point scale, with 100 as the best possible score.²⁹

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