



# **Sounding the Alarm Round 2: Protecting Democracy in Ukraine**

**A Follow-up Freedom House Report**



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## I. Introduction

A little more than a year ago, Freedom House released its first special report on Ukraine, *Sounding the Alarm: Protecting Democracy in Ukraine*. That report,<sup>1</sup> as the title suggested, warned that Ukraine was heading in the wrong direction on a number of fronts: consolidation of power in the executive branch at the expense of democratic development, a more restrictive environment for the media, selective prosecution of opposition figures, worrisome instances of intrusiveness by the Security Service of Ukraine (SBU), widely criticized local elections in October 2010, a pliant Verkhovna Rada (Ukraine's parliament), an erosion of basic freedoms of assembly and speech, and widening corruption. "Ukraine under President Yanukovich," last year's report warned, "has become less democratic and, if current trends are left unchecked, may head down a path toward autocracy and kleptocracy."

A year later, most of those key concerns remain, and in some cases the problems have grown considerably worse, especially in the area of selective prosecution of opposition figures and corruption. The mayoral election in Obukhiv in March was widely criticized for its alleged rigging and fraud and bodes badly for the upcoming Verkhovna Rada elections. The term "familyization" was commonly used by interlocutors, implying that President Yanukovich's family has not only benefitted personally from his presidency (see the section below on corruption) but is increasingly at the center of power and governance. Freedom House's ranking of Ukraine in its *Freedom in the World 2012* report remained in the Partly Free category with a negative trend; the same

assessment can be found in Freedom House's just-released *Nations in Transit*.<sup>2</sup>

Against this backdrop, Freedom House, with support from the Open Society Foundations' Ukrainian arm, the International Renaissance Foundation, undertook a follow-up special report on Ukraine and sent the same American assessment team – David J. Kramer and two independent analysts, Robert Nurick and Damon Wilson<sup>3</sup> – back to Kyiv, Kharkiv, and Lviv this past April to have another look at the situation. This year, two highly respected Ukrainian experts joined in the assessment mission – Victoria Syumar and Olexander Sushko. Their participation provided invaluable Ukrainian insight into developments in their country and removed the sense that this year's report is simply an outsider's look into Ukraine. During the mission, the American-Ukrainian team met with a wide range of government officials, Verkhovna Rada deputies, political opposition figures, civil society actors, and journalists;<sup>4</sup> unlike last year, their meetings included President Yanukovich himself.

All members of the assessment team share a common commitment to Ukraine's success. We embrace the vision of an independent, sovereign Ukraine with strong democratic institutions, a prosperous free market, and consistent rule of law, embedded in Europe and a partner of the United States as well as Russia. It is in the context of this vision for Ukraine, a vision shared by government and opposition leaders alike, that we offer this report and register our

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<sup>1</sup> For last year's report, *Sounding the Alarm: Protecting Democracy in Ukraine*, see <http://www.freedomhouse.org/report/special-reports/sounding-alarm-protecting-democracy-ukraine>.

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<sup>2</sup> For key findings from *Freedom in the World 2012*, see <http://www.freedomhouse.org/report-types/freedom-world> and for *Nations in Transit 2012*, see: <http://www.freedomhouse.org/report/nations-transit/nations-transit-2012>.

<sup>3</sup> The views of Nurick and Wilson reflected in this report are their own and not those of their institutions.

<sup>4</sup> See Appendix I for a full listing of the interlocutors with whom the team met in Ukraine. All conversations were conducted under Chatham House rules, meaning that none of the comments reflected in this report are attributed.

concerns. The trajectory of policy and events in Ukraine today regrettably threatens to lead the nation away from, rather than toward, this vision.

The assessment team concluded that, whereas most areas we considered in last year's report have worsened, as noted above and in this year's report, civil society appeared more animated and less dispirited this year compared to last. The Verkhovna Rada elections scheduled for October offer a critical test for the government to demonstrate its commitment to democratic principles. The media situation is not as bleak as the trajectory a year ago would have suggested, though still cause for concern. Moreover, the government has supported useful legislation and approaches dealing with the non-governmental (NGO) community, access to information, and open government.

Western engagement, both with the Yanukovich government and Ukrainian society, remains critical. It should include encouraging and rewarding good performance and aggressively pushing back against backsliding on democracy. From this perspective, the reaction of the international community, especially the delay by the European Union in December 2011 in signing the Association Agreement, including the Deep and Comprehensive Free Trade Agreement (DCFTA), because of the treatment of opposition figures, sent a very strong signal to the Yanukovich administration. Similarly, the fact that many European leaders opted not to attend the Euro 2012 soccer tournament co-hosted by Ukraine and Poland was a clear message. So too, was the cancellation of an East-Central European summit in May 2012 that Ukraine was planning to host in Yalta after a number of European leaders opted not to attend that either. The onus is on the Ukrainian government to regain the trust and confidence of the Europeans. Western leaders need to be

careful, however, that their pushback against bad behavior by the Ukrainian government does not lead to disengagement from Ukraine as a whole.

After all, as we noted last year, with a population of 46 million and shared borders with the European Union and NATO member states, as well as with Russia, Ukraine is important. If it becomes a more established, democratic, and market-oriented member of the Euro-Atlantic community, it will have a positive effect on the wider region and become a success story for its neighbors to emulate. If it moves in a more authoritarian direction, Ukraine will not only cast a cloud over its own future, but also damage hope for reform in Eurasia as a whole.

In January 2013, Ukraine will assume the chairmanship of the Organization for Security and Cooperation in Europe (OSCE), an organization that embodies the Helsinki principles and is a watchdog of democratic norms. Recent negative trends form an ominous

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backdrop to Ukraine's assumption of the OSCE chairmanship, when there will be an even brighter spotlight on the democratic transgressions of the government, if left unchecked. For the sake of the OSCE and for Ukraine itself, it is critical that the negative trends be arrested and reversed. This includes the release from prison of leading opposition figures –

former prime minister Yulia Tymoshenko, former interior minister Yuri Lutsenko, and former acting defense minister Valery Ivashchenko<sup>5</sup> – and allowing them to participate in the upcoming Verkhovna Rada elections (if they so choose). It also includes a Verkhovna Rada election this October that meets the OSCE's standards. And it includes a vibrant civil society and media to act as checks against unwise government policies.

<sup>5</sup> Our team requested and was allowed meetings with the imprisoned Tymoshenko in Kharkiv and Lutsenko in Kyiv.

We offer recommendations at the end of this report on how to improve the situation for civil society, media, elections, selective prosecutions and corruption. Absent improvements in these areas, however, talk about the possibility of sanctions against Ukrainian officials, limited to only private discussions among politicians and foreign policy leaders at this point, is bound to expand. Legislation moving through the U.S. Congress focused largely on Russia that would impose a visa ban and asset freeze against officials involved in gross human rights abuses, could, under the latest Senate version of the bill, also be applied to other countries, including Ukraine.<sup>6</sup> Support for such application of the legislation in the case of Ukraine is growing among experts and parliamentarians in the West and even among some Ukrainian Verkhovna Rada deputies. That Ukraine and sanctions are increasingly mentioned in the same sentence is a reflection of the level of frustration among Western officials with President Yanukovich's seeming deafness and impermeability. While we are not advocating sanctions at this particular point, we hope the very possibility of U.S. sanctions being applied would serve as a wake-up call to the highest levels of the Ukrainian government that they are on the wrong path.

The Ukrainian government is pursuing contradictory policies. On the one hand, Ukraine's leadership seeks to integrate Ukraine into Europe, hence its pursuit of the DCFTA; at the same time, it is trying to emasculate the domestic opposition and civil society. In their first two years in office, Ukrainian authorities made limited progress on the former goal and too much progress on the latter. Ultimately, they must choose. Integration with Europe cannot simply serve as a counter to Russia. If pursued seriously and genuinely, it must be accompanied by respect, not disregard, for freedoms and human rights. The time for Ukraine's leadership

to demonstrate its seriousness and respect is long overdue.

While Ukraine matters, its officials should not misunderstand the impact of their country's importance to Europe. Some Ukrainians appear to have the mistaken belief that, despite crackdowns on the opposition, faulty elections, and pressure on civil society, Western leaders will nevertheless decide at the end of the day that Ukraine is too important to shun. Yet Ukraine today is hardly at the center of the agendas of most European and American officials, who are wrestling with their own financial and economic crisis. Moreover, the domestic trends in Ukraine are reinforcing a view in Western capitals that Ukraine at the moment is more a headache than an opportunity. That perception, consistent with the reality inside Ukraine, is a problem that needs to be rectified very quickly.

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<sup>6</sup> This legislation is named after Sergei Magnitsky, a 37-year-old Russian lawyer who was for all intents and purposes murdered in a Russian prison after uncovering massive fraud by officials in the Russian Ministry of Interior.

## II. Electoral Environment

In last year's report, Freedom House noted widespread concerns among credible observers that President Yanukovich's administration was seeking to alter the electoral environment in ways that would prejudice the prospects of independent and opposition political forces and help concentrate power in the ruling Party of Regions. With several important opposition political figures having been jailed, and after the promulgation of a controversial new electoral law, these concerns have if anything intensified over the past year. As a result, the October 2012 parliamentary elections are now widely viewed, both inside and outside Ukraine, as a critical test of the administration's political legitimacy and of the country's democratic prospects.

parliamentarians voted for the legislation as well, on the grounds that they were able to include provisions intended to reduce the possibility of fraud. Some civil society observers generally concur, pointing for example to the creation of centralized voter lists and to modified procedures that they hope will provide for fairer representation on Electoral Commissions, and have expressed guarded optimism, that, if implemented as written, the new law will at least be a technical improvement over the previous one. Moreover, preparations are well under way for a robust election monitoring effort this fall, to be carried out by both domestic and international observers. If observers are allowed to operate without undue

Composition of Verkhovna Rada in July 2012



Independents	(29)
Party of Regions	(192)
Reforms for the Future	(19)
Peoples Party	(20)
Our Ukraine–People's Self-Defense Bloc	(65)
Yulia Tymoshenko Bloc- Batkivshchyna	(100)
Communist Party of Ukraine	(25)

\* breakdown according to Verkhovna Rada website

The conduct of the parliamentary elections will be governed by a new electoral law, passed by the Verkhovna Rada in November 2011 and signed by President Yanukovich in December. The principal effect of the law is to replace the current arrangement, in which all deputies were selected by proportional representation from closed party lists, with a mixed system in which half of the seats will be chosen proportionally from party lists and half will be elected from single-mandate districts. The new law also raises the threshold for party representation in the Verkhovna Rada from 3% to 5%, and bans participation in the elections by blocs of political parties.

President Yanukovich's administration supporters argue that these changes are necessary to stabilize and rationalize the electoral environment. Many opposition

hindrance, their presence should improve the transparency – and thus the credibility – of the process.

It is clear, however, that opportunities for manipulation still exist. Under the new law, the Central Electoral Commission now has the authority to decide which candidates are allowed to run in single-mandate districts, while the district Electoral Commissions can remove observers from polling stations and will be responsible for tabulating and aggregating vote counts that the polling stations provide. Moreover, the Electoral Commissions generally operate by majority rule, and, while opposition forces will be represented, control is widely expected to reside with figures allied with the ruling party. Violations must be reported within 48 hours, and they are to be handled by administrative courts whose political objectivity

is also a source of concern. Given these concerns, the composition and actions of Electoral Commissions and administrative courts will thus be critical. Given the uncertainties surrounding the candidate lists for those districts, there is also a worry that after the election, significant numbers of newly elected and putatively independent Verkhovna Rada representatives will suddenly switch party allegiance – a phenomenon that has been observed in other elections in Ukraine, especially the last Verkhovna Rada election, and is taken as a sign that opaque deals have been struck in advance. Additionally, fair access to national media, especially TV, remains a serious handicap for independent and opposition voices.

Technical and procedural issues aside, the new legislation is in any case widely viewed as one of several trends in the electoral environment that militate strongly against independent and opposition political forces. Judging from recent opinion polls indicating a decline in support for the Party of Regions, many expect that opposition parties will do well in seats chosen by proportional representation. But they are expected to be hard-pressed in the single-mandate districts, where local connections, established party structures, and the application of state resources and powers at various levels of the government, so-called administrative resources, are expected to seriously influence the results. The higher election threshold and the ban on election participation by blocs are also expected to disadvantage smaller parties – and indeed have already begun to push many of them to merge with larger ones. While over the longer run this may prove to be a healthy political trend, under present circumstances most civil society observers expect these provisions to bring particular advantage to the Party of Regions.

Unfortunately, Ukraine's recent history provides grounds for these concerns. The new election law marks a return to the mixed system operative in the elections of 1998 and 2002, under then President Kuchma, in which the single-mandate districts were widely understood to favor pro-presidential candidates. Moreover, similar dynamics were observed in recent local

elections, where the Party of Regions won under 40% of the votes on party lists but was able to form majorities in many oblasts and city councils because of the results in single-mandate districts, and because a good number of putatively “independent” candidates in those districts immediately switched their party affiliations to the Party of Regions after the election. In short, critics believe that all three central innovations in the law will favor large, established parties, and especially the Party of Regions, over smaller, newer ones – as representatives of the European Commission for Democracy through Law (also known as the Venice Commission) warned before the legislation was passed.

The effects of these changes are already palpable. In March 2012, Deputy Prime Minister Serhiy Tyhypko disbanded his relatively liberal Strong Ukraine party, joined the Party of Regions, and called on his former party members to follow suit. Other small parties are expected to disappear or merge with the Party of Regions before the October elections.

Opposition parties have also sought to adjust to the new rules; unable to form and run as a bloc, Yulia Tymoshenko's Batkivshchina, Arseniy Yatseniuk's Front for Change, Anatoliy Hrytsenko's Civil Position Party, and the European Party of Mykola Katerynychuk have announced that they will produce joint lists of candidates. Vitaliy Klitschko has said that his UDAR (“Punch”) party will run on its own but will then join forces with other opposition parties once the Verkhovna Rada is formed. For better or worse, Ukraine's political-party environment has thus started to see a degree of consolidation.

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As with previous elections, what links these concerns about the implications of the new electoral law – and assigns such critical import

to the October 2012 parliamentary elections – is widespread and enduring distrust of the underlying political intentions of President Yanukovich’s administration. This distrust has evidently grown both in Ukraine’s civil society and among interested international observers, and it has been fed in particular by what is widely viewed as a pattern of selective prosecution of opposition political figures – most visibly the imprisonment of Ms. Tymoshenko – reinforced by signs of financial pressure on opposition political forces and independent media. How opposition parties would fare in October if Ms. Tymoshenko and others had not been imprisoned is difficult to judge, in part because popular trust for established parties, both pro-government and opposition, appears to have waned throughout

the country. But it is also difficult to imagine that the legitimacy of an election conducted with key opposition politicians in jail will not be damaged. It unfortunately remains the case that both the electoral procedures now in place, and the political objectives those procedures are believed to reflect, lack broad credibility with important segments of the engaged Ukrainian public.

Nonetheless, the October elections are shaping up to be a competitive contest. The environment the government creates in the run-up to the elections and manner in which the government administers the elections will have a major impact on whether they are a milestone toward rehabilitating or tarnishing the government’s reputation.

### **III. Civil Society**

Civil society organizations and initiatives in Ukraine play a vital role in defending basic democratic values and are a considerable and visible force in society. At the same time, Ukrainian civil society is limited by its heterogeneity, fragmentation, and heavy dependence on political and other sponsors. Recent legislative reforms have improved the general legal framework for NGOs, but it remains to be seen whether the follow-through measures and political will exist to ensure that the reforms are thoroughly implemented.

According to official statistics, there were about 70,000 registered NGOs in 2011, but a recent report by the Justice Ministry indicated that about 65% of organizations were not active. The Counterpart Creative Center, an independent civil society watchdog group, has provided an even more pessimistic estimate, arguing that only four to five thousand NGOs are truly active and are implementing projects.

#### *Government vis-à-vis the civil society*

The worrying political developments over the past year in other areas have not resulted in

massive pressure on the NGO community. Compared to the previous year, there were few new signs that the SBU or other law enforcement bodies were systematically pressuring non-governmental groups, interfering in civil society activity, or discouraging foreign donors from making grants to Ukrainian organizations. Instead, the government has apparently pursued a more neutral and balanced policy towards the third sector and has sought to engage those elements which it does not perceive as directly threatening its power.

For instance, the government allowed limited involvement by certain NGOs in the drafting of legislation; civic oversight over fundamental freedoms, human rights, and civil society policy; and civil society participation in the debates over the changes to the Constitution. Moreover, civil society representatives were recently involved, to a certain extent, in the Constitutional Assembly held by the President on January 25, 2012; the Strategy of Government Policy for Civil Society Development, adopted on March 24, 2012; and, to a lesser extent, in the National Anti-Corruption Committee, established on March 16, 2012.

Another indication of the government's potential willingness to include civil society into governance and decision-making is the creation of hundreds of civic councils that were established at all levels of the government in accordance with a cabinet decision taken in 2010. The councils count more than 9,000 people as members; among the councils attached to central government agencies, 39% of members represent NGOs, 32% trade unions and business associations, and 7% charitable organizations. While their

*While civil society is limited and heavily dependent on sponsors, recent legislation and recent successful campaigns may unlock its true potential*

creation is a good sign, the effect of these new councils on governance is not clear, and some NGOs have characterized them as allowing the government to "imitate" public participation in decision-making.

Among recent actions that have negatively impacted civil society are the selective administrative measures taken by the authorities against some civic protest initiatives. For example, one notable incident revolves around the death of Mykola Konoplyov, a Chernobyl veteran, who was killed during the November 27, 2011 demolition of a tent camp erected by protesters in Donetsk. Civil society observers viewed this as an effort by the authorities to intimidate potential participants and to deter any future anti-government protests.

Reports reveal some cases of the authorities exerting psychological pressure on activists and civil society organizations. For example, some NGOs reported that SBU officers had approached them to hold "preventative conversations" with them regarding their future projects and activity, especially connected to the upcoming October 2012 parliamentary elections. Many activists believe that these meetings are meant to discourage them from their work.

#### New legislation

The adoption of new legislation regulating civic associations, NGOs, and nonprofit organizations is widely recognized as the most significant positive development for civil society in the past year. The Law On Civic Associations (NGO Law), signed by President Yanukovych on April 13, 2012, will enter into force on January 1, 2013 and will introduce a number of positive changes in the regulatory framework for NGOs. Prior to its entry into force, the Cabinet of Ministers is expected to adopt a number of regulations that will ensure that the promising new law is properly implemented.

In addition to introducing several badly needed reforms, the law may represent a good step forward in government efforts to include civil society groups and experts into decision-making processes. The NGO Law was developed with significant input from civil society experts after stalling for many years in the Verkhovna Rada without any progress. The development of the law represents a pattern of productive cooperation between the government and civil society that should continue.

Among the major reforms that the new NGO law introduced are a simplified NGO registration process and rules allowing organizations and companies to establish NGOs. Problematic restrictions on NGOs that existed in the old framework were also removed, including those prohibiting where organizations could physically operate or conduct activities within Ukraine, conducting commercial activity to raise funds, and advocating on behalf of individuals or groups that are not members of the organization.

An additional positive development worth noting is the adoption on March 24, 2012 of the Strategy on State Policy for Support of Civil Society Development and Primary Implementation Steps. The civil society development strategy and its associated Action Plan were worked out by the presidential administration in close cooperation with civil society activists and generally welcomed by

civil society groups, however some NGOs expressed doubts that their measures would be fully implemented, citing a lack of political will.

#### *Current civic activism and its impact*

A variety of new public campaigns and activity that emerged in the second half of 2011 and the first half of 2012 hint at Ukrainian civil society's true potential to organize and have an impact. The campaigns advance causes like Ukraine's European integration (*We're Europeans*), a fair and clean election process (*Chesno*, or *Honestly*), stronger self-organization and civic involvement in public policy (*SAM*, or *On my Own*), and even remarkable civic demonstrations held in March-April 2012 against government efforts to euthanize stray dogs in preparation for the Euro 2012 soccer championship.

## **IV. Media**

Developments in Ukraine's media environment over the past year reinforce concerns that space for freedom of the press is shrinking and that the independence of many media outlets is compromised. Worsening trends include corruption and declining independence of media from political and business influence. There is a lack of pluralism and a paucity of objective voices in print and broadcast outlets. Monopolization of the media sphere by a few individuals, companies, and the government; lack of progress in the privatization of state-owned media outlets; a drop in the quality of information distributed through broadcast outlets; the increasing use of administrative and legislative tools to hinder, disrupt and ultimately prevent media outlets from operating; and the growing prevalence of "sponsored" information in the media are especially worrying.

Among the most concerning developments articulated by interlocutors is the transition from analog to digital frequencies for broadcast television which appears likely to bolster the monopolization of the media by the state and pro-government companies for the foreseeable

The brutal murder of Oksana Makar in the city of Mykolaiv also resonated widely across the country. After the three men suspected of raping, strangling, and burning Makar in March 2012 were released, due, reportedly, to their connections to influential people, a strong civic reaction ricocheted across the country and the case generated massive media coverage. The strong public response and protest against the suspects' release led to the prosecutors in the case re-arresting the suspects.

Other recent initiatives that demonstrate the capacity of civil society to mobilize are the efforts to defend Kyiv's historical heritage at *Peyzazhna Alley* in March 2012 and the iconic street *Andriivsky Descent* in April. Both initiatives achieved their major objectives forcing the authorities and developers to stop the construction and to commit to restoring the historic elements that were destroyed.

future. This transition will be completed in June 2015, after which Ukraine will stop using analog TV frequencies and existing broadcast licenses will no longer be in effect. While the transition to digital frequencies is not itself necessarily a cause for concern, the lack of transparency with which the early phases have been conducted indicated that it could be misused for political influence and as tools for further corruption. In order to ensure that media outlets can continue to operate during and after the transition, the process should be simple, transparent, and free of manipulation; up until now, however, the process has been anything but. In late October 2010, the National Broadcasting Council, the state regulator of broadcast media, reversed all the decisions related to digital broadcasting licenses it had made over the previous three years. A few days later, the regulator announced a competition to determine a provider of all digital networks in Ukraine. Only two companies submitted bids, however one was disqualified on technical grounds. An obscure offshore company Zeonbud LLC, owned by a consortium of anonymous private investors based in Cyprus, was the winner by default. In

addition to being an entirely new player in the Ukrainian media market, Zeonbud LLC's ownership is unclear, and the company apparently has no experience in operating media outlets, leaving little information from which to develop expectations about its plan for the development of digital broadcast media in Ukraine and raising serious questions about the company's true intentions.

Developments in 2011-2012 continue to suggest that the transition to digital frequencies will negatively impact media freedom and openness in Ukraine. For example, the National Council for Television and Radio Broadcasting (NTVCU), the entity responsible for managing the transition, is often used for corrupt purposes and is composed of members with deep and opaque political connections, according to interlocutors. On August 18, 2011 the NTVCU announced the winners of free licenses for nationwide digital TV coverage which analysts cited as proof that the NTVCU is used by influential politicians to restrict media freedom. The 28 licenses were awarded to eight broadcasters (Inter, Ukraina, Kynotochka, TONIS, Mega, Enter Music, MTV Ukraine, and Bank TV), all of which are owned by business people who openly support the government. No independent TV stations won broadcast licenses. Days later in August 2011 the NTVCU announced the winners of the competition for regional broadcast licenses. According to the Independent Association of Broadcasters, 68 existing regional and several leading national channels now broadcasting on analog frequencies did not win licenses to broadcast on digital frequencies. Licenses instead went to the existing state-owned broadcasters and to several new channels with unknown owners. None of the existing privately owned stations broadcasting in Ukraine's western regions received licenses.

Like those companies that won digital licenses, the vast majority of those who own broadcast and print media outlets are closely tied to or are members of the current government and are busily consolidating and expanding their control over new outlets. This cozy relationship between media owners and political power has

led to media outlets pursuing the agendas of their owners at the expense of objectively and responsibly covering current events and meeting the demands of the public. As a result, censorship in Ukraine generally results from economic pressure on media owners, rather than direct government interference. However, many observers accuse the government of instigating economic pressure and of applying it to owners – who in turn apply pressure on individual journalists – to curb critical media coverage

The government reportedly pressured owners through indirect tactics such as threats to deny broadcasting licenses, "investigations," raids by tax inspectors, and even court cases, such as the proceedings that resulted in the revocation of the analogue broadcasting licenses allocated to Channel 5 and TVi. Observers pointed specifically to a need by media owners to prevent government interference in their other business interests and a lack of transparency in ownership as having left journalists and the public unable to determine who owns or actually controls many media outlets.

For example, in April 2012, Minister of Economy Petro Poroshenko, who currently owns the station Channel 5, purchased the print- and online-versions of *Korrespondent*, a glossy news magazine previously owned by an American investor. In early 2012, Mr. Poroshenko consolidated his Internet assets (under KP Media) with the leader in the print media market United Media Holding and Media Group Ukraine, a holding indirectly owned by pro-government magnate Rinat Akhmetov. The consolidation of Mr. Poroshenko's media holdings is indicative of the ongoing tendency toward monopolization of national media by pro-government business people and politicians.

At the same time, government plans to privatize state-owned media have stalled or otherwise been seriously delayed, allowing the government to maintain its effective control over broad swathes of the media sector and raising concerns about the authenticity of the government's stated intention to reform.

On September 30, 2010, the President's Public Humanitarian Council approved a plan to create a National Public Broadcasting Company of Ukraine, which would be an important step towards enhancing media pluralism. The Presidential administration promised that the plan would be turned into legislation and submitted to the Verkhovna Rada by December 1, 2010, however, the President has yet to send the bill to the Verkhovna Rada or the Cabinet of Ministers.

In February 2012, as the legislation had not yet been drafted, the Presidential administration asked the Cabinet to send the unfinished draft legislation to the Verkhovna Rada for completion. However, as of the end of April 2012, the President's bill had not yet been sent to the Verkhovna Rada. These delays in introducing legislation on reforming the public broadcasting system indicate reluctance by the government to carry out real reform, including the privatization of state-owned print media outlets. The result of these delays is the de facto continuation of governmental control over broadcasters and print media outlets directly owned by the state.

Another recent trend that raises concerns about the media environment in Ukraine is the fall in the quality of information about current affairs broadcasted or published by media outlets. According to an analysis conducted by the Academy of Ukrainian Press and the Institute of Sociology of the National Academy of Sciences, only one in five news items on television is related to public policy or politics. The lack of television coverage of current affairs is especially concerning as the country prepares for elections to the Verkhovna Rada in October 2012.

The same study revealed a stark imbalance in the coverage of political forces on television. In October 2011, political coverage was overwhelmingly dominated by the incumbent president and his political party (69%), with the opposition receiving a far smaller share of the coverage (24%). The imbalance of political coverage was even starker when considering live

appearances: 76% of live appearances on television featured the incumbent whereas only 18% included opposition politicians. Overall, only a third of materials on Ukrainian TV channels present more than one viewpoint.<sup>7</sup>

Since the beginning of 2012, the prevalence of secretly sponsored news items, or advertorials, has increased steadily as incumbent political forces engaged in a campaign to discredit the political opposition. This trend is evidenced by the results of monitoring of TV news (conducted by Telekrytyka) and of print media conducted by Institute of Mass Information, an independent media monitoring organization. What is more, the monitoring by both organizations reveals an increase in the number of news items and materials where the opposition is mentioned in a negative context.<sup>8</sup>

In print media, the share of paid political coverage grew to 43% of all political news in March 2012, compared to 15% in February of the same year.<sup>9</sup> Current government officials, such as the Chairman of Kyiv State Administration Oleksandr Popov, who is running for mayor of Kyiv, and politicians like Natalia Korolevska and Arseniy Yatseniuk, alike resort to secretly sponsoring favorable media coverage.<sup>10</sup>

Monitoring conducted by the Institute for Mass Information shows increased pressure on regional media. For example, in Kharkiv, three TV stations (FORA, A/TVK, and ATN) were removed from the airwaves in 2011 by the local authorities because of claims by the city's sanitation department that the stations' facilities

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<sup>7</sup> "Monitoring of Political News: Main Results," Ukrainian Press Academy and the Institute of Sociology at the National Academy of Sociology of Ukraine, accessed on June 28, 2012,

<http://www.aup.com.ua/upload/1335534340A12.pdf>

<sup>8</sup> "Monitoring," Mediasapiens, accessed May 18, 2012, <http://osvita.mediasapiens.ua/monitoring>.

<sup>9</sup> "Monitoring," Institute of Mass Information, accessed May 18, 2012, <http://imi.org.ua/category/моніторинг/моніторинг-джинси>.

<sup>10</sup> "Monitoring," Institute of Mass Information.

did not meet sanitation regulations. Although Gennadiy Kernes, the mayor of Kharkiv and member of the Party of Regions, denies shutting down the opposition-affiliated media outlets for political reasons, representatives of the TV channels claim they are being politically pressured and persecuted.

Among the positive trends worth noting are the entry into force of the Law on Access to Public Information in May 2011 and the

declassification of information about the Department of State Affairs. Despite these positive developments, numerous recent cases show that real reform is lagging as the authorities often refuse to provide information citing the protection of personal data and official secrets. These challenges to access to information suggest that additional regulation on access to information is necessary to ensure that the law is implemented in practice.

## V. Rule of Law, Selective Prosecutions, and Corruption

Whether Ukraine succeeds in creating a political culture and business environment grounded in the rule of law is at the heart of whether Ukraine will be able to become a functioning democracy headed toward Europe. Today, the two greatest factors undermining Ukraine’s democracy are selective prosecutions of political opponents and the expansion of corruption as an integral form of governance.

To be sure, there have been some positive developments in the area of rule of law. The Ministry of Justice, for example, is working effectively with civil society groups on establishing a new, free legal aid system aimed to meet the needs of vulnerable populations in criminal and non-criminal matters. The newly appointed Ombudsman conducted consultations and has offered public and promising commitments on working more closely with human rights NGOs, especially in the area of freedom of information, non-discrimination and torture prevention. A new and much needed law on freedom of assembly has been tabled before the Verkhovna Rada. But these positives get lost amid the clamor over the negatives.

*Criminalization of politics threatens to extinguish democracy in Ukraine which would lead to the end of the idea of Ukraine in Europe*

This list includes many former officials, but most prominent on the list are former Prime Minister Yulia Tymoshenko, former Interior Minister Yuriy Lutsenko, and former acting Defense Minister Valery Ivashchenko. Some observers criticize the international community’s focus on the imprisonment of Ms. Tymoshenko in particular, given the former prime minister was not a paragon of effective governance when she was in office. This argument misses the point. The attention is not on Ms. Tymoshenko per se, but rather a former prime minister along with several leading opposition figures who are now in prison on charges many judge as politically motivated. Moreover, the way the prosecutor’s office has conducted the numerous investigations against Ms. Tymoshenko has lacked any credibility whatsoever. It seemed that they opened one case after another until they could find a charge that would stick. The result is that Ukraine now has political prisoners.

The government has prosecuted Ms. Tymoshenko not for using her position for personal enrichment, but rather for concluding a “treasonous” natural gas deal with Russia. The deal she negotiated with the Kremlin may not have best protected Ukrainian interests (the authors were critics in our personal capacities), but in a democracy, critics can make the case for her punishment to be rejection at the ballot box, not imprisonment. Similarly, charges against her

### Selective Prosecutions and Judicial Reform

Since Viktor Yanukovich became president, Ukraine has been dogged by accusations of selective prosecution of political opponents.

relating to improper procurement of foreign vehicles would be handled as an administrative, not a criminal, matter in most European democracies.

Similarly, Mr. Lutsenko remains in prison not because of allegations of personal enrichment while in power, but because he paid an official driver from an incorrect budget account. Mr. Ivashchenko, who was acting minister of defense from June 2009 to April 2010, was sentenced to five years in jail in April 2012 “exceeding his authority” in the illegal sale of the Defense Ministry’s shipyard in the Crimean port of Feodosia. These bizarre charges reinforce the sense that the prosecutions are politically motivated.

The situation is not simply a setback for Ukraine’s democratic progress. It fundamentally challenges Ukraine’s democracy. The current Ukrainian government’s political and legal tactics directly contradict its policy of advancing Ukraine’s integration with the European Union. By confronting its political opponents in the courtroom rather than at the ballot box, Ukraine’s leaders are effectively criminalizing political differences, creating an environment in which any Ukrainian politician must now fear retribution once out of office. This reality undermines the democratic process by making current leaders fear their treatment by future leaders once they leave office and creates incentives for them to not to give up power. As the negative spiral sets in, democracy is undermined in Ukraine. If democracy fails in Ukraine, the vision of Ukraine within Europe collapses. The stakes are high.

To its credit, the Ukrainian government granted Freedom House’s request to visit Ms. Tymoshenko and Mr. Lutsenko in Kachanivska and Lukyanivska prisons in Kharkiv and Kyiv, respectively (we did not seek to visit Mr. Ivashchenko). Our visit was the first by non-medical independent observers to Ms.

Tymoshenko since she was transferred to Kharkiv, and the second to Mr. Lutsenko since his incarceration. Since our visit, the government has provided more regular access to international officials. Unfortunately, the government has yet to arrive at a suitable arrangement to manage the health of Ms. Tymoshenko who suffers from a herniated disk.



*Campaign poster of imprisoned former Prime Minister Yulia Tymoshenko*

The government can avoid both growing international ostracism as evidenced by political leaders’ boycotts of the Euro 2012 soccer championships, and even potential US and European Union sanctions, by allowing all opposition figures including those currently imprisoned to contest parliamentary elections in October 2012. As long as the Ukrainian government criminalizes political differences, it may find itself in control at home, but increasingly isolated internationally.

While selective prosecutions are the most visible and egregious challenges to Ukrainian democracy, the underlying problem is the lack of an independent and professional judiciary, and a credible investigatory process. The irony is that top Ukrainian officials hide behind the argument that they are unable to address the cases of “selective prosecutions” because they have no right to interfere in the judicial proceedings.

After the upcoming parliamentary elections, the independence of the judiciary should be high on the new Verkhovna Rada's agenda. While the government has passed various forms of judicial reform legislation in the past, it has failed to create the political culture and the professional environment that can empower and sustain a strong, independent judiciary. As several interlocutors told us, there is no independent judiciary in Ukraine, and for Ukrainians who feel their rights have been violated, there is no recourse. This perception alone is a major problem.

### Corruption

Ukraine's co-hosting of the Euro 2012 tournament with Poland was intended to symbolize Ukraine's place inside Europe. Unfortunately, Polish and Ukrainian experiences offer a lesson in contrasts: new stadiums built in Ukraine for Euro 2012 cost double of those in Poland. This anecdote sheds light on the scale of corruption in Ukraine today.

Corruption is a cancer inside Ukraine suffocating democracy as it metastasizes throughout all public and private organs. In last year's report, we stated that "corruption may be the greatest threat to Ukraine's democracy and sovereignty." In this report, we affirm this conclusion.

First, we do recognize the efforts this government has undertaken. Since Freedom House's last assessment, the government has made progress in implementing the law on access to public information, introduced new legislation on judicial reform, and established a National Anti-Corruption Committee. The Verkhovna Rada has also passed a law on public procurement as well, and in April 2011 passed a law on preventing and combating corruption.

However, while the Verkhovna Rada acted on elements of these proposals, it also repealed the anti-corruption legislative package approved in 2009, and, last year, the Cabinet of Ministers terminated the position of Government Agent on anti-corruption policy. More tellingly, since

Viktor Yanukovich became president, Ukraine has fallen in Transparency International's Corruption Perceptions Index from 134 to 152 in the rankings. According to Transparency International, corruption in Ukraine is considered a "systematic phenomenon."<sup>11</sup>

Indeed, corruption is an enduring problem in Ukraine, plaguing every part of the Ukrainian government. But it has grown to such proportions along with a political culture of retribution, a tandem that seriously threatens Ukrainian democracy. Those in government engaged in corruption must fear that when they leave power, they will face criminal prosecution; as noted above, this creates incentives for politicians to manipulate elections and suppress the political opposition in order to perpetuate their rule.

The much-touted government anti-corruption campaign lacks credibility. The campaign has been used to justify prosecution of political opponents of the current government. Furthermore, any such campaign will fail without leadership from the top and examples from within the governing elite. The media exposure of the extravagant retreat and compound at Mezhyhirya built for President Yanukovich undermines the President's moral authority to lead an anticorruption campaign; some estimates suggest the cost of the residence approached \$100 million. Comparable behavior in a European democracy would become a major scandal, crippling if not ending political careers.

The most significant development since the last Freedom House special assessment is a so-called "familyization" of power and corruption in Ukraine. This term which we first heard during our April 2012 assessment mission underscores the degree to which those in power, in particular President Yanukovich and his inner circle, have not only become enriched, but whose family members have become wealthy and influential at an astonishing pace. Other observers have referred to this trend as the

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<sup>11</sup> See Transparency International's *Corruption Perceptions Index 2011* at <http://cpi.transparency.org/cpi2011/results/>.

creation of ‘The Family’ in which the sons, relatives, and friends of the president increasingly concentrate political and economic power.

For example, Oleksandr Yanukovich, the president’s eldest son, has garnered much attention for his business dealings. A dentist by training, he joined the ranks of Ukraine’s one hundred richest individuals in 2011, and, as the president of Management Assets Company (MAKO), is at the center of a nexus of political and economic relationships that have buttressed President Yanukovich’s rule with reliable friends. Recent appointments of the heads of the central bank, the national tax authority, the Interior Ministry, and Finance Ministry have all reinforced ‘the family’ control over key levers of power. In our discussions with civil society, the increasingly brazen activities of the governing elite and their families were becoming a rallying point of dissatisfaction with the status quo.

Despite these trends, Ukraine has joined the United States-proposed and United Nations-backed Open Government Partnership Initiative. As part of this initiative, Ukraine has proposed an action plan for implementation that provides key benchmarks against which to hold the government accountable. These include:

- Implementing a system of state control over declaring assets, income, and expenses of public servants (by December 2012);
- Amending the corruption law to ensure the publication of data relating to property, income, and expenditure returns by high public officials on web sites and upon information request (by December 2012);
- Drafting recommendations on preventing and addressing conflict of interests (by September 2012);
- Submitting to the Verkhovna Rada draft laws consistent with international recommendations on criminalization of corruption offenses, funding of political parties, forfeiture of property, and

protection of persons reporting offenses (2012-2013); and

- Establishing a mechanism for electronic government procurement to minimize opportunities for corruption (by December 2012).

Measures such as these, developed and implemented by competent bureaucrats, are important steps for Ukraine to take. However, without the backing of political will among Ukraine’s leaders, action on these items becomes an elaborate smoke and mirrors game rather than the building blocks of an effective anti-corruption strategy

## **VI. Conclusion and Recommendations**

In last year's report, we offered recommendations for the Ukrainian government and civil society, the United States and the European Union. This year, we confine our recommendations to our Ukrainian colleagues in both the government and the non-government communities. The reason for this is to avoid any impression that the West holds magic solutions for fixing the problems in Ukraine; these are of Ukraine's own making and need to be solved by the people living there in a transparent, democratic manner. That said, it remains important for Europe, the United States, and Canada to stay engaged in Ukraine. Turning a blind eye to the disturbing developments there will not make them better or go away.

In the coming weeks and months, Ukraine's leadership must make a choice between consolidating power through undemocratic means and advancing its nation's European aspirations. By ending selective prosecutions, pardoning imprisoned political opposition leaders without conditions, and ensuring free and fair elections this fall, Ukrainian President Yanukovich could become the leader who anchors Ukraine to Europe. If he fails to do so, he will be the latest politician to disappoint Ukraine's citizens and move it even further away from its rightful place in Europe.

### *Recommendations on the Election Environment:*

With the legitimacy of the October elections already in question, it will be especially important that the electoral environment and the conduct of the elections be as fair and transparent as possible. Many of the recommendations below are already reflected in the new electoral legislation; implementation will therefore be key. In particular:

- Domestic and international observers should be given full access to the electoral process, including vote counts at polling stations and the aggregations

and tabulations performed at the district level;

- The composition of both the Central Electoral Commission and the commissions in the regions should reasonably reflect opposition as well as pro-government figures;
- Violations and abuses should be reported and publicized, and the relevant courts must act on them expeditiously and fairly;
- Access to national media by independent and opposition voices should be improved;
- The government, working with all political parties, should create a streamlined rapid reaction task force that can receive and is empowered to address election-related complaints and concerns in the run-up to the vote; and
- All major opposition political figures should be allowed to participate fully and freely.

### *Recommendations on Civil Society:*

Civil society can act as a major driver of change in Ukraine and as a check against further abuses. Accordingly, it is important that the following steps be taken:

- The government should adopt as soon as possible the package of by-laws and additional regulations necessary to implement recently adopted legislation on civil society organizations;
- The government should cooperate on a more regular and inclusive basis with NGOs dealing with human rights protection; and
- The government should also provide more viable access to public funds for NGOs in the policy areas of high social importance on the basis of transparent procurement procedures.

*Recommendations on the Media:*

For Ukraine to succeed, media in the country must be able to operate freely, without concern about government or outside pressure. To create such an environment, it is important that the following measures be pursued:

- The Law on the National Television and Radio Council needs to be amended so that citizens make up at least half of the council; this would increase transparent operation and independence of a body that is extremely important for ensuring a competitive and high-quality media market in Ukraine;
- Government and independent experts should develop together a bill on the transparency of media ownership, aimed at ensuring transparency and reducing monopolization;
- Authorities need to ensure full transparency for privatization of the media and the creation of independent public broadcasting with public participation;
- Similarly, the government needs to ensure full and comprehensive implementation of the Law on Access to Public Information;
- Practical application of Article 171 of the Criminal Code to investigate crimes against journalists and bring those responsible to justice needs proper implementation; and
- Oversight and monitoring for the transition to digital broadcasting must ensure fair competition.

*Recommendations on Selective Prosecutions and Judicial Reform:*

Issues related to the judiciary, especially selective prosecutions, are arguably the most controversial area affecting Ukraine's development and image in the West. With this in mind, the government and civil society need to urgently move forward on several fronts:

- The government should end selective prosecutions, pardon imprisoned political leaders without conditions, and allow all opposition figures including those currently imprisoned to contest parliamentary elections in October;
- The government and the Verkhovna Rada should pass legislation that reinforces the independence of the judiciary, increases compensation for judges and those who work in the judicial system, and provide independent recourse for cases deemed politically motivated; and
- The government should bring constitutional provisions pertaining to appointment, dismissal of judges and composition of the High Council of Justice in line with European standards.

In this context, the European Union should not sign and ratify the EU-Ukraine Association Agreement and the Deep and Comprehensive Free Trade Agreement as long as Ukraine's most prominent opposition leaders remain in prison or before parliamentary elections this fall, a critical test of this government's will to conduct free, fair elections.

*Recommendations on Corruption:*

As we argued last year, corruption in Ukraine, if left unchecked, poses the greatest threat to the country's security and sovereignty. Addressing this problem without further delay is vital. As such:

- Any effective anti-corruption campaign begins with zero tolerance on the part of the top leaders, including the president, prime minister, and chair of the Verkhovna Rada;
- The government should prosecute those engaged in corruption who are also part of the ruling elite and inner circle;
- Opportunities for petty government corruption must be minimized by eliminating cash transactions for government services (switch to electronic transactions only);

- Immunity for Members of the Parliament should be reviewed, and reduced or eliminated;
- The government should meet the benchmarks it set for itself as part of the Open Government Partnership Initiative; and
- Funding of political parties and electoral campaigns must be reformed based on European standards (Council of Europe recommendation).

## Appendix I

### List of Delegation Interlocutors

- Zurab Alasania, journalist, Kharkiv
- Oleh Berezyuk, Director, Lviv City Council
- Ambassador Michael Borg-Hansen, Danish Embassy
- Yevhen Bystrytsky, International Renaissance Foundation (IRF)
- Petro Shatkovskiy, First Deputy Head of Security Service of Ukraine (SBU)
- Gennadiy Kernes, Mayor of Kharkiv (Party of Regions)
- Pavlo Klimkin, Deputy Foreign Minister
- Vitali Klychko, head of UDAR Party
- Serhiy Kvit, Rector of Kyiv Mohyla Academy
- Oleksandr Lavrynovych, Minister of Justice
- Volodymyr Lytvyn, Chairman of Verkhovna Rada
- Yuri Lutsenko, former Minister of Justice
- Myroslav Marynovych, Vice Rector, Ukrainian Catholic University
- Valentyn Nalyvaichenko, former head of SBU, head of political council of the Our Ukraine party
- Aleksandr Neberikut, OPORA in Lviv
- Hrihoriy Nemyria, former Deputy Prime Minister, deputy head of Fatherland Party
- Lesya Orobets, Member of Verkhovna Rada
- Rostyslav Pavlenko, UDAR Party
- Viktor Pshonka, Prosecutor General
- Viktor Ratushniak, Deputy Minister of Interior
- Oleh Rybachuk, head of New Citizen campaign
- Andriy Sadoviy, Mayor of Lviv
- Ostap Semerak, Member of Verkhovna Rada
- Dmytro Senik, First Secretary, Foreign Ministry
- Ambassador John Tefft, U.S. Embassy
- Yulia Tymoshenko, former Prime Minister, head of the Fatherland Party and Yulia Tymoshenko Bloc
- Kristina Wilfore, Ukraine Director, NDI
- Morgan Williams, President, US-Ukraine Business Council
- Viktor Yanukovich, President of Ukraine
- Svitlana Zalishchuk, coordinator for New Citizen campaign

In addition, the team met with a roundtable of some 30 civil society representatives organized by the International Renaissance Foundation, and before departing for Kyiv, the team also met with the Ukrainian Ambassador to the United States, Oleksandr Motsyk.

## Appendix II

### Assessment Team

**David J. Kramer** is President of Freedom House, which he joined in October 2010. Prior to joining Freedom House, Kramer was a Senior Transatlantic Fellow at the German Marshall Fund of the United States. Before joining GMF, Kramer served as Assistant Secretary of State for Democracy, Human Rights, and Labor from March 2008 to January 2009. He also was a Deputy Assistant Secretary of State for European and Eurasian Affairs, responsible for Russia, Ukraine, Moldova and Belarus affairs as well as regional non-proliferation issues. Previously, he served as a Professional Staff Member in the Secretary of State's Office of Policy Planning. Kramer has also served as an Adjunct Professor at the Elliott School for International Affairs at The George Washington University.

**Robert Nurick** is a Senior Fellow at the Atlantic Council and a consultant in Washington, DC. From 2003 to 2009 he was Senior Fellow at the Center for Nonproliferation Studies of the Monterey Institute of International Studies, and prior to that served as Director of the Carnegie Moscow Center. His previous positions have included Senior Political Scientist at RAND and Director of Studies at the International Institute for Strategic Studies in London. He has also worked in the Office of the Secretary of Defense and at the Arms Control and Disarmament Agency.

**Victoria Syumar** is a journalist and media expert, and serves as the Executive Director of the Institute of Mass Information (Kyiv). She is a respected journalist, specializing in the topics of the freedom of speech, protection of the rights of journalists and media analysis, and is the author of numerous research and analytical articles in many Ukrainian and foreign outlets. From 2006 to 2010, she served as a member of the National Commission on Freedom of Speech of the President of Ukraine. Since 2010, she has been a member of the Interagency Working Group to Protect the Rights of Journalists. From 2008 to 2010, she taught at the Institute of Journalism at the National University of Taras Shevchenko. She currently serves as a member of the board of the International Renaissance Fund.

**Oleksandr Sushko** has served as the Research Director at the Institute for Euro-Atlantic Cooperation in Kyiv since June 2006. From 2000 to 2006, he worked as Director of the Center for Peace, Conversion and Foreign Policy of Ukraine, also in Kyiv. He holds a PhD (1998) in Political Science and was a Visiting Fellow at Freedom House and the James Martin Center for Nonproliferation Studies at the Monterey School in January-February 2002. He has been a contributor to Freedom House's Nations in Transit annual reports on Ukraine since 2004. Since January 2011, he has headed the board of the International Renaissance Foundation, part of the Open Society Network.

**Damon Wilson** is Executive Vice President at the Atlantic Council. Previously, he served as Special Assistant to the President and Senior Director for European Affairs at the National Security Council, and prior to that as Director for Central, Eastern, and Northern European Affairs, a post in which he managed interagency policy toward Ukraine. Wilson has held various positions at the Department of State dealing with European security, and served as Deputy Director of the Private Office of NATO Secretary General Lord Robertson.

**Matthew Schaaf** is a Program Officer at Freedom House and is responsible for managing several programs in Eurasia. Prior to Freedom House, he worked in several capacities with activists in Russia, Kyrgyzstan, and Ukraine to strengthen human rights protections. He also has experience with human rights research, education, and advocacy in domestic and international forums.

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## About Freedom House

Freedom House is an independent private organization supporting the expansion of freedom throughout the world.

Freedom is possible only in democratic political systems in which governments are accountable to their own people; the rule of law prevails; and freedoms of expression, association, and belief are guaranteed. Working directly with courageous men and women around the world to support nonviolent civic initiatives in societies where freedom is threatened, Freedom House functions as a catalyst for change through its unique mix of analysis, advocacy, and action.

**Analysis:** Freedom House's rigorous research methodology has earned the organization a reputation as the leading source of information on the state of freedom around the globe. Since 1972, Freedom House has published *Freedom in the World*, an annual survey of political rights and civil liberties experienced in every country of the world. The survey is complemented by an annual review of press freedom, an analysis of transitions in the post-communist world, and other publications.

**Advocacy:** Freedom House seeks to encourage American policymakers, as well as other government and international institutions, to adopt policies that advance human rights and democracy around the world. Freedom House has been instrumental in the founding of the worldwide Community of Democracies, has actively campaigned for a reformed Human Rights Council at the United Nations, and presses the Millennium Challenge Corporation to adhere to high standards of eligibility for recipient countries.

**Action:** Through exchanges, grants, and technical assistance, Freedom House provides training and support to human rights defenders, civil society organizations, and members of the media in order to strengthen indigenous reform efforts in countries around the globe.

Founded in 1941 by Eleanor Roosevelt, Wendell Willkie, and other Americans concerned with mounting threats to peace and democracy, Freedom House has long been a vigorous proponent of democratic values and a steadfast opponent of dictatorships of the far left and the far right. The organization's diverse Board of Trustees is composed of a bipartisan mix of business and labor leaders, former senior government officials, scholars, and journalists who agree that the promotion of democracy and human rights abroad is vital to America's interests.

Map on report cover was created by Wikipedia user theEmirr. Graphical representation of the composition of the Verkhovna Rada was created by Wikipedia user Helmandsare.



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