

# MEDIA SUSTAINABILITY INDEX

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2016

**The Development  
of Sustainable  
Independent Media  
in Ukraine**



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## MEDIA SUSTAINABILITY INDEX 2016

The Development of Sustainable Independent Media in Ukraine

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## USAID

The United States has a long history of extending a helping hand to people overseas struggling to make a better life. It is a history that both reflects the American people's compassion and support of human dignity as well as advances U.S. foreign policy interests.

In order to support these goals, President John. F. Kennedy created the United States Agency for International Development by executive order in 1961.

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- Promote broadly shared economic prosperity;
- Strengthen democracy and good governance;
- Protect human rights;
- Improve global health;
- Advance food security and agriculture;
- Improve environmental sustainability;
- Further education;
- Help societies prevent and recover from conflicts; and
- Provide humanitarian assistance in the wake of natural and man-made disasters.

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IREX is an international nonprofit organization providing thought leadership and innovative programs to promote positive lasting change globally.

We enable local individuals and institutions to build key elements of a vibrant society: quality education, independent media, and strong communities. To strengthen these sectors, our program activities also include conflict resolution, technology for development, gender, and youth.

Founded in 1968, IREX has an annual portfolio of over \$70 million and a staff of over 400 professionals worldwide. IREX employs field-tested methods and innovative uses of technologies to develop practical and locally-driven solutions with our partners in more than 100 countries.

## Implementing Partners

IREX wishes to thank the following for coordinating the fieldwork for and authoring the studies herein:

**Timothy K. Maloy**, Lebanon correspondent, Marcolpolis Business News Service; freelance reporter, Beirut (objectives 1–5)

**Maharat Foundation** <http://maharatfoundation.org/> (objective 6)



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UKRAINE

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*Another challenge for 2016 is battling impunity for crimes committed against journalists, especially as the number of these crimes has been increasing and as the Ukrainian government has shown little capacity to overcome this impunity and to protect journalists from offenses.*



UKRAINE



Throughout 2015, Ukraine experienced a severe recession. The GDP fell by 12 percent, and the currency (hryvnia) dropped approximately 70 percent against the U.S. dollar over the past two years. For a second year, the war in eastern Ukraine continued, as well as the information war with Russia. Ukraine is in a transformational period, and the population full of fear and disappointment from the current political situation and living conditions. The government has postponed reforms, and citizens are losing trust in other social institutions as well.

Nearly all Ukrainian citizens have experienced reduced wages and lower consumption as a consequence of the current economic crisis. Most Ukrainians are not confident that the government will successfully implement reforms. According to *Demokratychni Initsiatyvy*, in July 2015, there was only a 30 percent approval rating of the current reform progress. A 72 percent majority considered corruption, economic oligopoly, inefficient governance, and a lack of social and economic strategy to be the main causes for crisis; only 28 percent blamed the conflict in Donbass, eastern Ukraine.

For media, 2015 was a remarkable year in legislative reforms; the main challenge throughout 2016 is to further improve the practical implementation of the law. Ukraine now has the opportunity to develop independent public broadcasting, which will begin with destatization reform, or the gradual decline of state influence over local print media. Although journalists now have access to a large amount of public documents, laws regarding access to public information need further improvements. Furthermore, the law on transparency of media ownership will require public monitoring to ensure responsible implementation.

Another challenge for 2016 is battling impunity for crimes committed against journalists, especially as the number of these crimes has been increasing and as the Ukrainian government has shown little capacity to overcome this impunity and protect journalists from offenses. The establishment of the Independent Media Council is a promising sign for regulation within the media community.

The panelists also noted improvements, as demonstrated by increased scores for Objective 1, freedom of speech, and Objective 4, business management. The scores for other objectives remained similar to the previous year. Despite the small improvement in the business management objective, it received the lowest score and remains within the “unsustainable, mixed system” range. Without greater progress in media’s ability to achieve financial stability and independence, the gains made to date—not to mention future gains—remain precarious.

# UKRAINE at a glance

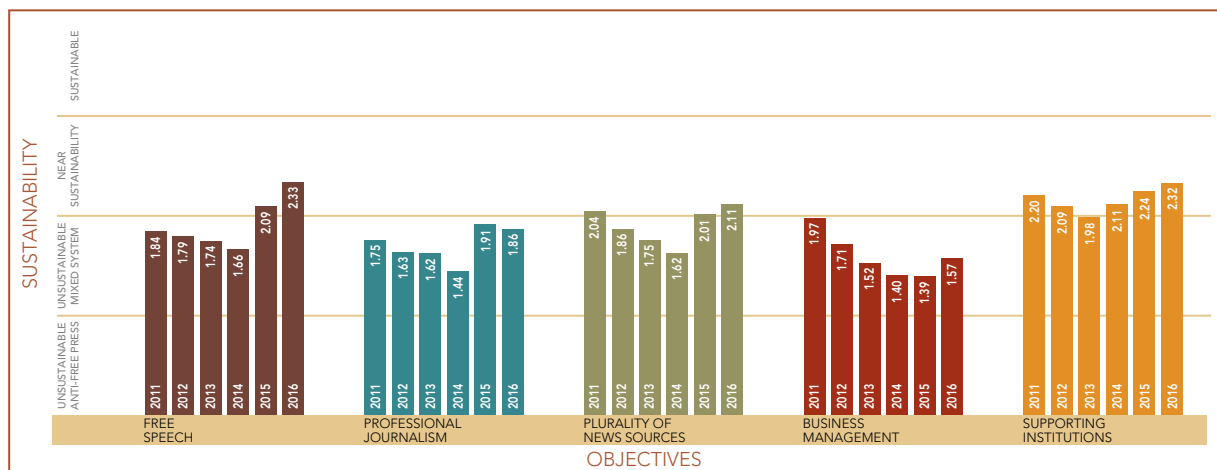
## GENERAL

- > **Population:** 44,429,471 (July 2015 est., *CIA World Factbook*)
- > **Capital city:** Kyiv
- > **Ethnic groups (% of population):** Ukrainian 77.8%, Russian 17.3%, Belarusian 0.6%, Moldovan 0.5%, Crimean Tatar 0.5%, Bulgarian 0.4%, Hungarian 0.3%, Romanian 0.3%, Polish 0.3%, Jewish 0.2%, other 1.8% (2001 est., *CIA World Factbook*)
- > **Religions (% of population):** Orthodox (includes Ukrainian Autocephalous Orthodox (UAOC), Ukrainian Orthodox - Kyiv Patriarchate (UOC-KP), Ukrainian Orthodox - Moscow Patriarchate (UOC-MP), Ukrainian Greek Catholic, Roman Catholic, Protestant, Muslim, Jewish (2013 est., *CIA World Factbook*)
- > **Languages:** Ukrainian (official) 67.5%, Russian (regional language) 29.6%, other (includes small Crimean Tatar-, Moldavian-, and Hungarian-speaking minorities) 2.9% (2001 est., *CIA World Factbook*)
- > **GNI (2014-Atlas):** \$152.1 billion (World Bank Development Indicators, 2016)
- > **GNI per capita (2014-PPP):** \$8,560 (World Bank Development Indicators, 2016)
- > **Literacy rate:** 99.8%; male 99.8%, female 99.7% (2015 est., *CIA World Factbook*)
- > **President or top authority:** President Petro Poroshenko (since June 7, 2014)

## MEDIA-SPECIFIC

- > **Number of active media outlets:** Print: 1638 newspapers and 2,163 other periodicals (State Committee on Television and Radio Broadcasting of Ukraine, March 2015); Television: 42 national channels, 130 regional channels, and 201 local channels; Radio: 15 national, 57 regional, and 223 local radio stations (National Council for Television and Radio Broadcasting, 2014)
- > **Newspaper circulation statistics:** Top three dailies: (all private) *Segodnya* (661,000), *Fakty I Kommentarii* (631,000), *Vesti* (609,000) (TNS audience research MMI Ukraine, 2015)
- > **Broadcast ratings:** Top television: (all private) Studio 1+1, STB, Kanal Ukraina, Novyi Kanal, Inter, ICTV (Nielsen, 2015); Top network radio: (all private) Hit FM, Radio Shanson, Russkoe radio Ukraine, Lux FV, Retro FM, Nashe Radio (GfK Ukraine, 2015)
- > **News agencies:** Interfax, UNIAN, Ukrainski Novyny, LigaBiznesInform, RBC-Ukraine, RIA Novosti Ukraine (all private); UNIA Ukrinform (state-owned)
- > **Annual advertising revenue in media sector:** Television: \$146 million; Print: \$48 million; Radio: \$11 million; Internet: \$86 million (2015 est., All-Ukrainian Advertising Coalition)
- > **Internet usage:** 16.8 million users (2014 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: UKRAINE



**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

Scores for all years may be found online at [http://irex.org/system/files/u105/MENA\\_MSI\\_Score\\_Compilation.xls](http://irex.org/system/files/u105/MENA_MSI_Score_Compilation.xls)



## OBJECTIVE 1: FREEDOM OF SPEECH

Ukraine Objective Score: 2.61

According to the EU-Ukraine Association Agreement, signed in June 2014, Ukrainian legislation is to become more aligned with European standards within two years. In May 2015, the Cabinet of Ministers eliminated the highly criticized National Expert Commission of Ukraine on the Protection of Public Morality, which acted as the body of censorship and operated for more than 10 years. The National Strategy on Human Rights was adopted in August 2015, ensuring appropriate use of public broadcasting, freedom of editorial policy, transparency of media ownership and financing sources, safety of journalists, and access to public information and information resources, including the Internet. The National Strategy on Human Rights also highlights key problem areas in media, such as excessive state regulation, insufficient protection of journalists, state propaganda and restrictions on free expression, influence of media owners on editorial policy, and improper implementation of the law on access to information. In January 2016, the Parliamentary Committee on Freedom of Speech and Information Policy adopted a strategy for the legislative transition, which includes changes to the constitution, as well as the adoption of laws for

### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

#### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

“Journalists are not confident that in the future they will be protected by law enforcement and, in fact, are not confident that they will not again be directly targeted,” Tomilenko added.

broadcasters, self-regulation or co-regulation, counteracting monopolization and concentration of media markets, and state media literacy programming.

The panelists highlighted the legislative achievements regarding public broadcasting, destatization of state-owned and municipal media, media ownership transparency, and increasing criminal responsibility for offenses against journalists. Kostyantyn Kvurt, the board chair of Internews-Ukraine, also noticed positive trends in progressive legislation, such as access to public information, but noted the importance of their implementation and enforcement. According to Natalia Gumenyuk, chair of Hromadske.tv, although the government does not actively repress media rights, it exercises a certain inertia and unwillingness toward destatization. For example, the quality of responses to information requests has improved, but not throughout all agencies. The chief editor of *Kramatorsk Post*, Andriy Yevchenko, acknowledges that legal mechanisms for the protection of free speech exist and are used; however, social norms and behaviors are less oriented toward freedom of speech, and violations do not tend to upset individuals.

Regarding licensing and other requirements, the state is rather tough on media broadcasting. “There are still many regulatory mechanisms, including financial ones, like the license fee for nonprofit broadcasters. There is an unwillingness of officials to get rid of the regulatory mechanisms,” according to Gumenyuk. Yevchenko added that registration of a print media organization is simple but often becomes complicated with bureaucratic procrastination. For example, one newspaper has been attempting to renew its registration for seven months. Sometimes the speed of the process appears to depend on the influence of political affiliations. Gennadiy Sergeyev, director of Chernivtsi city television and radio company and board chair of the Independent Association of Broadcasters (IAB), is frustrated with the National Council's delay to correct mistakes from a 2011 event. As a result, about 130 regional and local television companies all over Ukraine have been denied frequencies for broadcasting. This case is currently being considered in the European Court for Human Rights.

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According to Sergiy Tomilenko, first secretary of the National Union of Journalists of Ukraine (NUJU), impunity for crimes against journalists remains a very critical issue. Law enforcement authorities either sabotage investigations of such crimes or are unable to conduct effective investigations. For example, hundreds of cases from the brutal 2013 attacks on journalists at Euromaidan still have not been properly investigated. A law within the criminal code, adopted in May 2015, has increased responsibility for actors in crimes against journalists, including threats and violence, damage to property, attempted murder or murder, kidnapping, etc. The law also establishes compensation to journalists and their families for the death or injury of a journalist while performing professional duties.

The Institute of Mass Information (IMI), established in September 2015, requested status updates on 273 cases of crimes against journalists from 2013 to 2015; however, the General Prosecutor representatives had reports for only two. Tomilenko believes that despite political declarations, again, there is a lack of political will and understanding by new law enforcement and government officials. "Journalists are not confident that in the future they will be protected by law enforcement and, in fact, are not confident that they will not again be directly targeted," Tomilenko added. In October 2015, journalist Mykhaylo Tkach and cameraman Kyrylo Lazarevych, from the investigative television program and Radio Liberty project *Schemy*, were violently arrested and detained near a Security Service of Ukraine office while filming the employees' luxury cars. Shortly thereafter, Security Service of Ukraine officials publicly apologized and committed to a full investigation. In January 2016, the journalists won the case, and the respective guards were sentenced to two days of community service.

The NGO Telekritika recorded 311 violations of journalists' rights in 2015: 140 cases of governmental and law enforcement officials denying access to public information, public events, etc.; 104 cases of beatings, threats, and attacks; 43 cases of political pressure; 10 cases of bribery; 13 wrongful dismissals; and one case of censorship. Although the number of violations has decreased from the previous year, crimes against journalists in 2013 and 2014 have not yet been properly investigated, with the exception of one murder of a journalist, Vyacheslav Veremiy. Veremiy was killed in February 2014 by *titushki*, a common Ukrainian term used to describe mercenaries who carry out street beatings, carjackings, and kidnappings.

In February 2015, Sergiy Nikolayiv, a photojournalist for *Segodnya* newspaper, was killed while reporting on the conflict near Piski village. A freelance journalist and fixer from Luhansk, Maria Varfolomeyeva, was abducted in January 2015 and held by her captors until early March 2016, when she was freed as part of a prisoner exchange. The lives of those reporting on war and conflicts clearly remain under threat. According to Telekritika, media outlets do not prioritize the security of their reporters, even when they are working in combat areas. For example, most media outlets do not provide reporters with security training, medical kits, insurance, or danger pay; furthermore, most do not monitor the status of employees reporting in anti-terrorist operation (ATO) areas. Access to ATO areas requires a special press card for journalists, as well as a request filed with authorities indicating dates and specific locations.

The Media Law Institute's director, Taras Shevchenko, has been quoted saying he hopes that the de-stigmatization process will result in "liberation from slavery" and the end of the glorification of local government. According to panelist Yevchenko, municipal media organizations controlled and financed by their respective local governments do not conduct independent editorial policy. "The mechanism of financing is the key for controlling media. The outlet managers are appointed for political reasons and represent the interests of parties and clans that rule that locality," Yevchenko said.

Considered a civil law issue since 2001, in libel lawsuits, the plaintiff is always responsible for proving accusations. As of April 2014, the burden of proof in defamation cases is now placed equally upon both parties. Lyudmyla Opryshko, media lawyer of the Regional Press Development Institute (RPDI), outlined that this practice does align with European Convention on Human Rights (ECHR) standards. The Plenum of the Supreme Court of Ukraine supports the notion that damage from libel is more detrimental to politicians and public officials than to average civilians. Court fees for damage claims are calculated on a progressive scale to curb excessive damage sums; however, RPDI media lawyer Lyudmyla Pankratova added that judges often fail to distinguish between facts and opinion. Pankratova also noted that, in 2015, defamation claims became more frequent, but the damage claims tend to be moderate.

In 2011, Ukraine adopted one of the most advanced laws on access to public information in Europe; however, its

implementation is weak. Throughout 2015, implementation has shown signs of improvement, and parliament is considering an amendment to correct ambiguous clauses. The Ukrainian government's digitalization program should make 300 new catalogs of information available to the public in machine-readable format in April 2016. Oleg Khomenok, independent journalism trainer and senior media advisor of Internews Network, emphasized that the number of accessible records is maximal and very close to Scandinavian standards. It is a giant breakthrough, Khomenok said. Now the challenge is completing each database or catalog, as well as establishing the relevancy of the available data.

Volodymyr Torbich, chief editor of Rivne Agency for Investigative Reporting, agreed: "Access to records has improved, and the numbers of available records are increasing. Journalists request records often, but they still have to be insistent and demand this right, sometimes in court. For instance, we are suing the General Prosecutor's office for not providing salary records for the prosecutor who recently resigned," Torbich said. Opryshko confirmed that simple requests are answered rather easily, but in more complicated cases, when officials can use any reason to deny the request, they do so. Opryshko continued that since September 2015, the court fee was increased for any case regarding access to public information. This financial burden can limit journalists' access to court and, consequently, to public information. Although many records became available in 2015 and some have good search filters, many are not well-organized, Opryshko said.

The only barriers for media and journalists to access and use local and international news sources are knowledge of the relevant foreign language and the associated costs, if any exist. Media often reprint and rebroadcast foreign news programs and reports; however, some of the most reputable foreign sources are unaffordable for Ukrainian media outlets. Occupied territories, such as Crimea, parts of Donetsk, and Luhansk, remain deprived of Ukrainian media and other information sources.

Generally, entry into the journalism profession is absolutely free of hurdles. Industry efforts to set up a uniform press card have failed so far, and from time to time various authorities question the status of a journalist from an online media outlet.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Ukraine Objective Score: 2.31

According to Kvurt, the October 2015 local elections had a negative impact on professional journalism standards in Ukraine. *Jeansa*, a common Ukrainian term for unmarked paid stories or hidden advertising, is still present, as is political advertising. "Ukrainian journalism remains superficial, copying-pasting prevails, and there is a lack of quality analyses. However, anti-corruption investigative programs are being broadcast more frequently and gaining public attention. The public watches them, but no criminal cases have resulted," said Kvurt.

Nataliya Steblyna, expert group coordinator for Pylyp Orlyk Institute of Democracy, stated that compliance with professional standards in Ukrainian media is one of the most challenging issues for her institute. The Pylyp Orlyk Institute of Democracy monitors the state of regional media. The number of news articles based solely on press releases has increased, and *jeansa* is also increasing. For example, 30 to 40 percent of the stories in June were *jeansa*, likely in anticipation of the local elections in October 2015.

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well-sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

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Yevchenko explained that events aligning with the media outlet owner's interests receive more time and, therefore, more attention, controlling the media as a tool of influence. Media organizations do not publicize the fact that stories are editorial or paid, especially during election campaigns. For example, when Yevchenko worked in Kremenchuk, only one of seven popular media outlets was independent and unbiased. Only an attentive reader would be able to determine the affiliation and bias of the owner by the way the outlet covered the election.

Based on the monitoring efforts of Telekritika, the professional level of journalists, as well their compliance with professional and ethical standards, has fallen catastrophically. "The information war being carried out by Russia against Ukraine is a powerful factor influencing the current quality of reporting. Journalists are being drawn into this conflict and have started performing a counter-propaganda role, which consequently makes media discourse biased, engaged, and emotional," said Diana Dutsyk, executive director of Telekritika. "Journalists repeatedly express their positions in social networks and in broadcasts, and they often appear as 'owners of truth,'" added Gumenyuk. She believes that the publication of unverified facts remains the largest problem of Ukrainian journalism, even in the large publications. Steblyna said that due to small budgets and few staff, journalists are overwhelmed with assignments and admit to not having enough time to verify or balance information.

During elections, Sergeyev noticed that some channels refused to accept advertising from certain political parties, commenting that there are some signs of increased self-censorship. According to Gumenyuk, self-censorship has become a standard in war reporting, to the extent that some journalists have even stopped noticing it. Topics of war crimes are being ignored, with a few exceptions. Unfortunately, many editors and journalists admit to censorship, Gumenyuk added. Steblyna mentioned a case where censorship was exercised to protect an advertiser: a real-estate developer was criticized for issues with a building, and later the media outlet deleted the web page containing the story.

There are several fundamental issues regarding Ukrainian journalism, according to IMI, which hosted focus-group discussions with regional journalists to compile a list of such issues. Mainly, journalists do not themselves trust media, as they understand the political influences at play and can even predict how certain media organizations will cover specific events and issues. Overall, there is connivance for *jeansa* instead of outrage or attempts to resist manipulation.

According to IMI, local journalists do not always have time to explain, analyze, or learn more about certain events or issues. Additionally, the media organizations do not compensate journalists well and do not prioritize journalists' safety while traveling to the conflict areas in eastern Ukraine. Regional media outlets lack the capacity for in-depth analysis on local government decisions, and, meanwhile, journalists themselves are not trained experts in interpreting and analyzing these governmental decisions and actions.

According to Steblyna, newspapers are full of informational material, which is copied from other sources or simply based on press releases. The newspapers tend to lack firsthand accounts based on exclusive sources and thorough analysis. Paid stories, or *jeansa*, often imitate analytical materials, and websites, in particular, prioritize criminal and political news, with *jeansa* every third or fourth article. Journalists often violate the standards for balancing opinions and clearly distinguishing between facts and opinions.

Steblyna expressed particular concern with the coverage of internally displaced people (IDP). *Jeansa* articles feature politicians providing help close to election time, or press releases from the authorities are published wholesale, stating that all the needs of IDPs have been met, yet the articles exclude quotes from IDPs themselves. Khomenok agreed that even stories with quotes from IDPs were not necessarily real and that there was instead an agenda being driven by the media owners. According to Gumenyuk, understanding the importance of various issues is challenging and constantly changing. For instance, in winter 2015, the government introduced restrictions on IDPs, endangering thousands of peoples' lives, but an egotistical political quarrel became the more important headline. "News topics, which directly influence people's lives, are not often taken into account if they are not popular. Once the IDPs stopped being a popular topic for the audience, they disappeared from the reports," explained Gumenyuk.

In accordance with the national economy, media salaries are decreasing, noted Kvurt. According to Dutsyk, journalists' salaries are minimal, even declining in major cities, such as Kiev. This has resulted in an inflow of underqualified personnel lacking motivation for development and continuing education. Yevchenko confirmed that pay levels for journalists are very low, especially in more rural regions; even there they are often lower than average for the regions. This leads to a downfall in performance and quality of work, as well as decreased prestige of the profession. Tomilenko agreed that extremely low salaries, saturation of the media market, and political influence of

media outlet owners are all key factors that discourage the professionalism and quality of journalism. Sergeyev said that it is possible this trend may change as the media's presentation of Ukraine's situation evolves: the national news has attracted more viewers and increased subscriptions; on the other hand, people will likely tire of this constant stream of bad news.

Appropriate equipment is critical to presenting quality media broadcasts, and the panelists agree that equipment has become cheaper with technological advances. However, the declining Ukrainian currency still leaves some of this equipment out of financial reach for some outlets. Khomenok added that although Ukraine's introduction of 3G and 4G technologies is delayed, the price for broadband Internet through fiber-optics is lower than in Europe, other eastern neighbors, the Caucasus, and Central Asia. Gumenyuk added that although technical equipment has improved with global development, many regional media outlets are still using extremely unsatisfactory technology.

Oleksiy Pogorelov, general director of the Ukrainian Association of Press Publishers, believes that practically all beat reporting and specialized journalism have disappeared from Ukraine and mass production of news dominates instead. Dutsyk expressed concern that quality niche journalism is nearly absent in Ukraine. The topic of business is in decline, and there are no experts on foreign relations among the journalists, for example. "The cult of universal journalism, designed and encouraged primarily by large television holdings, has led to the liquidation of niche journalists as a class, as well as foreign desk journalists in particular. The media market has not created demand for such experts. Attractive correspondents and offices do not compensate for the lack of in-depth content," Dutsyk said.

However, startups and other networks are beginning to form, focusing on investigative journalism, Khomenok shared. He listed three reasons for this: audience demand, access to public information, and the critical mass of journalists able and motivated to produce investigative reports. On the other hand, there is no critical mass of journalists who can qualitatively cover education, health care, economics, banking, and household maintenance, etc. "So, on one side we have hunters of corruption and crimes, and on the other—the army of rewriters," Khomenok added. Other panelists admitted noticeable growth in the field of investigative journalism in 2015, both at the national and regional levels. However, Dutsyk believes that while investigative reporting has increased, there are no tangible results. Law enforcement officials are not yet forced to respond to information exposing corruption, for example.

### OBJECTIVE 3: PLURALITY OF NEWS

Ukraine Objective Score: 2.60

There are numerous sources of news in Ukraine, but not all offer reliable, unbiased information to citizens. Provision of multiple perspectives is not a standard for many media outlets. The panelists agree that eliminating barriers to access of a wider range of media depends on the development of the Internet, as well as other modern technologies. Khomenok pointed out that Wi-Fi is available in public transport in some cities, as well as various public places in smaller towns. In western Ukraine, more people from senior generations are becoming Internet users as a way to connect with relatives abroad. Kvurt still sees the problem of the "last mile," or Internet access for the most distant districts.

According to a survey coordinated by Lviv Media Forum and the School of Journalism at Ukrainian Catholic University and carried out by FAMA in August 2015, 5 percent of Ukrainians do not follow any media at all. The average Ukrainian spends one hour per day catching up on news, and 60 percent give priority to regional news versus national. Television remains an everyday source of news for almost 90 percent of the population, and 55 percent favor online resources. Only 25 percent of Ukrainians listen to radio as a news source. According to a survey ordered by Telekrtika and conducted by Kyiv International Sociology Institute in

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources
- > The media provide news coverage and information about local, national, and international issues.



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May 2015, 72 percent of Ukrainians receive news primarily from Ukrainian programming, while 22 percent use a mix of Ukrainian and Russian sources.

In the October 2015 survey by the Society for Consumer Research (commonly known by its German acronym, GfK), ordered by MediaVarta NGO, 71 percent of Ukrainians agreed that mainstream media are highly subject to political and business influence, which undermines quality journalism. When asked to name the specific influencers on media content of major Ukrainian channels, 54 percent identified media owners, 35 percent recognized the government, and 29 percent described *jeansa*, or the political forces ordering paid stories and articles. A mere 6 percent named journalists, and 2 percent said that viewers influence the content.

According to ConsumerLab research executed by Ericsson, 35 percent of Ukrainian consumers state that it is important to be able to watch user-generated content; 57 percent noted that they have the capability to watch Internet content on their televisions, and 87 percent have access to all desired services and applications. If the option were available, 42 percent of Ukrainians would pay for viewing absent of advertising immediately. Younger consumers (aged 16–24) would pay double for mobile access with video content, compared with what those older than 45 years are willing to pay.

Yevchenko emphasized that people have a diverse choice of media sources and platforms, but not all of them, especially at the local level, demand high-quality content. A major barrier to accessing diverse media is citizens' paying capacity, especially for newspapers and television. Dutsyk agreed and went on to state that there are too many media outlets in Ukraine and that the advertising market cannot support such numbers. These media outlets supply citizens with diverse information; however, there is a lack of information about important issues. Instead, there is a focus on entertainment. Gumenyuk and Steblyna confirm that the level of plurality in Ukrainian media is high, but every channel has its own opinion based on the media owner's corporate connections. For citizens to put together a full story on a particular topic, they must watch different media.

Dutsyk emphasized that local media are in crisis, and society is responding to them with distrust and dismissal as a credible source of news. According to the 2015 survey from the Kiev International Institute of Sociology, ordered by Telekritika, 51 percent of Ukrainians would not notice if local media disappeared. The main source of local news for 63 percent is word-of-mouth from relatives, friends, and colleagues. Torbich noted that in one particular region, Rivne Oblast, almost every town has an activist-owned

website with news stories revealing corruption. However, more traditional news outlets seem to ignore these stories, including local newspapers that instead copy-paste stories from other sources.

Tomilenko highlighted that there is a lack of full coverage of the ATO territory controlled by Ukraine, and Torbich added that there is a majority of Russian and pro-Russia media available in that area. The Ministry of Information Policy assures citizens that Ukrainian broadcasts are available all over ATO territory, but only 50 percent of people in occupied territories have access to Ukrainian channels. Inhabitants of several districts near occupied Crimea receive no broadcasts of Ukrainian television channels and would need a transmitter installed in order to gain access; instead they are able to view only Russian television.

Due to the military conflict in eastern Ukraine, the rebroadcasting of Russian channels has been banned over cable networks in the rest of Ukraine. Still, journalists and technically advanced citizens can obtain access to Russian media through the Internet or satellite channels. Kvurt believes that restricting Russian channel rebroadcasts is a necessary defense from propaganda and hostile influence. Otherwise, the Ukrainian government does not block new media or foreign sources of information, but they are not always accessible to the majority of the population for economic and reasons and an inability understand foreign languages.

Yevchenko reminded the panelists that media controlled by local governments tend to be biased, prejudiced, and not seeking to serve the public interest. The panelists added that even more financially independent community outlets still adhere to self-censorship because they depend on the office space provided by the local government and rely on subscription support.

Major Ukrainian news agencies include the private UNIAN, Interfax, Ukrainski Novyny, LigaBiznesInform, RBC-Ukraine (Ukrainian agency of the Russian RosBiznesKonsulting Group), and the state-owned Ukrinform. Yevchenko stated that local media rarely subscribe to national or foreign wire services, as they cannot afford them.

The panelists agreed that private media produce own-source quality news content. Still, the practice of copying-pasting and press release reprinting is too common. Yevchenko added that while private media produce their own news, the outlets' financial resources and employees' limited professionalism restrict both the quantity and quality.

According to Dutsyk, sociological surveys show a critical downfall in citizens' level of trust in media; however, that does not imply a universally high level of media literacy.

Rather, it is the converse: the public does not know and does not care to know the owners of major television channels, for example, and the public does not understand the importance of such information. Consolidation of major media in the hands of a few conglomerates continues, and these owners interfere with editorial policy, noted Pogorelov. Six private television channels dominate the current Ukrainian market; three of them—STB, ICTV, and Novyi Kanal—belong to the oligarch Viktor Pinchuk, the son-in-law of ex-president Leonid Kuchma. The richest person in Ukraine, billionaire Rinat Akhmetov, owns Ukraina Media Group; oligarch Ihor Kolomoiskyi owns 1+1, and billionaire Dmytro Firtash and Sergiy Levochkin, ex-chief of Yanukovich’s administration, own Inter. President Poroshenko owns 5 Kanal and has confirmed that he has no intention to divest his ownership.

With support from the Organized Crime and Corruption Reporting Project and Radio Liberty Ukrainian Service, the structure of ownership of 60 Ukrainian media outlets was analyzed in early 2015. Of the 60 organizations, only 12 directly stated the name of the financial backer(s) in the outlet registration documents. The backers of 43 media outlets are hidden in offshore companies. The usage of multi-level systems of owners and companies is widespread, even among those whose owners are known to the public. The Ukrainian parliament adopted a law that came into effect on October 1, 2015, requiring media broadcasts and outlets to publish organization ownership structures on their official websites, in addition to submitting the information to the National Council. It is also now illegal to have offshore companies among the owners.

Sergeyev complained that the newly adopted law on media ownership transparency is not being properly implemented yet. IMI monitored the websites of national channels and local television in early November and found that none had published the ownership structure. The fines for not disclosing information by April 1, 2016, are rather small, at 5 percent of the cost of a license fee for a large channel, which is the equivalent of a few dozen seconds of advertising during primetime. The future challenge will be to introduce similar mechanisms that disclose the owners of print media; Internet media owners will be a challenge to divulge as well.

Steblyna emphasized that although media plurality is high, various social groups are not evenly represented. Dutsyk mentioned that due to the war in eastern Ukraine, there are now new groups of people who require special attention, such as IDPs. Telekritika’s coverage of conflict-sensitive topics has highlighted the lack of channels covering IDPs and volunteers. For every one story covering these groups, there are 12 stories about the armed forces.

Steblyna noted that various regional media cover the news differently. The Lviv region publishes regional, national, and international news, while media in Chernivtsi, Odesa, Zhytomyr, Dniepropetrovsk, and Sumy focus primarily on local news. Kharkiv broadcasts both local news and entertaining international news, and the Donetsk Oblast region features both Ukrainian and international news in the context of the current conflict.

## OBJECTIVE 4: BUSINESS MANAGEMENT

Ukraine Objective Score: 1.85

Overall, the state of business, as it relates to media, remains unchanged from the previous year and is still overshadowed by the economic recession. Kvurt mentioned that as the economic crisis persists, the advertising market is also in a downfall. Khomenok added that the majority of media owners do not even aim to make a profit from their media businesses.

Yevchenko emphasized that some Ukrainian media, including online outlets, are efficient and well-managed. In a different market, this would imply financial success as well as high-quality programming and satisfied customers. There are other media outlets that are funded by owners and, therefore, oriented to present the owner’s political preferences. Such media are unprofitable and inefficient, Yevchenko emphasized.

Local media face a difficult business environment. Sergeyev mentioned that out of four local television companies

### MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

#### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.



**“In Zhytomyr’s media, we found up to 40 percent of the advertising to be improperly marked,” Steblyna said. “In online media, the advertisements are hidden under subheadings such as ‘company news’ and ‘politics.’”**

in the city of Chernivsti, only the company Chernivtsi is self-sustainable and operates on profits earned from the market; one other is state-owned, and the remaining two channels are funded by their owners. Local media generally lack adequate and stable sources of financing. For instance, the advertising portion of revenue for *Kremenchuckiy Telegraph* newspaper decreased from 20–25 percent to 5–10 percent in 2015. Local municipal media are not limited to local government funding, in that they may also sell advertising space and receive funds from other sources.

Kvurt reminded the panelists that the national television channels are also unprofitable, based on public accounts from recent years; however, there is financial transparency for those with offshore accounts. Print media throughout the country have taken a huge hit, and now Internet-based media tend to make more profits than newspapers. The circulation of print media as measured by Ukrposhta (Ukraine’s postal service) deliveries has dropped 37 percent, from 16.752 million copies in January 2013 to 10.569 million in January 2016.

Oleksiy Pogorelov, general director of the Ukrainian Association of Press Publishers, commented that economic conditions are forcing more outlets to look for ways to work efficiently. Some use market research more often and in a more purposeful manner to meet audience needs. Some local newsrooms, such as *Kremenchuckiy Telegraph*, use personnel management software, which helps distribute the work and, in turn, builds employee morale. The panelists emphasized that since local outlets earn very little money from subscriptions, they are shifting more to business-to-business exchanges, commonly providing analysis services for products in return.

Gumenyuk believes that the advertising market is, in fact, unhealthy and media outlets remain subsidized, with few exceptions. Independent media are supported with grants from Western donors. Torbich provided examples of new online media groups in the Rivne region that cannot cover their expenses. However, earlier established online media have seen increasing advertising revenues. In fact, Rivne-based website VSE reports to be not only

cost-effective but also slightly profitable. Sergeyev explained that many local television channels work as political party leaflets and are subsidized by those parties. According to Yevchenko, local media, including online outlets, receive revenue from various sources. Some media must operate with only one source of funding, which has a negative impact on editorial policy.

Khomenok stressed that the advertising and research markets remain corrupt. Pogorelov added that bribery, lack of professionalism, and the information war do not foster a healthy advertising market. He also pointed to trends indicating an increase in television advertising, Internet revenue growth, and the declining share of print sales revenue. Steblyna added that media organizations make money from improperly marked or hidden advertising. “In Zhytomyr’s media, we found up to 40 percent of the advertising to be improperly marked,” Steblyna said. “In online media, the advertisements are hidden under subheadings, such as ‘company news’ and ‘politics.’”

According to the All-Ukrainian Advertising Coalition, the 2015 media advertising market, which includes television, radio, print, and Internet, totaled UAH 7.965 billion (\$300 million), a decrease of approximately 0.5 percent from 2014 (UAH 8.0 billion or \$302 million). However, the All-Ukrainian Advertising Coalition projects 12 percent growth during 2016. The 2015 television advertising market increased to UAH 3.986 billion (\$150 million), up 1.4 percent from 2014. Television advertising is projected to grow by 16 percent in 2016. Print outlets decreased advertising revenues to UAH 1.320 billion (\$50 million), down 21 percent from 2014; newspapers lost 24 percent, while magazines lost 18 percent. According to the All-Ukrainian Advertising Coalition’s forecasting, print media may dip another 5.5 percent in 2016. However, radio advertising increased by 5 percent to UAH 304 million (\$11.5 million) and is expected to grow by 9 percent in 2016. Lastly, Internet advertising grew 11.3 percent to UAH 2.355 billion (\$88.9 million), with an anticipated 17 percent increase in 2016.

According to Pogorelov, the total amount of government subsidies and advertising has decreased, but the distribution remains the same. Out of more than 500 municipal newspapers throughout Ukraine, the most market-oriented have strengthened and become more sustainable since 2014. Pogorelov estimates that 20 percent do not receive budget subsidies, while another 20 percent receive very small subsidies and earn profits. Tomilenko added that in 2014, municipal newspapers received subsidies totaling UAH 73.9 million (\$2.8 million), amounting to 20.7 percent of their total revenues. Overall, 127 municipal newspapers (22.9 percent) work without subsidies or receive less than UAH 15,000 (\$566) per year. A separate group of newspapers

receives subsidies of more than UAH 150,000 (\$5,660) annually on average. There are also examples of subsidies ranging from a few hundred thousand to one million hryvnia. Another way to receive public funds is to cover local government activities, a kind of “advertising cost” paid by local governments. However, local authorities tend to allocate these funds to more loyal municipal media rather than to the most popular media outlets in the area.

Most regional media cannot afford professional market research, and regular television and press research does not include regional and local media outlets. According to Yevchenko, market research results accessible to advanced local media are used for planning content and improving media products. In critical circumstances, local media may conduct their own polls regarding newspaper and website content. Sergeyev does not know of any regional television outlets that have used professional research, as it is financially out of reach. Instead, these outlets rely on qualitative research, such as focus groups. Any attempts to organize a pool of regional outlets to share the costs for combined research have still failed as a result of the expense.

Regular television market research has been ordered by the Industrial Television Committee (ITC), which unites four major television groups (Inter, 1+1, Ukraina, and Pinchuk’s StarLight Media), 5 kanal, four main media groups (Publicis Groupe Media, Omnicom Media Group, ADV Group, and Group M), and the Media Arts Group Ukraine agency. Since 2014, ITC has contracted Nielsen instead of GfK Ukraine to carry out the study.

GfK Ukraine, contracted by the Industrial Radio Committee (IRC), has been surveying radio since 2012, but the market research is being carried out by TNS for 2016. TNS will use a new software application, SuperNova, which is specially designed for radio surveys, and will complete 80 percent of the interviews on cell phones, as 95 percent of the target audience uses cell phones. IRC unites the largest radio holding companies—TAVR, Ukrainian Media Holding, Business Radio Group, Lux; network advertising agencies Publicis Groupe, ADV Group (Initiative), Group M, UMG, and Radio Expert; and managing partner Independent Association of Broadcasters (IAB).

There is no audit bureau to certify circulation statistics of print publications. TNS market research surveys 128 publications, but there are approximately 4,500 in total. Regarding Internet statistics, there are at least three different methodologies that do not overlap and are not comparable; these include Gemius, Google analytics, and Bigmir meter. Additionally, TNS has made a commitment to develop a new tool that will correlate media usage and consumption.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Ukraine Objective Score: 2.55

Ukraine has a fairly well-developed network of trade associations, media trade unions, and media-supporting NGOs. The trade associations are the Industrial Television Committee (ITC), the Independent Association of Broadcasters (IAB), and the Industrial Radio Committee (IRC); the Ukrainian Press Publishers Association (UAPP) and the Association of the Independent Regional Publishers of Ukraine (AIRPU) in print media; the Ukrainian Internet Association and the Ukrainian Association of Internet Advertising in Internet media.

The panelists agreed that IAB and UAPP provide effective training, informational support, and legal assistance to their members. Both associations also lobby for certain legislation, negotiate with government officials, represent the industry or the members on various civic and supervisory boards, and help members obtain grants for special projects. According to Sergeyev, IAB supports the transition from analog to digital television and negotiates directly with the National Council to support television companies denied digital frequencies. Pogorelov mentioned that UAPP, in particular, has also fought for legislative initiatives. AIRPU has hosted an annual media congress since 2009, as well as training camps and study tours for editors and other media professionals.

Tomilenko commented that the National Union of Journalists of Ukraine (NUJU) has identified the protection of journalists’

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists’ rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

On the topic of training, Tomilenko drew attention to the lack of training on economic and management skills for media professionals. Financial sustainability is not less important than content, but these types of trainings are not typically prioritized.

interests and their safety as a priority. NUJU manages an emergency hotline, conducts training workshops, and maintains safety equipment that journalists can borrow; it also provides special support for journalists working in conflict areas. Along with others in the media community, NUJU contributed to the adoption of the destatization law and even trained state media outlets on sustainability. With mediation from the OSCE Representative for Freedom of Speech, Dunja Mijatović, NUJU maintains active dialogue with the Union of Journalists of Russia on topics regarding the safety and solidarity of journalists in captivity.

Dutsyk noted that NUJU and the Independent Media Trade Union have intensified their activities, but their influence on the media environment is not sufficient to change the situation, at least in terms of compliance with journalism standards and ethical principles. “They should rather look for ways to exert effective pressure on the media environment,” said Dutsyk. Torbich mentioned a discussion among journalists in the Rivne region surrounding the value of media trade unions; reasons included needing support or insurance in the case of labor conflicts, the ease of acquiring visas when journalists have press cards, and added credibility when making public statements. Steblyna commented that the NUJU regional chapters do not provide member services or represent journalists’ interests. Media NGOs, like Internews Ukraine and IMI, put more effort into protecting freedom of speech and training; their contributions are substantial, as they focus on national, regional, and local media.

Dutsyk noted that since 2014, media-supporting NGOs have been actively involved in media legislation. Kvurt said that due to increased attention on Ukraine, more donor funds are becoming available for media-related innovative projects and programming. Without media NGO projects, there would be less structure and professionalism in Ukraine media. Torbich said that due to NGOs that focus on media, journalists have opportunities for training and conducting investigations.

Steblyna described the peculiar education situation, with the Ukrainian Catholic University in Lviv and the Kyiv Mohyla Academy having the best curricula. However, there are approximately 40 other journalism institutes or education departments across Ukraine, all with professors who have poor reputations for professionalism. According to Dutsyk, these other institutes and departments cannot guarantee a thorough understanding of the proper skills required for future journalists to be successful. Regardless, these education opportunities for journalists are quite popular. Kvurt added that these educational programs and the curriculum are both outdated, and Khomenok hopes that there will be new legislation regarding a higher standard of education, although it will take several years to implement. Dutsyk emphasized that training programs are becoming more common and are often conducted by highly reputable professionals.

On the topic of training, Tomilenko drew attention to the lack of training on economic and management skills for media professionals. Financial sustainability is not less important than content, but these types of trainings are not typically prioritized. Recently, key training topics include war reporting, safety, IDPs, fighting corruption and reforms, and EU integration. There has been a rise in opportunities for workshops on war reporting, which is important; however, a small pool of the same journalists attend these workshops, instead of other journalists from major television channels who often are propagandists themselves, said Gumenyuk.

Ukrposhta, the national postal service of Ukraine, has 11,000 offices across the country, yet the service is inefficient and outdated in its handling of retail, delivery, and subscriptions. Dutsyk stated that print delivery remains problematic,

especially in rural areas. Pogorelov shared that Ukrposhta doubled its delivery fee, which is critical for regional and local publications. Following this financial hit, UAPP and other industry representatives negotiated for months to persuade Ukrposhta to support the industry by promoting subscription data. Now, UAPP can request subscription data from the postal service, which was previously reluctant to cooperate.

Overall, the capacity of information and communications technology more or less satisfies the existing needs of media outlets and consumers. However, Dutsyk emphasized certain infrastructural problems. For example, Ukraine substantially lags behind in the latest technologies, having transferred to the 3G mobile standard only in 2015 while much of the world was using 4G; Ukraine will likely transition to 4G in 2017. Industry experts believe that with the introduction of 4G, Ukrainians will prefer multimedia content via mobile Internet to television.

The transition from analog to digital broadcasting has been postponed to 2017, possibly even 2019. According to the international agreement from the 2006 Regional Radiocommunication Conference in Geneva, Ukraine was to fully transition to digital broadcasting in June 2015. Ukrainian television is now broadcast on both analog and digital channels.

In December 2014, the Ukrainian multiplex operator Zeonbud was fined UAH 44 million (\$1.66 million) by the Anti-Monopoly Committee; the case is currently being appealed in court. Cyprus-based Planbridge Limited, whose ownership is unknown, owns Zeonbud. However, observers in the media community suspect that the owners may be the son of former president Yanukovych, Rinat Akhmetov (the wealthiest man in Ukraine), and businessman Dmytro Firtash. Placing the transfer of broadcasting in the hands of unknown players is an issue of national security.

## List of Panel Participants

**Oleg Khomenok**, independent journalism trainer and senior media advisor, Internews Network, Kyiv

**Kostyantyn Kvurt**, board chair, Internews-Ukraine, Kyiv

**Lyudmyla Opryshko**, media lawyer, Regional Press Development Institute, Kyiv

**Oleksiy Pogorelov**, general director, Ukrainian Association of Press Publishers, Kyiv

**Tetyana Rikhtun**, director, IPC Sebastopol, Kyiv

**Gennadiy Sergejev**, director, Chernivtsi Television and Radio, board chair, Independent Association of Broadcasters, Chernivtsi,

**Nataliya Steblyna**, coordinator of experts group, Pylyp Orlyk Institute for Democracy, Kyiv

**Sergiy Tomilenko**, first secretary, National Union of Journalists of Ukraine, Kyiv

**Volodymyr Torbich**, chief editor, Rivne Agency for Investigative Reporting, Rivne

**Andriy Yevchenko**, chief editor, *Kramatorsk Post*, Kramatorsk

*The following panelists submitted a questionnaire but were unable to attend the panel discussion:*

**Diana Dutsyk**, executive director, NGO Telekritika, Kyiv

**Natalia Gumenyuk**, board chair, Hromadske Telebachennya, Kyiv

## Moderator & Author

**Kateryna Laba**, media expert, Kyiv

*The panel discussion was convened on December 21, 2015*

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*According to Sergiy Nesterenko, information security advisor for the Union of Ukrainian Lawyers, “Plurality of biased journalism, in some perverted manner, provides pluralism of opinions in society.”*



UKRAINE



Ukraine is in the midst of transition but overall there seems to be cautious optimism. While civil society has been receptive to laws reducing government influence over print publications, establishment of a public broadcaster, and promises to improve access to information, the media itself continues to be biased, reactionary and skewed in its coverage.

Over last year Ukrainian media became more visibly involved with issues affecting society; public activism and subsequent pressure resulted in the dismissal of several government officials and influenced law-making processes. Many Ukrainian NGOs worked to get media coverage of their campaigns, protests, and to publish stories about inaction and abuses of power by government officials. For example, in March 2015 the parliament adopted the Law on Volunteering, which, amongst other things, provided for life and health insurance, and ensured compensation for family members of volunteers who were killed in action. Panelists claim this change was the result of a comprehensive media advocacy campaign aimed at members of parliament and state agencies.

However, a majority of the Ukrainian media still demonstrate low levels of social responsibility. Panelists observed that they report on and react to events rather than focus on analytical or continuous coverage. The content is biased and largely focused on political debates, while reporting on social issues like healthcare, wages, internally displaced people, youth, and human rights are less biased and underreported.

There is scope for this to change. The 2015 Law on Destatization, panelists said, will ensure gradual reduction of government control over print media, while the new public broadcaster will change the media landscape. Since oligarchs own a majority of popular media outlets, civil society seems to have relatively high expectations from the future public broadcaster.

Interestingly, panelists did highlight a few 'positive' consequences of having a large number of oligarch-dominated media: the rivalry between different media outlets has actually resulted in the availability of multiple points of view. According to Sergiy Nesterenko, information security advisor for the Union of Ukrainian Lawyers, "Plurality of biased journalism, in some perverted manner, provides pluralism of opinions in society." While citizens continue to trust the media, there is very little awareness about the depth of manipulation that exists.

Based on these observations, panelists had a few recommendations for the Ukrainian media going forward:

- Increased media literacy will help citizens better identify partisan or paid content;
- Implement properly the law on advertising so that paid news or advertorial content are marked as such;
- Increase media professionalism with more objective, unbiased reporting and invest in detailed analysis of issues;
- Require more transparency in media ownership.

*Objective 6 is a separate study from objectives 1 through 5 of the Media Sustainability Index. This objective is measured using a separate group of panelists (listed at the end of this section) and unique indicators (described at the end of this section).*

## OBJECTIVE 6: SERVING PUBLIC NEEDS

Ukraine Objective Score: 1.66

Despite the bias in the national media, outlets have diverse discussions on initiatives by civic activists, NGOs, opinion leaders and other active citizen groups. In recent years, the media sector has seen considerable actors enter the market, largely focused on online content. As a result, most Ukrainians, if they want, can find media that caters to their interests. As the primary carriers of information for the Ukrainian population, the media sets the agenda for local communities and society in general.

According to the panelists, content on broadcast media is largely dominated by political news, while numerous socially important topics are underreported. A teacher from Berdiansk Pedagogical University, Natalia Kravchenko, observed “Ukrainian society has many other problems that require public discussion and resolution—culture, science, healthcare etc. You can hardly find this discourse; if it exists, it is superficial.”

Panelists believe the media is responsible for the skewing public discussion. Sociology Professor Marina Sobolevska claimed, “Some issues in media are raised synthetically and

can artificially create problems that had not been there before.” As a result, the audience, according to Yevhen Bondarenko of the Regional Initiatives Foundation, is more interested in conflicts between politicians, rather than issues that affect their own lives. Giving an example of this, Bondarenko, who works with Foundation of Regional Initiatives, said “We analyzed media coverage of the renaming of Kyrovograd. Local media invented artificial conflict by providing sociological data saying that 50 percent of citizens preferred ‘Elisavetgrad’ and the other 50 percent ‘Ingulsk’ and ignored that there were 20 other names for the town in the list. Instead of involving citizens into civilized public discussion, the local media enjoyed a two-week fight between two opposing groups.” Panelist Romanova also observed, “Media are less biased reporting on social issues as compared to political or financial topics. In finance or political games media seem to be more manipulative, provide more biased content, and conceal important information depending on the interests of their owners.”

The blame, the panelists believe, lies in the ownership patterns and the race for ratings. Nesterenko pointed out: “Every national media outlet has its own agenda, and they focus on topics that benefit them.” Inna Romanova, communications advisor for Right to Protection, considers leading television channels in Ukraine as business for citizens’ entertainment: “Higher rating causes higher income through TV advertisement. That explains why popular media pick up only some topics for discussions, and then quickly forget about it.” Arif Bagirov, a blogger from Luhansk, added that television stations prefer to broadcast stories “where the characters are angry or fight in front of the camera,” because the drama gets audiences emotionally invested.

The reactionary coverage of events and lack of in-depth reporting seemed to be a recurrent criticism of the media. Giving an example from local media coverage, Anatoliy Boyko, director of the Odesa branch of the Committee of Voters of Ukraine, said, “Local Odesa media covered an incident of a fire breaking out in the office of volunteers who collected money and goods for Ukrainian soldiers in conflict zones, but there was no follow up or investigation after that.” Valentyn Krasnoperov from CenterUA opined that the weak discussions in media reflected Ukrainian society and vice versa: “Unfortunately, our state politics, media, and even NGOs do not use a strategic approach and do not analyze real causes. The society discusses consequences not reasons.”

### THE MEDIA SERVE CITIZENS BY PROVIDING USEFUL AND RELEVANT NEWS AND INFORMATION AND FACILITATING PUBLIC DEBATE

- > The media promote and facilitate inclusive discussions about local, national, and international issues (social, political, economic, etc.) that are important to citizens.
- > Reporting and discussion in the media support democratic policymaking, government transparency, equitable regulatory enforcement, and consumer protection.
- > News and information provided by the media is relevant to, and informs, the choices and decisions (social, political, economic, etc.) made by citizens.
- > Citizens trust that news and information reported by the media accurately reflects reality.
- > It is possible for citizens to recognize partisan, editorial, or advertorial content as such.
- > Editorial and partisan media content is a constructive part of national dialogue; media refrain from including “hate speech” content.
- > The media expose citizens to multiple viewpoints and experiences of citizens from various social, political, regional, gender, ethnic, religious, confessional, etc., groups.



Some panelists pointed out that media coverage had improved considerably after the 2013 Euromaidan protests. Bohdana Stelmakh, director of the Lutsk Press Club, said, “There are many media platforms that have been holding public discussions on different issues over the last few years, especially talk shows. Before the Euromaidan protests, these talk show hosts would accuse people without proof, misrepresent facts, or invite biased experts on the show.”

Commenting on the link between ratings and quality, Professor Oleksiy Panych from Kyiv-Mohyla Academy noted, “Higher rated media usually deliver lower levels of discussion. Well-known talk-show *Shuster-live* attracts enormous audiences, but the discussions turn out to be quarrels between political opponents, who blame each other non-stop.” He did, however, highlight, “Some media include strong professional analysis on extremely important issues, but the impact of these media is insufficient and insignificant. For example, the magazine *Philosofska Dumka* [*Philosophical Thought*] publishes in-depth analysis on political and social issues in the country, however, the audience is limited to a few hundred.”

Krasnoperov talked about how new entrants into the sector were also bringing about changes in the current media. “For instance, Hromadske Radio is a new creative and objective media platform that represents different points of view. And oligarch media have been forced to adopt the rules of the game to keep their audience. For example, oligarch-owned Channel 112, ICTV, Inter, 1+1 invite speakers that present opposing or different opinions.”

Bondarenko agreed that an internal system of checks and balances has emerged in the media space: “National and regional media have changed due to pressure from more qualified and objective media that have emerged over last two years. Our media are still in the process of learning; they compare themselves to media professionals in other countries and improve, this is slow and sometimes clumsy. Online television Spilno.TV was launched during the Euromaidan protests in 2013-2014, which live streamed events continuously, attracting audiences that did not want to listen to censored news on TV channels. The unedited stream received the highest level of trust ever seen in media. Over 50 million viewers worldwide watched Spilno.TV during this period. International broadcasters BBC, CNN, and Al Jazeera and national TV—Channel 5, Channel 24, Hromadske.TV—rebroadcast Spilno.TV streams 24/7. Last year Spilno.TV finished its documentary about Euromaidan, which was nominated for an Academy Award.”

**Nesterenko pointed out: “Every national media outlet has its own agenda, and they focus on topics that benefit them.”**

Vira Porovska, organizational development officer from the Women’s Consortium of Ukraine, thinks that Ukrainian media pay insufficient attention to reforms in the country: “The ordinary Ukrainian citizen hardly understands what kinds of reforms are ongoing at both national and regional levels. I would like to see more media content about reforms in a user-friendly manner.”

Civil society has a stake in a new and improved media landscape in Ukraine. So far, they remain dissatisfied with the fluctuation in coverage and simplification of content. Yevhen Lupakov, deputy director of the Union of Military Officers of Ukraine, observed, “Our media are not investing in long-term coverage to facilitate the resolution of issues; they usually ‘crow’ about the issue and then forget.” Krasnoperov added, “Talk shows discuss quantity of bribe-takers or scale of corruption; journalists and speakers discuss a particular governor who has been caught taking bribes; but discussion about the reasons why corruption exists and persists is absent. At the same time, good analytical content on elimination of favorable conditions for corruption barely get the attention or wide public discussion.”

After the Euromaidan protests, the resignation of then-President Yanukovich, the collapse of his government, and the 2014 elections, conversations in Ukraine started focusing on EU aspirations. This considerably reduced government mandated censorship and pressure on Ukrainian media. These changes have allowed the media to cover issues/topics/processes in the country without fear of persecution or being shut down.

Krasnoperov cited numerous instances where media reports have mobilized the public and increased pressure on elected officials like Parliament Member Mykola Martynenko, who was forced to resign after the media reported on accusations of bribery against him. The panelist also credited the regional and national media who advocated for a law on public funds. These efforts saw the creation of a government website that posts all budget data for public scrutiny. Praising the media for these efforts, Krasnoperov cautioned,

Praising the media for these efforts, Krasnoperov cautioned, “Public pressure on corrupted governors does not always result in action. We still have some untouchable politicians.”

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The media in Ukraine have been taking a proactive role in exposing corruption. Stelmakh claims it was these efforts that lead to a comparatively more transparent local election in 2015. While it is important to recognize these efforts, media outlets are affiliated with political parties and often only focus on content important to them. This means even the current successes are unstable and likely unsustainable. Stelmakh remarked, “If the political environment changes, media that belong to the political majority receive more power on public processes. Media are not a fourth force in this country, but rather a tool for political fighting.”

Panelists Boyko and Nesterenko believe not all the media in Ukraine are changing; in fact, some of the coverage of incidents have been self-serving. They claim some advocacy campaigns in the media were funded by political and/or oligarch groups to serve their own interests. Giving an example, they claim, “Protests by foreign currency debtors in 2015 required restructuring of their debts through lowering exchange rates three times to the level they borrowed from banks; media reported on the protests every day and promoted the idea of government injustice toward currency debtors, despite many people knowing that the strikers were paid by organizers to stay on the street.”

Kravchenko said, “We rarely see public discussion that influences local political figures or their actions. Influence of public discussion is weak and unstable because the inert society does not act.” The problem, surmised Sobolevska, was in the lack of mechanisms to enable citizens or civil society to respond to media reports: “Our society is not involved in the legislative process. We need mechanisms to involve communities in discussion of particular issues, not just critics of government actions.”

Porovska gave the example of the recently launched calendar of public discussions by the Ministry of Regional Development. Any NGO can participate in the ministry’s

events and/or add event to discuss own propositions or legal initiatives. Another website, Nova Kraina, accumulated events and public discussions in all regions of Ukraine. These mechanisms have ensured that all the people in Ukraine now have access to information about reforms and can participate. Coverage of these issues has been infrequent, Porovska concluded: “The media need to cover these developments and enable participation of active citizens.”

In a limited capacity, there has been some improvement in media coverage; panelists noted that media does inform citizens about important government actions, political conflicts, and crises. Svitlana Samosud, deputy director of the Union of Agriculture Workers of Ukraine, acknowledged, “Everything people see and know about the situation in the country is possible because of media. Now media companies have more freedom to raise hard topics to highlight any governor’s shadowy actions.”

Most panelists agreed that the media do influence citizens’ choices and decisions, however, they were divided on the extent to which media informs citizens. Panych remarked, “Our Ukrainian media are very influential, and—simultaneously—effectively manipulative. And that is the biggest threat to informational security of our country.”

This observation encapsulates the complexity within the media. On one hand, people have multiple media options to choose from, on the other, they all suffer from some form of bias or the other. As mentioned before, in most cases, viewer or reader discretion, as the case may be, is advised.

According to some, the local media largely contain information that is helpful in making everyday choices about the quality of goods and services. Panych added a caveat, saying even when equipped with some information, there was no behavior change: “How can we be sure that the choices are right? For instance, Ukrainian voters continue elect oligarchs and then wonder why their lives do not change.”

The remarks raise an important issue: do the media affect voter choices and behavior? Panelists previously noted that increased media scrutiny and monitoring led to comparatively transparent elections in 2015, however, Marina Govorukhina, communications manager at the Helsinki Human Rights Protection Union in Ukraine, made a point to the contrary. “Political parties would never invest huge amounts of money in media campaigns. Local elections in 2015 in all regions of Ukraine once again demonstrated how powerful media can be in manipulating voters.” The example referenced in this observation is based on feedback

received from the Samopomich political party. According to Govorukhina, the party was not able to access the local media in some central, south, and eastern regions: "Local media faithfully served their owners who had alliances with particular political parties." According to media monitoring reports by Philip Orlyk Institute of Democracy, nearly 50 percent of the content during campaigning for the local elections was biased. Govorukhina said, "The biased stories promoted particular parties and candidates, and ignored or criticized others without giving them space for a chance to respond."

Despite the low quality of reporting—one-sided stories, biased views, incomplete and selective content—Boyko noted that people still trust the media. "The main issue with our media is not paid journalism, but the overall media dependence on their owners and their political interests." Citing the example of Odesa, he stated, "You won't find two different points of view on one channel or in one newspaper. If you want to know different opinion, you should find media that belong to opposition, and then compare."

Agreeing that this was a disturbing trend, Nesterenko stated that poor quality content hampered people's ability to make conscious choices. "To keep audiences hooked, the media offer more emotionally charged content, which prevents analysis and critical thinking. This is ruinous." Kravchenko agreed that dramatic content on television news often overshadowed information that was important for citizens. Unfortunately, panelists claimed that popular media knowingly use entertaining formats in programming about social, economic, or political issues in order to increase their audience share. Panelists did note that in contrast to television news, Internet and radio news are much better in providing dry facts and better contribute to making rational choices.

These shortcomings in the media are further exacerbated by the low level of media literacy in Ukraine. Some panelists noted that the percentage of people who exercise critical thinking while consuming the news is relatively small in the country. This is evidenced by the modest circulation and limited audience for analytical or in-depth journalism.

Romanova concluded, "I cannot say media help citizens to make choices. I would rather say that media *force* people to make choices, sometimes gingerly, sometimes in a more aggressive manner."

"The Ukrainian public is too credulous," according to Panych. Most people in Ukraine trust the media they consume,

Svitlana Samosud, deputy director of the Union of Agriculture Workers of Ukraine, acknowledged, "Everything people see and know about the situation in the country is possible because of media. Now media companies have more freedom to raise hard topics to highlight any governor's shadowy actions."

citizens tend to believe that reported news and information are true. Not all panelists shared this view. Sobolevskaya, while emphasizing the importance of media literacy, believes that Ukrainians are well aware of the problems of bias in the media and choose to trust only a few outlets.

Nesterenko noticed cognitive dissonance in peoples' attitude toward media: "When citizens are asked about their perception of the media, they claim all media content is a lie. But when you analyze their behavior, it shows that people still trust media, fall under its influence, and easily retranslate thoughts from media reports." He concluded, "In our country where media manipulate content a lot, the high level of trust can be dangerous."

In Romanova's opinion, the media enjoy a very high level of trust among people living in conflict areas. "People in the occupied territory consume media that is full of propaganda of the so-called Donetsk People's Republic. Those people believe that uttering the word 'Donetsk' can get you thrown in a Ukrainian prison." It is apparently the same situation in other areas of Ukraine as well; there are a lot of stereotypes about people who live in the occupied territories. The panelist concluded, "If you are not a specialist on the issues of these territories, you do not have a choice to believe or not to believe the words of the media."

Lupakov, gave another example of how media can be misleading: "On April 5, 2013 the Union of [Military] Officers of Ukraine conducted a moto-race in Sebastopol, Crimea, under Ukrainian flags. Local citizens warmly greeted us with flowers. The next year, people in Sebastopol developed anti-Ukrainian sentiments. This sudden transformation can be attributed to the pro-Russian media propaganda that turned Sebastopol citizens to zombies against all Ukrainians."

Romanova concluded, “I cannot say media help citizens to make choices. I would rather say that media *force* people to make choices, sometimes gingerly, sometimes in a more aggressive manner.”

Panych noted that the most balanced media in Ukraine, Hromadske.TV and UA: First, do not broadcast fake news but have relatively small audiences. Hromadske.TV provides news on a limited number of topics—armed conflict, government actions, and corruption—and does not cover the whole of national discourse. UA: First offers clumsy formats for conservative audiences. At the same time, channels that provide fast hot news—often filtered and imbalanced—like Channel 112, Inter, or 1+1 enjoy a wider audience, and consequently get more trust.

Stelmakh also noted the lack of sustainability of some media outlets, noting, “I can count the independent media of Ukraine on one hand. International donors established them and continue to support them. While they may earn some income from advertisements, they are still not sustainable.”

According to panelists, *Jeansa*, a colloquial Ukrainian term for unmarked paid stories or hidden advertising, is extremely common, especially around election time. Consequently, Indicator 5 received by far the lowest score in the study. Kravchenko believes most citizens cannot recognize it and most likely, are not interested in understanding it either. Krasnoperov noted, “The *jeansa* was so coarse in local media, that the majority of voters could catch it.”

The Law on Advertisement requires that advertising and paid media reports be marked clearly. However, the majority of the media does not follow this. “Media monitoring showed that only state-owned media properly marked political advertisements during the last elections,” said Stelmakh. The remaining media marked paid materials conditionally by using different symbols, placement in special rubrics, or did not mark them at all. Stelmakh said, “They deceived audiences about the reliability of their information.”

Nesterenko added, “When I talk to people who consume fake news, I find that people trust everything reported in the media. Media-technologists earn money on producing fake and manipulative news. Ukrainian newsrooms value journalists who have mastered the skills of disguising commissioned materials into regular news. Paid journalism is one of the biggest problems in the country today.”

The failure to mark paid content is also visible in the regional media. Bagirov noted, “In the last local elections, political affiliations of channels became very clear. Despite the obvious promotion of their own candidates, TV channels and other media did not mark such programming as advertisements.”

Romanova drew attention to the wider dangers of not marking advertorial content. Commenting on an encounter with media professionals employed by oligarchs, she said, “Those journalists are commissioned to write detailed analytical stories that are aimed at negatively affecting a competitor’s business, or use legalese to misinterpret their work with the intent of disqualifying a company. These stories were reportedly published as expert opinions or analytical reports and were never marked as paid news. If readers do not work in finance, they could not guess about the depth of bias in those articles.”

Paid news is used differently by different media. Bondarenko pointed out, “Bias in community/municipal media is limited to journalists providing positive coverage of local governors, communal services, etc. When elections come, the same media continue promoting the incumbent mayor or his team to win elections. Very few journalists from municipal media are brave enough to adopt a contrary or critical approach.”

Some panelists were more optimistic. Based on their experience, after the Revolution of Dignity the political culture changed and citizens’ consciousness grew, as did their ability to recognize *jeansa*. Sobolevska believes that people are quite critical about paid journalism: “As sociologist, I observe people’s desire to know the truth. A significant number of people in Ukraine are able to consciously watch, read, compare, and analyze media content.” Samosud claimed that people know how to detect lies in the news: “Even *babushkas* [elderly women in Ukraine] know which news is ludicrous.”

There was a perceptible rise in “hate speech” over the last two years; however, panelists said it was infrequent and insignificant. Some attributed this increase to the ongoing conflict in the east and political instability in the country. Others pointed out that it is political leaders who use hate speech, which the media then broadcasts. Alleging that politicians use the media to further their own agenda, Lupakov said, “Not journalists, but members of the Ukrainian Parliament use hate speech in TV shows. The political *beau monde* lies, manipulates, and offends their opponents freely, all for higher political ratings.” Panych agreed with this summation, saying “The most hate speech appears in talk shows or interviews aired by oppositional oligarch channels.”

Kravchenko noted that the national media did make an effort to provide objective coverage of different groups and events. In her opinion, the real problem is what she calls “rhetoric of fear.” Criticizing the media for its exaggerated coverage of some events, Kravchenko claims that instead of contributing to constructive dialogues, “The media reports try to keep people on the edge, regardless of which side they support. News, talk shows, and other informational programming destroy the audience’s confidence. A scared or stressed consumer loses the ability to analyze and think critically. The safest way to stay updated on issues and events is to selectively consume important information from the Internet, print, and radio, and stop watching television.”

Nesterenko had a similar opinion: “Ukrainian television offers a lot of negative news. This kind of media manipulation is aimed at getting the audience emotionally involved by claiming the conflict is worsening or some other such report. Fear is the strongest emotion that activates instincts but blocks analytical thinking.”

Krasnoperov claims that instances of hate speech in the Ukrainian media are low, especially when compared with the occupation of Crimea and the armed conflict in Donbas. “Compared to Soviet and Russian media, our media exercise some restraint and use the appropriate terms when talking about anti-Ukrainian forces: intervention, occupation, separatism etc. And you never meet stigma wording or hate speech on national channels.” He conceded there were instances of hate speech about the Donbas population in smaller media or on the blogosphere. The bias stems from

negative perceptions of former president Viktor Yanukovich, who originated from Donetsk oblast. “Last year media had less hate speech against Donbas citizens, but still you could meet ‘Donbas on knees,’ ‘Down-bas,’ or similar phrases,” Valentin concluded.

Panelists who have tracked regional media in the eastern and southern regions did bring up instances where hate speech was being used to divide communities into pro-Russian and pro-Ukrainian groups. Luhansk local media radicalize society. “Their logic,” said Bagirov, “is that two-sided reporting would repel audiences of the Luhansk area. Thus, every media chose one-line policy, and promotes it in different ways including hate speech against opponents.”

Stelmakh pointed out that the national media used too many stereotypes when covering gender-sensitive issues. For example, police video of the detention of a drunk female driver—a businesswoman and wife of one of Ukraine’s prosecutors—in downtown of Kyiv was leaked to YouTube. The video showed the woman offering to bribe police officers and then her active dispute with officers. Most national television channels and many other media immediately rebroadcast the video, which received an enormous number of negative comments on Facebook and other social media. “Media coverage of the incident included so much sexism and stamps like ‘stupid rich blond’ and ‘drunk chicken.’ Despite her unethical behavior, the incident still deserved more balanced and tolerant reporting. But it seemed that media bore a part in maintaining intolerance and illiteracy in gender equality principles among Ukrainians,” Stelmakh said.

Bondarenko looked media coverage before 2014, which focused on government-inflated conflict in the country through national media reports about Ukrainian Nazis and fascists at Euromaidan. Today, inflammatory issues with nationalities, languages, etc., are not discussed as much. “So, I am optimistic about constructive public discussions in the media because I have observed a huge improvement,” he said.

“For Ukraine, the term ‘national dialogue’ mostly concerns resolving political conflicts. Media do not contribute to the political consensus in a constructive manner. Simultaneously, Ukrainian media demonstrate effectiveness in resolving

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social issues and smoothing regional differences. I have not seen or heard hate speech in national media or specialized publications,” noted Panych.

Ukrainian media in general do provide information that reflects the interests of different groups, thinks Panych. While Ukrainian local media inform citizens on relevant topics, they tend to focus on the opinions of local politicians. That said, most religious and ethnic groups do have some online or print media presence of their own.

Regional media have better reporting on administrative services and local governors, but social services for vulnerable groups such as women, children, disabled, lonely pensioners, etc. stay out of the spotlight.

Panelists were in consensus over the lack of gender sensitivity in both national and regional Ukrainian media. Porovska noted, “You can read about concerns of Ukrainian women solely in specialized press. National level media do not pay any attention to these issues. Men’s issues are not covered at all; they seem to not exist. For instance, the media ignore the problem of drug and alcohol addiction, especially in small towns and rural areas.”

Samosud gave an example: “There was very little coverage of the recent campaign of the trade union to protect legal rights of single fathers and mothers.” A few reports appeared and vanished. The problem, she observed, “May be with national politics, which dismisses discussions on gender as unimportant.”

Govoruchina criticized the manner in which the media report on women in government: “‘Young attractive blond became head of a ministry.’ I have never read a similar thing about men: ‘aged brown-eyed beefy guy heads up the ministry.’ If a Ukrainian woman goes into the public sphere, she should delete all profiles in social networks and clean up the Internet to avoid journalists’ efforts to discredit her as professional.”

As a representative of a human rights protection group, Govoruchina listed several issues in which there has been imbalanced and sometimes even harmful reporting: “Media coverage of disabled people does not help to overcome perceptions of them as ‘miserable people.’ The coverage is limited to a few success stories, with angles like ‘this hapless could achieve something despite disability.’” Despite the existence of multiple religions, coverage is mostly about Orthodox churches and their relationships, and very little content on Buddhists, Rastafarians, Hare Krishna or others. Regional media’s coverage of LGBT groups promotes just one opinion: LGBT lifestyles contradict Ukrainian and Christian values. “There is a lack of debate and discussion,” she said.

Romanova also brought up the imbalanced reporting on IDPs. “Media have two extremes: either negative ‘why are they here?’ or pitiful stories about poor IDPs.” In her opinion, this sort of polarized reporting has become a trend in Ukraine, either everything is bad or good; there is no middle ground or critical thinking. Panelists claim this polarization emerged out of confrontations between media owners: oligarch groups that lost power after president Yanukoych’s flight are trying to regain their status, and groups that entered with the new government want to keep the power.

Not all panelists agreed with this assessment. According to Stelmakh “Volyn region has frequent confrontations with the Orthodox Church under Moscow and Kyiv patriarchs. In covering these issues, the regional media make a visible attempt to stay objective. This is worth noting, especially given that majority of Volyn communities are not loyal to the Moscow church.”

The panelist went on to give examples of how Volyn media positively covered both waves of IDPs in the region: “When discussing the issue of Crimea and Donbas, there were no instances of hate speech. Instead, IDPs were portrayed as people who left their homes to escape war, and were



citizens of Volyn region that needed aid and assistance. This media policy played an important role in promoting tolerance, and facilitated re-integration of IDPs into local communities.”

In speaking of the Luhansk/Donbas region Bagirov did not see any diversity of in the regional media. Bagirov said, “Luhansk’s state broadcaster reports one-sided pro-Ukrainian news, and simultaneously the other local TV channel in Lisichansk promotes the interests of opposition block. Local media are divided into ‘black and white,’ which does not contribute to inter-ethnic or inter-national cooperation, but rather radicalizes the society.”

“Media in the east of Ukraine do not have multiple points of view when reporting conflicts,” added Krasnoperov. “The recently elected mayor of Bilozersk, Donetsk [a front line town] was beaten by soldiers of AZOV battalion. UNIAN [news] agency totally discredited the mayor by reporting that the anti-Ukrainian separatist-mayor of Bilozersk was beaten by *titushki* [hired thugs]. Regional media picked up this message without checking facts.” The panelist added, “Center UA proved that the mayor had not supported separatism, but despite these facts, the Donetsk regional media did not retract or remove the stories or acknowledge bias by source publications.”

Boyko observed that reactive and opportunistic regional reporting was made worse by ignoring issues in rural areas. Following the lead of the national media, “They include rural areas in news exclusively during elections, harvests, or incidents. In rural areas, where half the population lives in villages and raion centers, the urban media ignore the issues; only raion municipal newspapers address these gaps.” He also pointed out that media presence and coverage, in some parts of the country did not extend to all geographies “Odesa has 20 TV channels that exclusively cover news from the Odesa town. 20 km from Odesa is *terra incognita* for our media.”

## List of Panel Participants

**Anatoliy Boyko**, director, Committee of Voters of Ukraine-Odesa Branch, Odesa

**Arif Bagirov**, blogger; public activist, Severodonetsk Art-platform, Youth culture, Severodonetsk

**Bohdana Stelmakh**, director, Lutsk Press Club, Lutsk

**Inna Romanova**, communications advisor, Right to Protection, Kyiv

**Marina Govorukhina**, communications manager, Helsinki Human Rights Protection Union in Ukraine, Kyiv

**Marina Sobolevska**, assistant professor, Taras Shevchenko National University, Kyiv

**Natalia Kravchenko**, assistant professor, Department of Management Software Technology, Berdiansk Pedagogical University, Berdiansk

**Oleksiy Panych**, professor, Kyiv-Mogyla Academy; science editor, *Dukh i Litera*, Kyiv

**Sergiy Nesterenko**, information security advisor, Union of Ukrainian Lawyers, Kyiv

**Svitlana Samosud**, deputy director, Union of Agriculture Workers of Ukraine, Kyiv

**Valentyn Krasnopierov**, coordinator, Strong Communities of Donetsk Region Project, CenterUA, Kyiv

**Vira Porovska**, organizational development officer, Women’s Consortium of Ukraine, Kyiv

**Yevhen Bondarenko**, Regional Initiatives Foundation, Kyiv

**Yevhen Lupakov**, deputy director, Union of Ukrainian Military Officers, Kyiv

## Moderator & Author

**IrynaNegreyeva**, independent media expert, Kyiv

*The panel discussion was convened on February 26, 2016.*



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*Nesterenko had a similar opinion: “Ukrainian television offers a lot of negative news. This kind of media manipulation is aimed at getting the audience emotionally involved by claiming the conflict is worsening or some other such report. Fear is the strongest emotion that activates instincts but blocks analytical thinking.”*



UKRAINE

To complete both studies, IREX used closely related, albeit slightly different methodologies. The Methodology for Objective 1 through 5 are explained in detail, followed by a summary of modifications made for the Objective 6 study.

### Methodology for Objectives 1 through 5

IREX prepared the MSI in cooperation with USAID as a tool to assess the development of media systems over time and across countries. IREX staff, USAID, and other media-development professionals contributed to the development of this assessment tool.

The MSI assesses five “objectives” in shaping a successful media system:

1. Legal and social norms protect and promote free speech and access to public information.
2. Journalism meets professional standards of quality.
3. Multiple news sources provide citizens with reliable, objective news.
4. Media are well-managed enterprises, allowing editorial independence.
5. Supporting institutions function in the professional interests of independent media.

These objectives were judged to be the most important aspects of a sustainable and professional independent media system, and serve as the criteria against which countries are rated. A score is attained for each objective by rating between seven and nine indicators, which determine how well a country meets that objective. The objectives, indicators, and scoring system are presented below.

### Scoring: A Local Perspective

The primary source of information is a panel of local experts that IREX assembles in each country to serve as panelists. These experts are drawn from the country’s media outlets, NGOs, professional associations, and academic institutions. Panelists may be editors, reporters, media managers or owners, advertising and marketing specialists, lawyers, professors or teachers, or human rights observers. Additionally, panels comprise the various types of media represented in a country. The panels also include representatives from the capital city and other geographic regions, and they reflect gender, ethnic, and religious diversity as appropriate. For consistency from year to year, at least half of the previous year’s participants are included on the following year’s panel. IREX identifies and works with a local or regional organization or individual to oversee the process.

The scoring is completed in two parts. First, panel participants are provided with a questionnaire and explanations of the indicators and scoring system. Descriptions of each indicator clarify their meanings and help organize the panelist’s thoughts. For example, the questionnaire asks the panelist to consider not only the letter of the legal framework, but its practical implementation, too. A country without a formal freedom-of-information law that enjoys customary government openness may well outperform a country that has a strong law on the books that is frequently ignored. Furthermore, the questionnaire does not single out any one type of media as more important than another; rather it directs the panelist to consider the salient types of media and to determine if an underrepresentation, if applicable, of one media type impacts the sustainability of the media sector as a whole. In this way, we capture the

influence of public, private, national, local, community, and new media. Each panelist reviews the questionnaire individually and scores each indicator.

The panelists then assemble to analyze and discuss the objectives and indicators. While panelists may choose to change their scores based upon discussions, IREX does not promote consensus on scores among panelists. The panel moderator (in most cases a representative of the host-country institutional partner or a local individual) prepares a written analysis of the discussion, which IREX staff members edit subsequently. Names of the individual panelists and the partner organization or individual appear at the end of each country chapter.

IREX editorial staff members review the panelists' scores, and then provide a set of scores for the country, independently of the panel. This score carries the same weight as an individual panelist. The average of all individual indicator scores within the objective determines the objective score. The overall country score is an average of all five objectives.

In some cases where conditions on the ground are such that panelists might suffer legal retribution or physical threats as a result of their participation, IREX will opt to allow some or all of the panelists and the moderator/author to remain anonymous. In severe situations, IREX does not engage panelists as such; rather the study is conducted through research and interviews with those knowledgeable of the media situation in that country. Such cases are appropriately noted in relevant chapters.

## I. Objectives and Indicators

### Objective 1

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

### Objective 2

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well-sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

### Objective 3

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources
- > The media provide news coverage and information about local, national, and international issues.

### Objective 4

#### MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

### Objective 5

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

## II. Scoring System

### A. Indicator Scoring

Each indicator is scored using the following system:

- 0** = Country does not meet the indicator; government or social forces may actively oppose its implementation.
- 1** = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change.
- 2** = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces.
- 3** = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability.
- 4** = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions.

## B. Objective and Overall Scoring

The average scores of all the indicators are averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## Methodology for Objective 6

The purpose of this separate but related study is to rate the extent to which the traditional media (such as newspapers and broadcasters) and new media (blogs and other online or mobile formats) capture citizen concerns in a non-partisan manner. The study also assesses the media's ability to serve as a facilitator of public debate and as an outlet for citizen voices. It measures the capacity of media to hold politicians, business, and other actors accountable.

To accomplish this, IREX developed a methodology similar to its original MSI, described above, so that the results can seamlessly accompany the MSI's five objectives, which measure the performance of a country's media sector. This study uses the same process of scoring, enlisting local participants to answer an IREX questionnaire, and holding a panel discussion moderated by a local partner. Hence, we refer to this study as the Media Sustainability Index's "Objective 6."

Like the original five objectives of the MSI, this study relies on a stated objective and several supporting indicators. Objective 6 and its indicators are stated in such a way that panelists can use them as a model against which to evaluate their current news and information environment. This allows for meaningful comparisons, as well as setting forth expectations for future development. The objective and indicators are listed in the table below.

### Objective 6

#### THE MEDIA SERVE CITIZENS BY PROVIDING USEFUL AND RELEVANT NEWS AND INFORMATION AND FACILITATING PUBLIC DEBATE

- > The media promote and facilitate inclusive discussions about local, national, and international issues (social, political, economic, etc.) that are important to citizens.
- > Reporting and discussion in the media support democratic policymaking, government transparency, equitable regulatory enforcement, and consumer protection.
- > News and information provided by the media is relevant to, and informs, the choices and decisions (social, political, economic, etc.) made by citizens.
- > Citizens trust that news and information reported by the media accurately reflects reality.
- > It is possible for citizens to recognize partisan, editorial, or advertorial content as such.
- > Editorial and partisan media content is a constructive part of national dialogue; media refrain from including "hate speech" content.
- > The media expose citizens to multiple viewpoints and experiences of citizens from various social, political, regional, gender, ethnic, religious, professional, etc., groups.

The process of undertaking the study is the same as above, with the following modifications:

- **A distinct set of panelists.** For Objective 6, panelists might be academics, student leaders, bloggers, media analysts, human rights and other NGO leaders, business association leaders/members, or trade union leaders/members. Consistent with the original MSI methodology, panelists represent the diversity within a society, and are selected in terms of gender balance, residence in the capital city and more rural areas, and membership in various political or other factions.
- **Modified score definitions and interpretation of final score.** Guidance on how to score each indicator and definitions of the meaning of scores are unique to this objective. These are detailed below.

As above, panelists are directed to score each indicator from 0 to 4, using whole or half points. They are provided with the following guidance:

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- 0** = No, the media in my country do not meet the provisions of this indicator; it is impossible or exceedingly rare to find content in any media outlet that meets the provisions of this indicator.
- 1** = The media in my country minimally meet the aspects of this indicator. Occasionally, a media outlet produces content that meets the aspects of this indicator. Or, citizens in my country may sometimes obtain news and information that meet the aspects of this indicator, but only by referring to several sources and comparing reports on their own.
- 2** = The media in my country have begun to meet many aspects of this indicator. There are at least a few media outlets that frequently produce content that meets the aspects of this indicator. However, progress may still be dependent on current political forces or media ownership/editors.
- 3** = The media in my country meet most aspects of this indicator. Many media outlets strive to, and regularly produce, content that meet the aspects of this indicator. Adherence to this indicator has occurred over several years and/or changes in government, indicating likely sustainability.
- 4** = Yes, the media in my country meets the aspects of this indicator. Media outlets and the public expect content to meet the aspects of this indicator. Exceptions to this are recognized as either substandard journalism or non-journalistic content (e.g., labeled and recognized as opinion or advertorial). Adherence to this indicator has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or differing social conventions.

The overall score for the objective is interpreted to mean the following:

**Unsustainable (0-1):** Country's media sector does not meet or only minimally meets objectives. Media content is contrary to citizens' information needs, media seek primarily to serve political or other forces, and professionalism is low.

**Unsustainable Mixed System (1-2):** Country's media sector minimally meets objectives, with significant segments of the media sector beholden to political or other forces. Evident progress developing media that serve citizens information needs and increased professionalism may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country's media sector has progressed in meeting multiple indicators, and many media outlets consistently strive to and succeed in serving citizens' information needs with objective, timely, and useful content. Achievements have survived changes in government; however, more time may be needed to ensure that change is enduring and that increased professionalism is sustainable.

**Sustainable (3-4):** Country's media sector is considered generally professional; serving citizen information needs with objective, timely, and useful content; and facilitating public debate. A primary goal of most media outlets and media professionals is to serve such ends, and similarly, the public expects this from the media sector. Achievements have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.