

The press and freedom of speech in Ukraine ahead of parliamentary elections

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The independence of the mass media has been regularly restricted over the past two years in Ukraine. Following a period of relative freedom in 2005–2010, the scope of direct and indirect government control of the press has increased, cancelling out the achievements of the Orange Revolution in this area. The press in Ukraine is less and less able to perform its role as watchdog on the government and politicians and as a reliable source of information on the situation in the country to the public. This is mainly due to: (1) the concentration of the most important mass media in the hands of Ukraine's most powerful oligarchs, whose business interests depend on the government; (2) the use of the press as instruments in political and business competition; (3) the ruling class's subordination of the institutions which supervise the press; (4) repression used against media critical of the government and (5) the lack of an independent public broadcasting corporation. As a consequence, the press has hardly any impact on the political processes taking place ahead of the parliamentary election scheduled for 28 October. This is also an effect of a passiveness present in the Ukrainian public, who are tired of politics and are focused on social issues. Cases of abuse or corruption scandals revealed by the press do not provoke any response from the public and are rarely investigated by the public prosecution authorities.

The more popular a given medium is, the more strongly it is controlled by the government. At present, television has to be recognised as the least reliable of the mass media. In turn, Internet news journals are characterised by the greatest pluralism but also have more limited accessibility.

The political conditions in which the mass media operate in Ukraine lead to various forms of pathology. The most serious of them are censorship by the owners and self-censorship performed by journalists, and a great share of political advertorials. As the parliamentary election is approaching, the pathologies of the Ukrainian media market have been showing up with greater intensity.

The press and politics after 2010

The media and journalism in Ukraine were developing in relative freedom for five years after the Orange Revolution (2005–2010). This created an especially bright contrast with the second presidency of Leonid Kuchma, one symbol of which was the murder of journalist Georgiy Gongadze. The increasing pluralism and objectivism in the media was recognised as one of the key achievements of this revolution. The freedom of the press began to erode in the final period of the Orange government, when politicians strengthened their pressure

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on the press as the presidential election was approaching in January 2010. After the election, when Viktor Yanukovich took office, this process accelerated rapidly. The owners of the largest media holdings subordinated themselves to the government and brought back tighter control of their information policies. This was done with the intention to discipline the journa-

lists so that their actions did not expose the media owners to conflict with the ruling class. As a consequence, the television channels and printed press titles most popular at present support the government in various ways or refrain from criticising it. This is because the government has a number of instruments of control, such as financial or administrative sanctions, which could adversely affect the key businesses of the oligarchs who own the media. The media are used by the owners as means of information support for their business and political activity and as an instrument for taking care of their own image and maintaining good relations with the government. Much lower priority is attached to the function of the media as a means of communication between the government and the public. News presented in the press is frequently manipulated, and facts inconvenient for the government are passed over.

The last two and a half years has also been a time during which the activity of media critical of the government has been restricted and during which there have been increasing cases of the rights of journalists being breached as well as the freedom of this profession. In 2010, the state authority in charge of media market regulation deprived the two opposition TV channels, *TVi* and *Kanal 5*, of the additional frequencies they had been granted before the election, and gave these frequencies to the station *Inter*, which was loyal to the government. In August 2011, *TVi* did not receive a digital broadcasting licence, which all broadcasters will be required to hold from 2015. Court proceedings are currently being conducted against Mykola Kniashchynsky, the director of *TVi*, on charges of irregularities in the payment of taxes, and part of cable TV operators have removed this station from their lists of programmes or shifted it to the more expensive packages¹. Over this period, political and economic pressure has been put on journalists and broadcasters, they have been threatened and beaten, lawsuits have been brought against them and censorship has been used².

The pathologies of the Ukrainian media

The symbiosis between the media owners and the government has led to the development of numerous pathologies. The most negative phenomena, which have gained in intensity over the past few months, are **copyright by owners and self-censorship by journalists**. The former is manifested through pressure applied by the media owners on editors of news programmes and newspapers. In turn, the latter operates as a factor which imposes self-limitation by journalists in their choice of topic or the interpretation of an event, taking into account the politi-

¹ In the opinion of its workers, this station has thus lost over one and a half million viewers; <http://maidan.org.ua/2012/08/volya-vidklyuchaje-tvi/>

² See for example <http://www.telekritika.ua/prava/2011-06-06/63408>

cal or economic interests of the owner of a given medium. Another widespread phenomenon in the Ukrainian media is called 'dzhinsa', which means a political advertorial ordered and paid for by someone from the outside in order to promote ('zakazukha') or discredit ('chornukha') specific individuals. 'Dzhinsa' can be both political and economic. It is put into practice on the level of the publisher or manager, and is directly carried out by a journalist. The Ukrainian political opposition has limited possibilities to take advantage of 'dzhinsa' before the parliamentary election in the most popular media, since their owners are afraid of conflict with the government³. This practice has been monopolised by the ruling class, candidates loyal to the government, and representatives of groupings which are officially promoting themselves as the opposition but in fact will collaborate with the government after the election. In August, *UT-1*, *ISTV* and *TRK Ukraina* were the leaders of 'dzhinsa' among television channels⁴. In turn, *Kanal 5* broadcast the smallest amount of such materials. In the printed press,

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the daily *Komsomolskaya Pravda in Ukraine* was the leader in this period, 20% of whose publications were in fact covert political advertisements⁵. In turn, in some regional media (which are poorer and more dependent on local governments and businessmen), whose role will be more important in the upcoming election because half of the MPs will be elected in single-member constituencies, the share of 'dzhinsa' reaches as much as 40%⁶. Another pathology existing in the Ukrainian press is the

manipulation of public opinion, for example through the lack of balance in the selection of politicians and commentators invited to the studio or to the newspapers. The participants of the most popular political talk shows on *UT-1* and *Inter* are predominantly representatives of the government. The key opposition parties are marginalised, while politicians from the nationalist party *Svoboda* are the most frequent guests. These are seen as being easy opponents for the ruling class. It has also been reported that the talk show hosts consult the lists of participants with the Presidential Administration, and politicians pay for their participation in the show⁷. The experts and journalists invited to the studio also quite frequently work as political consultants for individual politicians or parties, but the audience are not informed of this.

The special characteristics of the press in Ukraine

Despite the regression in the level of the freedom of speech which has been observed in Ukraine, the media are among those few institutions which the Ukrainian public trusts more than distrusts (40% and 28% respectively⁸). At the same time, almost 60% of the respondents believe that political censorship exists in the Ukrainian press⁹. A segment of state-owned media is present in Ukraine, but with the exception of the television channel *UT-1* they do not play any major role. In turn, the key media are concentrated in the hands of several political and business groups. This process began already in the 1990s, when the oligarchs created media holdings operating in the key segments of the market, each of which consisted of several TV channels and newspaper titles (see Appendix 1). As a rule, the media are not their key business assets, and in most of the cases they are not profitable or close to being profitable. The most trustworthy, albeit not completely unbiased, are those media which are independent of the Ukrainian oligarchs politically and in terms of capital, and thus also from the ruling class. However, their number is small, and – as with the me-

³ More advertorials for politicians from the opposition can be found in the local media, mainly in western Ukraine.

⁴ See for example <http://tyzhden.ua/News/59731>

⁵ See for example <http://vybory.mediasapiens.ua/2012/09/10/kozhen-p-yatj-j-material-v-komsomolskoj-pravde-jedzhynsoyu-imi/>

⁶ See for example <http://tyzhden.ua/News/54318>

⁷ See for example P. Pogorzelski, 'Iluzja wolności słowa', *NEW* 3-4/2012

⁸ A survey conducted by the Kiev International Institute of Sociology in February 2012; <http://kiis.com.ua/ua/news/view-152.html>

⁹ A survey conducted by the Razumkov Centre in October 2010; http://www.razumkov.org.ua/ukr/poll.php?poll_id=563

dia who openly oppose the government – they have less capital and thus a weaker impact. These media are tolerated by the government and are used by it as proof of the existence of the freedom of speech in Ukraine in contacts with the West. In turn, Russian media, including TV stations which can be watched in Ukraine, are losing their impact every year, and are now sitting outside the top ten most popular channels in rankings¹⁰.

• Television

According to public opinion polls carried out in Ukraine, television is the source of information on the situation domestically and abroad for 78% of the public¹¹. This segment of the market is predominantly monopolised by the groups with Ukrainian capital, usually with political connections. Ukraine's most popular TV channel, *Inter*, is controlled by Valeriy Khoroshkovskiy, currently the first deputy prime minister. The other five most popular Ukrainian TV stations are owned by: Rinat Akhmetov, a member of the Party of Regions and the richest man in Ukraine (*TRK-Ukraina*), Ihor Kolomoyskiy, Ukraine's third richest man (*I+I*), and Viktor Pinchuk, the second richest man in Ukraine (*STB, ISTV, Novyi Kanal*)¹². The tenth most popular is *UT-1*, which is formally a state-owned TV station but is managed by people linked to Khoroshkovskiy.

The stations which are moderately critical of the government or which openly oppose it, have significantly smaller audiences. *Kanal 5* (which is owned by Petro Poroshenko, Ukraine's eighth richest man, who is the current minister for trade and economic development

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and who was earlier linked to the 'Orange' camp), which used to be the most important medium of the opposition during the Orange Revolution, is now ranked between 11th and 15th among the most popular stations (approximately 1% of average

daily viewership). In turn, *TVi*, which is in open opposition to the government and which is controlled by the émigré Russian businessman Konstantin Kagalovsky, a former manager of Yukos, has trouble holding on to its top twenty ranking of Ukraine's most popular TV channels, and its average viewership is approximately 0.5%.

The popularity of TV stations affects the viewership levels of the publicist and news programmes, including such flagship products as political talk shows with the participation of politicians, journalists, experts and the public. The top show is 'Big Politics with Yevgeniy Kiselev' on *Inter* channel (16% share in the broadcasting time), 'Freedom of Speech with Andriy Kulykov' on *ISTV* (11%) and 'Shuster live' on *UT-1* (10%). The talk shows on *Kanal 5* and *TVi* have much lower viewership ratings, namely: 'ResPublika with Anna Bezulyk' (2%) and 'A Night with Mykola Kniazytsky' (1%)¹³. According to the results of the monitoring of news and publicist programmes¹⁴, the viewers of the most popular TV channels receive a greater part of manipulated information. At the same time, the opposition *TVi* channel does not always meet the standards of unbiased journalism, either.

• The printed press

40% of the residents of Ukraine point to the printed press as being their main source of information¹⁵. Weeklies prevail among the titles with nationwide coverage, while dailies have only a 1% share. Several Western European publishers, such as *Hubert Burda Media Holding GmbH&Co* or *Edipresse-Ukraine*, operate on the private press market. However, as with the TV stations, the concentration of assets in the hands of Ukrainian capital is evident. As a consequence, press publications are often used for political struggle or for the promotion of the economic interests of the owner of a given title. At the same time, the pluralism of opinion in this segment is more present in this segment of the media market than on the TV

¹⁰ In 2010, the average audience figures for the most popular Russian TV channel in Ukraine, 1 Kanal, was not higher than 2%.

¹¹ A survey conducted by the Gorshenin Institute in November 2011; http://news.dt.ua/SOCIETY/ukrayintsi_tsi-kavlyatsya_politikoyu_tak_samo_yak_i_ekonomikoyu_golovnim_dzherelom_informatsiyi_yak_-91972.html

¹² On the basis of the rating prepared by *Forbes*. See <http://www.newsru.ua/ukraine/10apr2012/forbesua.html>

¹³ Data for the first half of 2012 for TV viewers over 18 in cities with populations over 50,000. See http://www.mediabusiness.com.ua/?option=com_content&task=view&id=31115&Itemid

¹⁴ The media are monitored for example by the Telekritika portal and the Academy of Ukrainian Press.

¹⁵ Surveys of the Gorshenin Institute, *op.cit.*

market owing to the larger number of entities operating on it and the fact that smaller funds are necessary to launch a newspaper or magazine title. The top two titles are the daily *Segodnya* owned by Rinat Akhmetov and the newspaper *Fakty i Kommentarii* owned by Viktor Pinchuk¹⁶. Further positions are occupied by the dailies *Ekspres* and *Gazeta Po-Ukrainsky*, which have significantly lower circulation and popularity but are not linked to the large media holdings, and the Ukrainian version of the Russian newspaper *Kommersant*. In the segment of socio-political weeklies, high positions are held by *Dzerkalo Tyzhnya*, which is critical of the government, and the moderate *Korrespondent*¹⁷. At the same time, the system for the distribution of the printed press is a problem, making it available mainly in the largest cities.

• The Internet

The Internet is the main source of information for 17% of the residents of Ukraine¹⁸ and is among the most rapidly developing segments of the media market. The stimulus for the development of news portals came with the crisis of 2008, when the publishers were searching for inexpensive possibilities of presenting content due to falling incomes from advertisements. In effect, most of the press publications, TV stations and individual programmes from their broadcast schedules have their own websites. Some magazines withdrew from the paper version and moved completely to the Internet (for example, *Levyi Bereg*, *Telekritika*, *Ekonomicheskie Izvestia*).

According to information available¹⁹, the average number of users for July-September 2012 ranges between almost 250 thousands daily in the case of the *Ukrainska Pravda* portal to over 100,000 in the case of the *Segodnya* website. This means that on average 2% of Ukrainian Internet users visit the most popular news portals. The total number in February 2012 was estimated at approximately 17 million (42% of the adult residents of Ukraine), of whom 12 million use the Internet every day²⁰. The number of users of social networking services is also growing rapidly in Ukraine, for example Facebook (over 2 million).

The rapid development of the media in the Internet and of information exchange via social networking services is taking place against a background of the falling popularity of the traditional media, such as television, radio and the printed press. This process is not specific to the Ukrainian market only; it fits in with the global trend. At the same time, the motivation to use the web may be seen a characteristic feature of the Ukrainian Internet. It seems that

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the lack of a public broadcaster, the manipulations and the fact that their interests are represented at a low level in the traditional press are making Ukrainians willing to search for an alternative source of information, that being the Internet. The social networking services also make it a space for an open and free discussion for journalists who, while working in the traditional media must often take into account the interests of the owner and impose self-censorship. This leads to the formation of two parallel, albeit asymmetrical, information realities in Ukraine: the reality of television and the reality of the Internet, where the interpretation of events, including political, often varies dramatically.

Conclusion

Freedom of speech has been regularly restricted over the past two years in Ukraine. This has been proven by reports from international organisations, such as Reporters Without Borders (in 2009, Ukraine was ranked 89th and in 2011 116th) and Freedom House, in whose opi-

¹⁶ See <http://www.telekritika.ua/news/2012-02-28/69956>

¹⁷ However, one should remember that most magazines in Ukraine inflate their circulation numbers in order to attract advertisers.

¹⁸ Surveys of the Gorshenin Institute, *op.cit.*

¹⁹ <http://www.liveinternet.ru/rating/ua/>

²⁰ <http://blogosphere.com.ua/2012/07/27/internet-users-in-ukraine-inmind>

nion Ukraine has lost the status of a 'free' country and has become 'partly free'²¹. As the parliamentary election is approaching, the government is intensifying pressure on media which criticise it and are in opposition to it²². The opposition candidates have restricted access to the most popular media. The number of cases where journalists' rights are breached, when they are beaten or impeded in carrying out their work is also growing. The monitoring of TV programmes and the printed media also reveals an increase in the number of advertorials, an avoidance of topics which are inconvenient for the government, the presentation of materials contrary to journalistic standards and other forms of manipulation of public opinion by media which are controlled by the oligarchs and the state. In effect, as the parliamentary election is approaching, the pathologies of the Ukrainian media market are gaining strength, and the public have less and less access to reliable information.

²¹ See Press Freedom Index; <http://en.rsrf.org/press-freedom-index-2011-2012,1043.html>

²² On 18 September, the parliament of Ukraine passed legal amendments at the first reading which provide for criminal liability to be imposed for example on journalists for actions which are defined as 'slandering' others.

APPENDIX

Key media owners in Ukraine

	Rinat Akhmetov	Ihor Kolomoyskyi	Viktor Pinchuk	Valeriy Khoroshkovskiyi	Petro Poroshenko
TV channels	TRK Ukraine Football Football+	1+1 2+2 TET 1+1 International	Novyj ISTV STB M1 M2	Inter K1 K2 NTN MTV Ukraine	Kanal 5
Newspapers, magazines and other	<i>Segodnya</i> <i>Salon Dona i Basa</i> <i>Donetskie Novosti</i> <i>Priazovskiy Rabochiy</i>	<i>Izvestia v Ukraine</i> UNIAN (press agency) <i>Gazeta po-kievski</i>	<i>Fakty i Kommentarii</i> <i>Delo</i> <i>Invest Gazeta</i>		<i>Korrespondent</i>



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