

A Brief Overview of the Media Environment in Ukraine

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General Overview

The country's media environment fully reflects the current tendencies in the development of civil society and Ukrainian statehood. The fact is that governmental and oligarchic groups control most information resources in the country. Ukrainian mass media has become an instrument for public opinion manipulation. Currently, there is hardly a newspaper, magazine, TV channel or radio station that can claim independence in its editorial policy. For the last several years the situation has not changed for the better.

Media Business

In Ukraine profitability of mass media does not depend on the quantitative or qualitative structure of the audience. Profits earned from sales and advertising do not cover the expenses on production of informational products. In print media market mainly entertainment, advertisement and erotic outlets can be considered as profitable. Most public and political outlets serve the interests of various financial and political groups.

Decrease in print media circulation still continues since 1991. In fact, due to financial reasons most Ukrainians are deprived of the opportunity to buy print media and thus to get informed about the social, economic, political state of affairs in the country, as well as events from abroad.

The small advertising market and the impossibility to charge market price for media products makes media dependent on funding from sponsors and the state. Media owners consider their outlets as a tool for forming favorable public opinion rather than profitable business.

Moreover, media owners draw benefits from the media non-profitability: Journalists whose salaries depend on media owners' investments rather than on readership or advertising are more submissive. Under such circumstances, a lot of critical materials placed in media do not prove the existence of freedom of speech in Ukraine but rather demonstrate how the orders aimed at eliminating business or political rivals are fulfilled.

Media Persecution

Defamatory cases against Ukrainian media have become usual business. The amount of moral compensation is so high that satisfaction of such claims may result in the termination of media outlets. The situation has changed with the adoption of the 'anti-censorship' law in April 2003. The law provides mechanisms for securing media and journalists from excessive claims. However, the implementation of the law leaves much to be desired.

Criminal persecution of journalists continues. A case brought against journalist Boyko with regard to unpaid taxes has been opened and closed four times. The fact that the case has been under consideration since spring 2002 clearly testifies the desire of authorities to punish the journalist for his critical publications.

In fact, almost all regional print media are controlled by local state administrations. Opposition media are constantly experiencing strong pressure on the part of authorities. The presidential elections in Ukraine 1999 saw several forms of state pressure: administrative (audits done by tax administration and visits of fire inspections which resulted in considerable fines) and judicial (defamatory claims). Application of such measures resulted in the termination of many media outlets.

Since fall 2002 the Presidential Administration has been issuing *temnyks* (direct instructions on how certain events should be covered by journalists). In spite of massive journalistic protests and adoption of the 'anti-censorship' law, most national TV channels still continue to receive instructions on news coverage. Journalists generally follow these instructions because they have to fear to get fired otherwise.

Freedom of speech violations in Ukraine is numerous. Publishing houses in the Sumy oblast refuse to publish non-governmental newspapers. In September 2003 a group of journalists was locked in the press-center of the Cabinet of Ministers to prevent them from asking questions on Common Economic Space Agreement.¹ In October 2003 journalist L. Budzhurova was deprived of his accreditation for the Ukraine – EU Summit. In autumn 2003 the tax administration initiated a so-called war against "Lvivska Gazeta" and its founders. In January 2004 the militia arrested a truck in Zaporizhia that carried the edition of a newspaper "Bez Tsenzury" [Without Censorship]. This is just to name a few of them.

Media and Elections 2002

Mass media becomes more important during the pre-election period. This was also the case in 2002 when the parliamentary elections took place in Ukraine. These elections were held according to the new election law that prohibited analysis of pre-elections programs of candidates, parties and blocs, as well as canvassing during the first forty days of the pre-election period.

Those elections received different assessment from international observers and journalists. Monitoring reports financed

¹ The agreement which includes Ukraine into common economic area with Russia and some other CIS countries.

by the European Commission revealed the fact that most Ukrainian media worked in the interests of authorities and opposition parties were shown mostly in a negative light. The US State Department emphasized the extremely biased coverage of elections and the extensive usage of administrative recourse. The bright spot was the increase in the overall coverage of elections, as well as broadcasting of TV-debates.

Final Remarks and 2004 Monitoring

In general, Ukraine experiences a difficult period in its development. Ukrainian journalists do not enjoy many of their rights and freedoms. Existence of pluralism in Ukrainian mass media is not backed by the independence of print and broadcasting media.

With respect to the political dependence of media, it is extremely important to conduct election monitoring activities that would ensure fair and transparent elections in Ukraine. We suggest an introduction of a permanent monitoring model (the one which has been applied in Kosovo). Due to the assistance of Western experts, Ukrainian NGOs have gained experience in elections monitoring and at present are able to provide such monitoring on their own. International experts could help in elaborating and evaluating monitoring methodology and techniques. This monitoring should become a reference point for the conclusions of the international community as to the fairness and the democratic character of the elections. It is highly desirable that various international organizations participate in funding of such a project, and that their representatives become members of its Supervisory Council.