

Oleg Shynkarenko

UKRAINIAN MEDIA AFTER EUROMAIDAN



The research project is realised within the Ilko Kucheriv Democracy Fellowship Programme, which is a project of PASOS (Policy Association for an Open Society), carried out in conjunction with the Institute for Public Affairs (IVO), Slovakia. The programme has been made possible with the financial support of the National Endowment for Democracy (NED).

November 2014

Introduction

The role of free media in the development of a democratic society is unique and irreplaceable. It creates the proper conditions for expressing a plurality of views, informing the citizenry about society's problems and challenges, giving a platform to representatives of competing political forces and energizing the public debate about socially relevant issues. Democracy and independent media are inseparable. In the case of dramatic (or even revolutionary) changes in society, the media and journalists can act as strong agents of change. Subsequently, changes in society's development (political, economic, institutional, legislative, technological, and personal) affect the media itself, including the conditions for its activities and its mode of operation.

This paper presents the situation in the Ukrainian media space in the context of its broader development before and after Euromaidan. On the basis of evaluation of empirical data, analytical findings and conclusions, the author formulates a set of recommendations.¹

Euromaidan: the beginning

Euromaidan was a second Ukrainian revolution. It was bloody and took more than one hundred lives in February 2014. It was, at the same time, the first Ukrainian revolution scrupulously documented in thousands of amateurish YouTube videos and live broadcasts. It was the first revolution when the official state and commercial media did not have any significant influence on the people, creating opportunities and space for independent media individuals and small crews to address a millions-strong audience at once.

Symptomatically, Euromaidan – the citizens' protest against President Viktor Yanukovich's refusal to sign Ukraine's Association Agreement with the EU – began as a media event following a Facebook post by Ukrainian journalist Mustafa Nayyem. On November 22, 2013, when the Ukrainian government refused to sign the agreement, Nayyem posted several words which completely changed the history of modern Ukraine: "Let's be serious. Who is ready to come out at Maidan today till midnight? 'Likes' will be disregarded. Only comments under this post with the words 'I am ready.' As soon as there are more than a thousand people, we will be organizing ourselves." In the following days and weeks, Facebook became the medium for coordinating activities among revolutionaries and their supporters. They created dozens of pages. For the first time Facebook became not only a social network full of rumors and opinions, but a place where people disseminated truthful information in an ocean of conspiracy theories and blatant propaganda.

¹ In writing this paper, the author took into consideration some ideas, views and testimonies presented by selected Ukrainian journalists and media experts, including Otar Dovzhenko, Svitlana Ostapa, Oksana Romaniuk, Sergyi Leshchenko, Vasyl Zyma, Roman Skrypin, Taras Shevchenko, Olexiy Pohorelov, Vitaly Moroz, Andrey Yanitsky, Boris Khersonsky, Walid Harfouch and Zurab Alasania. He also used the ideas he discussed with Slovak journalists and media experts during his study leave in Bratislava in the framework of the PASOS Ilko Kucheriv Democratic Programme's fellowship.

The media before Euromaidan

Before the revolution, the Ukrainian media market was divided into two major parts: state and commercial. The first one was entirely controlled by the state power, while the second was independent only to a certain extent due to peculiar media property phenomena. All commercial media were owned or sponsored by oligarchs, billionaires who had their own interests in power.

TV channels in Ukraine are traditionally the most influential and therefore the most powerful opinion-shaping actors.

Top channels in Ukraine (July, 2014; age 18-54, cities 50.000 +)

№	TV channel	rat%	shr%
1	Inter	1,28	9,52
2	Channel Ukraine	1,21	8,98
3	STB	1,16	8,66
4	ICTV	1,03	7,68
5	1+1	0,97	7,24
6	New Channel	0,93	6,90
7	NTN	0,58	4,33
8	TET	0,47	3,48
9	2+2	0,36	2,67
10	5 channel	0,33	2,45
11	K1	0,32	2,36
12	MEGA	0,23	1,68
13	NLO-TV	0,21	1,58
14	ENTER FILM	0,16	1,2
15	M1	0,15	1,14
16	PIXEL	0,15	1,14
17	24 CHANNEL	0,14	1,03
18	FIRST NATIONAL	0,13	0,94
19	QTV	0,11	0,83
20	PLUSPLUS	0,11	0,82

The TV audience research data belongs to TIC. The data is calculated for July 2014. Sample: individuals 18-54 years old, who live in cities with populations of 50 thousand people and over. The analysis is based on variables Shr% and Rat%.

Oligarchs in the media market

The situation in the media market in Ukraine is marked by a high level of activity by economic tycoons (oligarchs). The richest Ukrainian citizen, Rinat Akhmetov (\$11.2 billion), has the largest media empire, [Media Group Ukraine](#), which includes 9 TV channels, a production company, a sale house and the media holding Segodnya Multimedia. Akhmetov himself served as MP twice (2006-2007, 2007-2012), being a member of the then-ruling Party of Regions fraction. He was, however, physically present at the parliamentary sessions only once (he missed 529 sessions out of 530). As a businessman, Akhmetov completely controlled the group of 32 MPs with the aim to influence major political decisions in favor of Yanukovich's Party of Regions. News programs on Akhmetov's TV channel employed manipulation tactics both during and after Maidan.

Another powerful TV channel was Inter, belonging to the National Information System (NIS) owned by two other oligarchs: billionaire Dmytro Firtash (80% of shares) and ex-head of the presidential administration Sergey Lyovochkin (20% of shares). Inter also used manipulative methods.

The connection between business activities, political ambitions and media influence is demonstrated by the case of the incumbent governor of Dnepropetrovsk region, Ihor Kolomoyskyi, who is the owner of popular TV channel 1+1.

Petro Poroshenko, winner of the 2014 presidential elections and one of the country's biggest media owners (his actives constitute \$1.3 billion), controls the solitary but rather influential 5 TV channel. In August 2014, this channel covered 2.45% of the Ukrainian audience. In comparison with the leading channels, it is still a significant share.

Political advertisement in media

In June 2014, the official state newspaper [Voice of Ukraine published reports](#) about the use of election funds in the presidential elections. According to the reports, there were five highly active investors in their desired "presidential future."

Presidential candidates	Money spent
Petro Poroshenko	96.5 mil. UAH
Mykhailo Dobkin	78.3 mil. UAH
Serhiy Tihipko	75.5 mil. UAH
Yulia Tymoshenko	67.5 mil. UAH
Oleh Tyahnybok	17.2 mil. UAH

([Exchange rate on May 25](#), date of elections: 11.72 UAH for 1.00 Euro)

The spending of the first three politicians is more than a quarter of a billion UAH. It is more than $\frac{2}{3}$ of the total expenditures of all competing candidates, which was 373.85 million UAH. According to [consolidated financial statements](#), on average 70% of all the expenditures of the candidates went to media promotion campaigns, mostly on television. Even having his own fully controlled and loyal media, [Poroshenko spent](#) from 82 to 96 million UAH for TV advertisement.

As oligarchs control their own media, not only in an economical but also in an ideological sense, journalists and media managers become de facto fighters in the tycoons' wars against each other. The peculiarity of these wars is that they usually intensify when the political space becomes less homogeneous. As soon as the threat of dictatorship in Ukraine decreased after Euromaidan, different groups of influence started to fight for their audience using their own media outlets, mostly big TV channels.

Manipulation and violation of journalistic standards

The civic and democratic ethos of Euromaidan brought new impulses into the resistance against media manipulation. Journalists made their position clear: they did not want to be merely the loyal servants of the political, economic and personal ambitions of tycoons and powerful state officials.

February 21, 2014 was the first day of the Euromaidan victory. The day before, more than 100 protesters had been killed in the Kyiv city center by police units, and on the 21st several employees of NIS appealed to their management with an open letter declaring disagreement with the TV channel's editorial politics. The letter was signed by 16 journalists, editors and cameramen. They argued that the news programs had turned from being "only" pro-state power into being an overt propaganda tool, distorting facts and lacking balance. The signatories demanded a return to journalistic standards in covering events on Maidan and in the regions, without fear and fact-avoidance.

Manipulative practices and unfair methods of information had been usual in Ukraine during the whole preceding period of time. One can identify several factors that led politicians and tycoons to use the media to misinform voters about their activities:

- The legislation does not limit the size of election funds for presidential candidates. It makes unequal conditions for them in terms of the possible costs of campaigning in the media. Subsequently, Ukrainian voters are informed about candidates differently, in accordance with the candidates' financial capacities.
- Political campaigning on television as the most popular source of information for average voters significantly affects the level of recognition and popularity of different candidates and parties.
- Quota legislation on advertising during the election process (20% of the day and 25% of the hour) allows the media to broadcast more advertising during "peak hours" (prime time). Every TV and radio channel can broadcast up to 4 hours 48 minutes of advertising, including political, every day; however, TV channels have learned to circumvent even this quota by producing political advertisement as an interview with candidates.

- The money factor puts into question the equality of access to the media that various candidates and parties enjoy, and the very fact that campaigns are built on a huge amount of political advertising is dangerous, as it casts doubt on free expression.
- Voters who receive short daily emotional messages from a particular party are often not able to evaluate its program. The key points for voter decision become popularity of advertising media, wit, and charisma of candidates, rather than the content of election programs or assessment of politicians' activities.

Experts mention several reasons for the violation of journalistic standards in Ukraine. There is a popular opinion in society that the Ukrainian media market is unprofitable, which leads to journalists and media managers depending heavily on owners who exert pressure on them to cut funding. Other experts argue that the aforementioned opinion is far from the truth and the printed media are mostly profitable. There is, however, a lack of reliable evidence or statistics about the profitability of Ukrainian media.

Obviously there are reasons for poor quality and biased journalism besides pressure from media owners. There are also factors that lead to law-avoiding (de facto illegal) political advertisement (so-called "jeans," a term used in Ukraine for hidden/illegal political advertisement):

1. Growth in demand from advertisers for "advertorials" – advertisement articles that look like editorials. Those media which respect their audience separate such articles from real editorials using different colors, fonts, or special symbols. Other media "jeans."
2. Insufficient qualifications of journalists and managers who are unable to work with "advertorials."
3. Hard economic conditions, reduction in advertising, searching for new income sources.
4. Willingness to take money despite the interests of readers.
5. Disrespect for the audience, journalists and editors from customers of "jeans."
6. In the case of the state media, complete dependence on state officials and inability to avoid publishing anything that comes from the top.

Other reasons for the violation of journalistic standards in Ukraine, as seen by experts, include:

1. A high level of media dependence on business. Media owners are lobbying for their commercial interests in the political arena, and therefore journalists working for their media have to serve their political interests.
2. A low level of competitiveness in the media market. Even if a media outlet (for example, a TV channel) is unprofitable, the media owner supports it financially in order to have political influence.
3. A tradition of service to political and business interests inherited from Soviet and early post-Soviet times.

4. Emotional ties of journalists to politicians and businessmen, where journalists are associated with somebody who is involved in political conflict and subsequently try to “help our friends to win.”

System of the state media

Ukrainian state media are fully controlled by the government through its budget and appointed managers. This legacy of the late USSR is tremendous and consists of 9 main units. Just one of them, the “regional TV and radio companies,” consists of 29 sub-units situated in all major cities of Ukraine. The whole complex is ruled and funded by the [State Committee for Television and Radio Broadcasting in Ukraine](#) (SCTRU) and its annual budget is more than 50 million EUR.

The SCTRU is the executive body responsible for information policy in the state, such as language policy, publishing, public morality and public access to information. Its main tasks include:

- participating in the formulation and implementation of state policy in the information and publishing industries;
- analyzing and forecasting the trends in Ukraine’s information space, market of print, television and radio production;
- coordinating the state media, including the National Television Company of Ukraine, National Radio Company of Ukraine, State TV and Radio Company Crimea, regional broadcasters, Kyiv and Sevastopol regional public service broadcasters, publishing houses.

Top managers of state-controlled TV channels considered the state television to be a tool of governmental policy, a strong instrument for the support and protection of the government.

While the SCTRU controls only state media, the National Television and Radio Broadcasting Council of Ukraine (NTRBCU) seriously influences the Ukrainian media market through the issuance and revocation of broadcasting licenses. In 2013, regulatory officials conducted 659 inspections of broadcasters and program service providers, including 562 planned inspections and 97 unplanned. As the result of these inspections, sanctions were applied to 70 licensees (65 licensees were warned, and court proceedings were submitted to revoke another 5 licenses on the basis of repeated violations or due to lack of activity).

Impact of Euromaidan

The Ukrainian revolution of 2013-2014 was not only an uprising against state corruption and dictatorship, but also a complex phenomenon, including a media revolution. Although only a short period of time passed after Euromaidan, some significant changes were encountered.

After Euromaidan the whole top management of the state TV channel NTU was changed. The new NTU head, Zurab Alasania, argues that NTU has decided to abandon the practice of the so-called “presidential pool,” where the presidential administration press office provided financial support for selected journalists when they accompanied the head of state during his visits abroad. The selection criteria were based on the journalists’ loyalty. This practice led to biased pro-

government news coverage in the state and commercial media. According to Alasania, this practice stopped after Euromaidan. The presidential administration still agrees to offer places for journalists on its plane, but nothing else (flight, accommodation and meals can now be provided only at the expense of the media).

Another important improvement in the presidential administration press office is greater openness. While the previous president Yanukovich was closed to the media, the current president Poroshenko is much more open.

The efforts of pro-Euromaidan journalists and activists to establish public TV and radio broadcasting have been highly important.

The idea of establishing public broadcasting in Ukraine has a much longer history. The law on public service broadcasting (authored by Vitaliy Shevchenko) was adopted by the parliament in 1997; however, it was never enacted and was eventually canceled. Discussions about the creation of public broadcasting renewed in 2005, after the Orange Revolution and personal changes in the old NTU team when Taras Stetskiv and Andriy Shevchenko joined. The Public Broadcasting Coalition of NGOs was formed and subsequently worked out a package of legislative and organizational proposals. In December 2005, however, the movement ceased to exist after the parliament rejected the bill based on the NGOs' proposals in its second reading. In 2009, MP Andriy Shevchenko registered a new draft of the law "On the System of Public Broadcasting in Ukraine." The bill, however, was rejected by parliament in June 2009. In 2010, MPs Shevchenko, Kaskiv and Suslov registered another version of the law "On Public Service Broadcasting." The bill was not voted on until April 2014, when MPs worked out its new iteration. The law was eventually approved, but the process of establishing public TV is still not clear in practical terms. Proposals to simply transform the state TV into a public one did not find support inside the state TV, as such a process would necessitate a substantial reduction of personnel. The law does not provide special funds for the creation of a new channel as an alternative to the existent state one, while the state budget simply lacks such funds.

The spontaneous civic initiative Hromadske Telebachennya (Public Television), a joint project of famous Ukrainian journalists, attempted to create a public media outlet. The new media's task was defined as "objective and unbiased information about important social, political, economic, cultural and social processes, uncensored and broadcast only in accordance with the principles of public editorial policy under transparent funding and reporting." However, Hromadske TV is not a real public broadcaster as it is not funded by Ukrainian citizens in the form of obligatory concessionary payments (like public broadcasters in the West). Hromadske TV also does not broadcast through the usual television networks, but operates only on the internet as a YouTube channel. It is funded from donations. According to its Interim Financial Report in the first quarter of 2014, Hromadske TV was funded by individual contributions (1,408,324 UAH), auctions organized by Dukat Auction House (207,402 UAH) and the US Embassy (287,898 UAH), with a total sum 1,903,624 UAH.

Hromadske TV is an NGO funded by crowd-funding campaigns and foreign grants. This has two consequences:

1. Its journalists are not limited in their work by any advertisers or other sponsors, as most of the contributions are made anonymously by people who cannot influence editorial politics and individual payments are insignificant.

2. Hromadske TV declares its adherence to journalistic standards; however some journalists working at this channel do not recognize (or do not feel themselves restricted by) any standards.

If the first consequence provides nearly full independence for journalists, the second one could lead to recurrent violations of journalistic norms and ethics.

Hromadske TV is a positive example of self-organized media which can produce its own 24-hour broadcasting with little staff and for a relatively small amount of money. The annual budget of Hromadske TV is about 400,000 EUR. Just for comparison, the annual budget of the new private TV channel Ukraine Today is approximately 10 million EUR. Much of this sum was spent on payment for satellite services, distribution in Europe and promotion of the brand. Hromadske TV does not any spend money on promotion, luxury studios or expensive equipment.

Hromadske TV is not integrated into the state broadcasting system, which is planned to be the real public TV according to the proposed new legislation. It is probable that both channels will develop simultaneously and in the end Ukraine will have two competitive public broadcasters.

Hromadske Radio was launched in summer 2013 as a non-profit volunteer NGO project. It is also funded from foreign grants and crowd-funding campaigns. The Radio has managed to obtain a daily 3-hour live transmission on Ukrainian state radio. It is possible that, in the end, both media could be united as one real public broadcaster.

Experts argue that journalists from Hromadske Radio stick to professional standards. There have been no encountered cases of standards violations. The Radio describes its editorial policy as follows: “Despite the fact that the Ukrainian audience of listeners has a broad range of state, municipal and private radio and network stations that offer thousands of hours of entertainment and information content, people are still denied an opportunity to get non-partisan, non-profit, unbiased and balanced news and analysis of current affairs.” Hromadske Radio is a source of audio information which is independent from power, political or business interests. Today it is not only an objective information channel, but also a non-partisan forum for debates.

Conclusions and recommendations

The aim of this paper is to highlight some significant features of Ukrainian journalism and the media market after the Euromaidan revolution, to note some problems and to suggest some recommendations for decision-makers. Analyzing post-Maidan developments, we come to the following conclusions:

- Euromaidan did almost nothing to change previous media ownership. The old major media in the Ukrainian market have the same owners as before. But the credibility of

some of them has decreased, as they were involved in media manipulation before the revolution.

- The quantity of media has increased due to newly-established small TV channels, radio stations and internet sites funded by foreign grants and crowd-funding campaigns. They are not controlled by the state or oligarchs, but some of them violate journalistic standards because of arbitrary rules or “special preferences” of the journalists.
- Hidden PR articles (“jeans”) were very typical for Ukrainian journalism before Euromaidan. They persist after the revolution too, but the amount has significantly decreased because many “old customers” (politicians and high-ranking officials) have escaped from Ukraine or simply been marginalized.
- The Ukrainian government took a big step in creating public broadcasting after the respective legislation was approved in the parliament, but there is as yet no answer for which media could be transformed into a public broadcaster, and there is no clear procedure for the transformation. Public discussions suggest that it could be done as a hybrid between state broadcasting and existing NGOs (self-declared “public broadcasters”).

Taking into consideration the current state of Ukrainian journalism and the media market, developments after Euromaidan and international experience, we can offer some recommendations for the possible solution of existing media problems in Ukraine:

1. Strong watchdog organizations and self-regulating bodies should be established in Ukraine for the prevention of violations of journalistic standards. As practice shows, the organizations that exist (several NGOs like Telekritika, the Media Law Institute, the Institute of Mass Information and professional trade unions) are not sufficient and do not have the real influence needed to shape the processes ongoing in the media space. The government should work out special tools which could enhance existing watchdogs with a legal means of impacting the solution of violations. A system of fines (prosecutions) for the most serious violations acknowledged by the majority of watchdogs should be established.
2. The Ukrainian government and private sector should support the emergence of media with smaller staffs. It is better to have 10 small, individual TV channels than one large one. A wider variety of opinions can have a balancing effect and strengthen the elements of competition.
3. Parliament should implement special legislation to punish media outlets for hidden PR articles (“jeans”) if the facts are evident and proven.
4. A special body for control over propaganda could be created within the existent structures. It could be an internet site where individual cases could be presented and experts from watchdog organizations would have the opportunity to express their views by voting. Every recognized case of propaganda should be punished.

5. No journalist should be punished just for the content of his/her articles. If somebody wants to sue a journalist or media outlet, the court should accept the complaint only if it is approved by the majority of watchdog organizations.

6. The media should be defended from groundless intentional accusations. Every case of a fine or other punishment should be preliminarily approved by the majority of watchdog organizations.

7. The top management of watchdog organizations should be changed periodically in order to prevent corruption among these organizations.